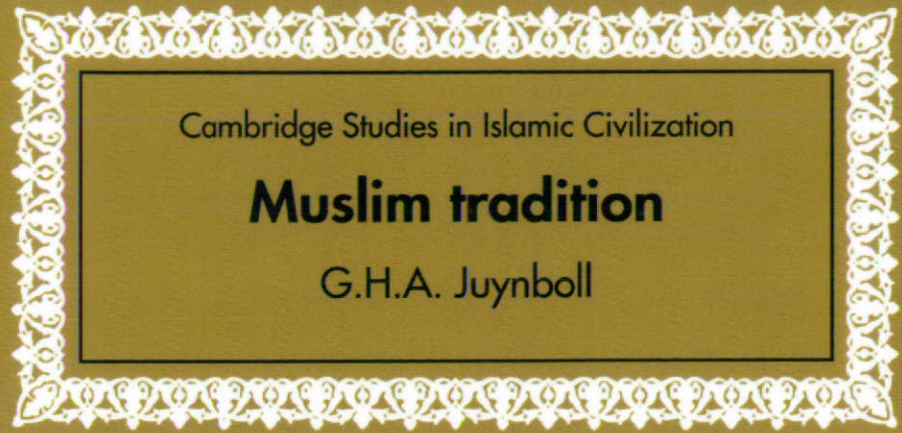


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In *Muslim tradition* G. H. A. Juynboll undertakes a broad-ranging review of the closely linked questions of date, authorship and origin of *hadiths*, i.e. the traditions of the prophet. *Hadiths* which record the sayings and deeds of the prophet Muḥammad, are central to Islamic teaching and beliefs and command a respect in the Islamic world second only to the Qur'ān.

The question of when, how and where particular *hadiths* came into existence is basic to the understanding of the formative period of Islam. This statement of a sceptical position, which can be visualised as located *between*, on the one hand, the orthodox Muslim view and, on the other, that of Western scholars, uses all the rich material available and explores the possibilities it opens up. The book faces major issues and reaches conclusions which may provide a basis for future debate in which, it is hoped, both Muslim and Western scholars will participate.

Juynboll Muslim tradition



وَوَيْلٌ لِلَّذِينَ كَفَرُوا مِنْ يَوْمٍ يَخْرُجُونَ مِنَ الْأَرْضِ يَذَرُوهَا كَالْحِثْيِ وَيُرَدُّونَ إِلَىٰ أَرْضِ الْوَعْدِ الْأَرْضِ الْمَوْصُوعَةِ أُولَٰئِكَ هُمُ الْمُتَعَذِّبُونَ  
أَبُو عَمِيرَةَ ٢ حَدِيثٌ عَمْرٍو أَنَّ رَجُلًا أَتَاهُ عَمْرٌو أَنَّهُ  
عَمِّي سَجَّ مَوْصِيحَةً فَأَرَادَ مِنْ أَهْلِ الْبَيْتِ أَمْ مَنْ أَهْلِ  
الْبَيْتِ بِهِ فَأَمْرٌ هَلَّا لَبَّادِيهِ فَأَمْرٌ عَمْرٌو مَا لَأَسْعَاقُ  
الْمَوْصِيحَ بَيْنَنَا بَدْرٌ وَادٌّ لَدَىٰ سَعِيدِ بْنِ سَعِيدٍ عَمْرٌو  
بِنِجْمَةَ لِرَحْمَنِ لَمَدِينِي عَمْرٌو سَلِمَةَ بْنِ سَعِيدِ الْعَمْرُومِي  
عَمْرٌو بِنِجْمَةَ نَحْنُ الْأَخْيَارِ عَمْرٌو نَهْ وَالِدٌ لَدَىٰ هَذَا  
الْحَدِيثِ نَحْنُ بَعَثُوا هَلَّا لَعَلَّ عَلِيَّ بْنَ أَهْلِ الْبَيْتِ  
لَا يَهْتَلُونَ عَمْرٌو هَلَّا لَبَّادِيهِ وَلَا هَلَّا لَبَّادِيهِ عَمْرٌو  
وَعَمْرٌو هَلَّا لَبَّادِيهِ وَدَلِيلُهُ الْيَكْتَانِ لَعَلَّ لَا يَجْمَلُ  
بِئْسَ وَالْمَوْصِيحَةَ وَالْإِصْبَعِ وَأَسْبَابُهُ لَدَىٰ مَا  
كَانَ دُونَ الثَّلَاثِ عَمْرٌو وَهَلَّا لَبَّادِيهِ عَمْرٌو هَلَّا لَبَّادِيهِ  
أَبُو عَمِيرَةَ هَلَّا لَبَّادِيهِ مَا كَانَ دُونَ الثَّلَاثِ هَلَّا لَبَّادِيهِ  
مَا لَأَسْعَاقُ هَلَّا لَبَّادِيهِ وَأَمَّا هَلَّا لَبَّادِيهِ هَلَّا لَبَّادِيهِ  
الْمَوْصِيحَةَ هَلَّا لَبَّادِيهِ لَعَلَّ إِذَا كَرَّحَكْنَا وَمَا  
كَانَ دُونَ الْمَوْصِيحَةَ هَلَّا لَبَّادِيهِ هَلَّا لَبَّادِيهِ  
مُضْعًا فِيهَا تَوَدُّ بَنُو كَعْبَةَ هَلَّا لَبَّادِيهِ هَلَّا لَبَّادِيهِ  
وَحَلَّه هَلَّا لَبَّادِيهِ هَلَّا لَبَّادِيهِ هَلَّا لَبَّادِيهِ هَلَّا لَبَّادِيهِ  
أَبُو عَمِيرَةَ هَلَّا لَبَّادِيهِ هَلَّا لَبَّادِيهِ هَلَّا لَبَّادِيهِ  
بَعَثُوا هَلَّا لَبَّادِيهِ

Page taken from the oldest dated Arabic manuscript on record written on paper, Abū 'Ubayd's *Gharīb al-ḥadīth* preserved under number Or. 298 in Leiden University Library and reproduced here with that institution's kind permission. This manuscript was allegedly copied in 252 AH/866 AD.

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*Cambridge Studies in Islamic Civilization*

**Muslim tradition**

## *Cambridge Studies in Islamic Civilization*

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# Muslim tradition

Studies in chronology, provenance  
and authorship of early *ḥadīth*

G.H.A. JUYNBOLL

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To M.A.

*Laqad kāna lakum fī rasūli 'llāhi  
uswatun ḥasanatun li-man kāna yarjū 'llāha  
wa 'l-yawma 'l-ākhirā wa-dhakara 'llāha kathīrā*  
Qur'ān, xxxiii, 21

# Contents

Preface	ix
Introduction	i
<b>1 A tentative chronology of the origins of Muslim tradition</b>	<b>9</b>
Introduction 9; <i>Awā'il</i> evidence 10; The chronology of the growth of traditions 23; The origin of the concept 'prophetic <i>sunna</i> ' 30; The earliest development of the <i>ḥadīth</i> centres 39; A tentative chronology of <i>ṭalab al-'ilm</i> 66; Summary and conclusions 70	
<b>2 The role of <i>qāḍīs</i> in the spreading of traditions</b>	<b>77</b>
Introduction 77; The <i>qāḍīs</i> of Egypt 79; The <i>qāḍīs</i> of Syria 83; the <i>qāḍīs</i> of Medina 83; The <i>qāḍīs</i> of Mecca 84; The <i>qāḍīs</i> of Baṣra 85; The <i>qāḍīs</i> of Kūfa 87; The <i>qāḍīs</i> of Bagdad 89; The <i>qāḍīs</i> of other centres 90; Summary and conclusions 94	
<b>3 The <i>man kadhaba</i> tradition and the prohibition of lamenting the dead. An investigation into <i>mutawātir</i> traditions</b>	<b>96</b>
Introduction 96; <i>NWH</i> in sources other than <i>ḥadīth</i> 99; <i>NWH</i> in <i>ḥadīth</i> literature 102; <i>Man kadhaba</i> etc. in non-Iraqi collections 108; <i>Man kadhaba</i> etc. in the <i>Muwaṭṭa'</i> 110; <i>Man kadhaba</i> etc. with Shāfi'ī and Ḥumaydī 112; <i>Man kadhaba</i> etc. with Ibn Wahb 114; <i>Man kadhaba</i> etc. in Iraqi collections 118; Abū Ḥanīfa and the transmission of <i>ḥadīth</i> 119; <i>Man kadhaba</i> etc. in Iraqi collections (cont.): at-Rabī' b. Ḥabīb 124; <i>Man kadhaba</i> etc. in Ṭayālīsī 125; <i>Man kadhaba</i> etc. in later Iraqi sources, and conclusions 129	
<b>4 An appraisal of muslim <i>ḥadīth</i> criticism. <i>Rijāl</i> works as depositories of transmitters' names</b>	<b>134</b>
Introduction 134; Ibn Ḥajar's <i>Tahdhīb at-tahdhīb</i> 135; The case of Ḥafṣ b. 'Umar 137; The case of 'Ikrima 139; The case of Bishr 140; The case of Abū Ishāq 141; Nāfi' and Shu'ba 142; The dependable Thābit 143; The case of Anas 144; The accumulation of certain names 145; The case of Zuhri 146; Conclusion 159	



viii Contents

<b>5</b>	<b>'Accepting traditions means knowing the men'</b>	<b>161</b>
	Introduction 161; The evolution of <i>tarjamas</i> in the <i>rijāl</i> works 163; The development of technical terms in the <i>rijāl</i> works 176; The collective <i>ta'dīl</i> of the Companions 190; The 'common link' theory of J. Schacht 206	
	Appendix I	218
	Appendix II	221
	Appendix III	223
	Appendix IV	237
	Appendix V	242
	Bibliography	244
	Index (glossary)	254

## Preface

The five chapters of this book were written during the years 1976–81. Some of them were presented in condensed form at various conferences, colloquia and seminars. The reactions and criticisms they evoked have been incorporated where appropriate. Thus Chapters 2 and 4 were read at UEAI congresses held respectively in Aix-en-Provence (1976) and Amsterdam (1978). Chapter 2 was also introduced at a SOAS seminar in London in 1977 as well as at a seminar organized by the Institute for Advanced Studies of the Hebrew University in Jerusalem, where, during a year's stay (1979–80), I had the opportunity to discuss also Chapter 3 and 4.

When researching this book I greatly benefited from a number of persons and institutions whose suggestions and help I should like to acknowledge with gratitude.

First of all, I am thankful to I. R. Netton and J. N. Mattock for proposing corrections of my English style.

My year's stay at the Institute for Advanced Studies in Jerusalem, on the invitation of M. J. Kister and S. Shaked, proved a wonderful opportunity to write most of Chapters 1 and 5.

Leiden University Library's excellent Oriental collection, made available especially through the good offices of A. J. W. Huisman and J. J. Witkam, was indispensable.

I would not have been able to compose a major part of Chapter 1's footnote material, if I had not had the latter's and W. Raven's cooperation; they willingly put at my disposal their index of personal names of the canonical *ḥadīth* literature, an index which is in the process of being compiled as volume VIII of *Concordance et Indices de la tradition musulmane*.

I am grateful to A. Wakelam for his work on the illustrations.

Finally, I want to thank M. A. Cook for making a large number of valuable suggestions, when he read the last draft of the manuscript.

I am convinced that this book, whatever its merits, could not have been written without the inestimable help of all those persons and institutions mentioned here.

September 1982

G. H. A. Juynboll

#### NOTE TO THE READER

*Of necessity, a study such as the present one abounds in Arabic technical terms. Anyone conversant with ḥadīth jargon and that of related disciplines is bound to agree that using these Arabic terms' English equivalents – which are often quite cumbersome – consistently or even just occasionally, may obscure the argument rather than clarify it. Throughout this book I introduce Arabic words which are only rarely accompanied by their English counterparts. Most readers can indeed do without the latter, I am sure. However, for those users of this book who are not entirely clear sometimes about the nuances of certain technical terms used, I have provided an extensive glossary incorporated in the general index which concludes this book.*

## Introduction

This book deals with various aspects of the formative period of Muslim tradition, in Arabic: *ḥadīth*; throughout this study the term 'tradition' is used as the equivalent of the Arabic word *ḥadīth* and is to be understood in this sense only. A *ḥadīth* proper is the record of a saying ascribed to the prophet Muḥammad or a description of his deeds. In the course of time these records were compiled into a number of collections which together form the so-called *ḥadīth* literature. Several of these collections acquired so much prestige that they became sacrosanct in the eyes of the Muslims and, subsequently, were vested with an authority second only to the Qur'ān.

When, in the mid-sixties, I wrote my study on modern Muslim discussions about the authenticity of the *ḥadīth* literature,<sup>1</sup> I realized that I did not take sides, neither in the disputes among Oriental scholars nor in the ones occasionally flaring up between Oriental and western scholars. I had been influenced by the books of Goldziher and Schacht, of course, but also by those of modern Muslim scholars, and I kept postponing my commitment to any particular point of view. Initially I thought of the problems raised by Oriental and western scholars concerning the origins of *ḥadīth* as mutually irreconcilable. If two points of view could differ so widely, how could anyone even attempt to bring them into harmony?

Then, in 1976, I embarked on an examination of the role early Muslim *qāḍīs* were supposed to have played in the spreading of traditions. My pre-conceived ideas about the outcome of my investigation were shattered. It taught me that there was, after all, a conceivable position that could be taken between the two points of view represented respectively by Muslim and western scholarship. But since that time I no longer wanted to expose myself to the influences of either side, and I returned to the earliest sources and did my research without constantly comparing my findings with those of either Oriental or western scholars until after it was all over.

As I see it, the sources appear to have provided me with sufficient evidence to maintain a position between the extremes. This book constitutes an account of this research.

1. See my *Authenticity* in the bibliography.

I am fully aware of the fact that I am not the first one to write about the origins of *ḥadīth* nor will I be the last one. Over the centuries Muslim scholars have devoted themselves assiduously to this literature, which had become sacred to them, only second in holiness to the Qur'ān. The results of their studies are laid down in a never-ceasing flow of publications. Up to this very day *ḥadīth* is studied everywhere in the Muslim world. An overall impression one gleans from nineteenth and twentieth centuries' works is that the point of view taken hardly differs from that crystalized during the late Middle Ages, when the research into the origins and the evolution of *ḥadīth* literature virtually seemed to have come to a standstill with a formulation of its history commonly accepted by all sunnite and most Shī'ite<sup>2</sup> Muslims.

It is true that from time to time several studies saw the light in which a different approach was propounded. In these studies certain basic theories which had long become axiomatic to the extent that further scrutiny was considered almost a sin, were looked into from new angles.<sup>3</sup> But they mostly evoked bitter criticism, were subsequently hushed up and/or quickly forgotten.

Also in the West the study of the tradition literature aroused the interest of scholars. *Ḥadīth* studies as a whole received a major impetus though with the publication of Goldziher's *Muhammedanische Studien*, volume II. This work is generally considered – at least in the West – as the first milestone among western efforts to depict the earliest history of *ḥadīth*. A re-evaluation of previously published works on the subject, it was also a steppingstone for a number of later publications. With the possible exception, perhaps, of several writings by the late J. Fück,<sup>4</sup> no studies were carried out in the West, as far as I know, in which conclusions were drawn that differed basically from those arrived at by Goldziher.

Gradually, Goldziher's theories, also because of the translation into Arabic of his *Vorlesungen*,<sup>5</sup> became known in the Muslim world and met with opposition.<sup>6</sup> Until the present day perhaps the most articulate critique

2. An exception among Shī'ite scholars is perhaps 'Abd al-Husayn Sharaf ad-Dīn, author of a controversial book about Abū Hurayra called simply *Abū Hurayra* (Ṣaydā n.d.). For more information about this author, see W. Ende, *Arabische Nation und islamische Geschichte. Die Umayyaden im Urteil arabischer Autoren des 20. Jahrhunderts*, Beirut 1977, index s.n.
3. Cf. my *Authenticity*, especially Chapter IV; see also *Muslim self-statement in India and Pakistan 1857-1968*, pp. 49-54, in which Chirāgh 'Alī (1844-1895) is named as having anticipated Goldziher in his scepticism concerning the authenticity of even the classical collections; cf. also the introduction by Aziz Ahmad (p. 5).
4. Die Rolle des Traditionalismus im Islam, and his review of Schacht's *Origins*, in *Bibliotheca orientalis*, 1953, pp. 196-9.
5. *Al-'aqīda wa 'sh-sharī'at fī 'l-islām, ta'rīkh al-taṭawwur al-'aqd'ī wa 't-tashrī'ī fī 'd-diyāna al-islāmiyya*, naqalahu ilā 'l-'arabiyya wa-'allaqa 'alayhi Muḥammad Yūsuf Mūsā, 'Abd al-'Azīz 'Abd al-Haqq, 'Alī Ḥasan 'Abd al-Qādir, Cairo 1946 (Dār al-kitāb al-Miṣrī).
6. Cf. my *Authenticity*, pp. 104ff., and also 35f.

was formulated in the 1966 Cambridge doctoral dissertation of Muḥammad Muṣṭafā al-A'zamī (M. M. Azmi), which was published in Beirut in 1968, entitled *Studies in early ḥadīth literature*, and which is now also available in an Arabic translation with the title *Dirāsāt fī 'l-ḥadīth an-nabawī wa-ta'rikh tadwīnihi*, Beirut 1973, Riyāḍ 1976, 1979.

Since the subject of *ḥadīth* is very delicate among Muslim scholars, every researcher who publishes his findings which differ from those formulated by Muslim *ḥadīth* specialists in the Middle Ages runs the risk of creating hostility.<sup>7</sup> That also happened to Goldziher.<sup>8</sup> And there is also that deep-rooted feeling of uneasiness which seizes many Muslim scholars when confronted with yet another effort of a Westerner to throw new light on Islam. It seems that, with the possible exception of Qur'ān studies, of all the studies carried out in the West *ḥadīth* studies have caused Muslim scholars the most embarrassment, much more so than any endeavours on the part of western scholars into any other field of Islamics. This embarrassment has given rise on more than one occasion to unfortunate wrangles. As long as these wrangles have not yet been sorted out by means of a dispassionate investigation, they are likely to remain always obstacles in the path toward full scholarly cooperation between Muslim and western scholars.

Before I tell my own story, I would like to dwell briefly on those western studies published after Goldziher's that seem to me the most important: J. Schacht, *The Origins of Muhammadan Jurisprudence*, Oxford 1950; F. Sezgin, *Geschichte des arabischen Schrifttums*, volume 1, Leiden 1967; N. Abbott, *Studies in Arabic Literary Papyri*, vol. 1, *Historical texts*, Chicago 1957, and vol. II, *Quranic Commentary and Tradition*, Chicago 1967.

However much I admire Schacht's *Origins* – I have in particular benefited from his theories that '*isnāds* have a tendency to grow backwards' and his 'common link theory' – because of its countless cross-references it also makes heavy reading and its style seems to rub many readers, western and Muslim, up the wrong way. This style is generally felt to be somewhat supercilious and definitely too apodictical for Muslim ears. Strangely enough, Schacht's book seems to be little known among Muslim scholars,<sup>9</sup> but some of those who did read it, found its terseness and its all too readily

7. Thus we read: 'The traditional Islamic criticism of ḥadīth literature and the creation of criteria for distinguishing between true and false ḥadīth must not be in any way confused with the criticism of European orientalisists made against the whole corpus of ḥadīth. From the Islamic view this is one of the most diabolical attacks made against the whole structure of Islam.' This quotation was taken from Ṭabāṭabā'ī (Muḥammad Ḥusayn), *Shī'ite Islam*, translated from the Persian and edited with an introduction and notes by Seyyed Hossein Nasr, Albany N.Y. 1975, p. 119, note 24, which is one of the translator's. Cf. also S. H. Nasr, *Ideals and realities of Islam*, London 1975, pp. 78ff.

8. E.g. cf. Muṣṭafā 's-Sibā'ī, *As-sunna wa-makānatuhā fī 't-tashrī' al-islāmī*, Cairo 1961, pp. 365–420.

9. Only Azmi subjected it to extensive criticism. See also Chapter 5, note 179. Cf. also Sibā'ī, pp. 24f.

formulated and at the same time sweeping theories, which many a time sounded more like statements, hard to swallow. Rather than taking it as a starting-point in an attempt at improving upon its findings, I sought to write my own account, in doing so covering more or less the same ground and using my own source material. Moreover, I did not want to confine myself to mainly legal traditions. Although Schacht also made use of and quoted from many of the same sources, he did it in a manner which I feel to be decidedly different from my own. Some of my aims in writing this book are fulfilled if the style in which I mould my ideas does not recall the style of my predecessors. Much as we may be indebted to our predecessors – something which we should gratefully acknowledge – we need not necessarily express ourselves in the same tone of voice.

Sezgin's epochal work presents a new approach. Where Goldziher's and Schacht's findings amounted virtually to denying the ascription of the bulk of *ḥadīth* literature to its alleged originators (the prophet, his Companions or even later authorities) as authentic, Sezgin appears to be a great deal less sceptical. His main thesis that the writing down of *ḥadīth* as well as other material started almost immediately after the death of the prophet, and continued virtually uninterrupted during the first three centuries of Islamic history, and this on an increasing and ever more sophisticated scale, has raised little doubt as far as I know. And Azmi, in his study referred to above, arrived quite independently at more or less the same conclusion. But unearthing and cataloguing material, as Sezgin has done, is something altogether different from establishing its authenticity. By that I mean establishing whether the material ascribed to certain early authorities is, in actual fact, theirs or whether it originated with later authorities who, for a variety of reasons, wanted it to appear older and, therefore, projected it back artificially onto older and thus more awe-inspiring authorities. Apart from a few isolated cases in which Sezgin questions the authenticity of certain texts, he presents the bulk of them as if he has no qualms as to their genuineness. Something which always struck me in the work of Sezgin, Azmi and also in that of Abbott – to which I shall turn in a moment – is that they do not seem to realize that, even if a manuscript or a papyrus is unearthed with an allegedly ancient text, this text could very easily have been forged by an authority who lived at a time later than the supposedly oldest authority given in its *isnād*. *Isnād* fabrication occurred, as everybody is bound to agree, on just as vast a scale as *matn* fabrication. And internal evidence gleaned from *isnāds* should always be suspect because of this wide-scale forgery, exactly as each *matn* should be scrutinized as to historical feasibility and never be accepted on the basis of solely *isnād* criteria. To this may be added that the repeated use of 'sound' *isnāds*, as can be proven with overwhelming evidence from the sources, was felt to be much easier than the creation of new, and therefore automatically more suspect, ones.

Where Sezgin's work betrays a certain credulousness, so does Nabia

Abbott's volume II. But let me say first that it constitutes a western account of the origins of *ḥadīth* which I suppose is quite sympathetic to Muslim readers. It suffices to say that, on the whole, she agrees with Sezgin and Azmi as to the important part which writing played in the transmission of *ḥadīth*, even during its earliest stages. And she shares his credulity as to most information that can be gleaned from *isnāds*. Thus, like Sezgin and indeed Azmi, she takes the role allegedly played by certain famous Companions for granted in gathering and transmitting sayings and descriptions of deeds of the prophet. I do not deny the possibility that the Companions talked incessantly about their deceased leader, but I think that it never took the programmatic form that the sources want us to believe, and *ḥadīth* became only standardized after the last Companions had died, not while a relatively large number of the younger Companions were still alive. Even the role allegedly played by certain major representatives of the next generation, e.g. 'Ikrima, Abū Ishāq, Ḥasan al-Baṣrī to name but a few, seems in many respects doubtful, a surmise for which there is an overwhelming amount of evidence in the sources as the following chapters may show.

Abbott seems to rely too heavily on much of the information given in *isnāds* and in books about *isnāds* concerning the three oldest *ṭabaqāt*. In my view, before the institution of the *isnād* came into existence roughly three quarters of a century after the prophet's death, the *aḥādīth* and the *qīṣaṣ* were transmitted in a haphazard fashion if at all, and mostly anonymously. Since the *isnād* came into being, names of older authorities were supplied where the new *isnād* precepts required such. Often the names of well-known historical personalities were chosen but more often the names of fictitious persons were offered to fill in gaps in *isnāds* which were as yet far from perfect.

Abbott, again, relies too heavily on the information the sources give about 'Umar's stance in the transmission of *ḥadīth* as she also has too detailed and too clear-cut ideas about Zuhri's role. Her views on the Umayyads' participation in *ḥadīth* are equally too explicit. However, her description of 'Umar II is in my eyes quite feasible. With 'Umar II's rule we have, I think, a *terminus post quem* after which governmental promotion of the gathering of *ḥadīth*, also concerning *ḥalāl wa-ḥarām*, becomes gradually discernible. Before that time the Umayyad rulers may have only been vaguely interested in the political possibilities present in the *faḍā'il mathālib* genres.<sup>10</sup>

Furthermore, Abbott's plea for the historicity of family *ṣaḥīfas* is in my view not convincing. Reading through several of these preserved in their

10. We read in Ibn Ḥajar's *Tahdhīb*, VIII, pp. 463f.: *Kāna ahlu Miṣra yatanaqqashūna 'Uthmāna ḥattā nasha'a fihim al-Layḥ* [b. Sa'd (d. 175/790)] *fa-ḥaddathahum bi-faḍā'il* 'Uthmān *fa-kaffū* (sic) *wa-kāna ahlu Ḥimṣa yatanaqqashūna 'Aliyyan ḥattā nasha'a fihim Ismā'il b. 'Ayyāsh* [d. 181/797] *fa-ḥaddathahum bi-faḍā'il* 'Aliyyin *fa-kaffū 'an dhālik*. See also Chapter I, pp. 12ff.



entirety in later sources, I come across just as many obviously fabricated traditions as elsewhere. And checking the respective stages of the *isnāds* by looking up the members of that one family in the *rijāl* works I find that most are just as controversial as other transmitters who do not figure in family *isnāds*. Tradition experts of the second/eighth and third/ninth centuries were probably more easily misled by these *ṣahīfas* than by collections gathered through other channels, hence, perhaps, the popularity of family *ṣahīfas*.<sup>11</sup>

Abbott lists many figures indicating the high numbers of traditions certain transmitters are supposed to have transmitted. But it seems to me that using these figures indiscriminately and placing a little too much trust in them may lead to serious misconceptions. For example, she mentions the 70,000 *ḥalāl wa-ḥarām* traditions of one Abū Bakr b. 'Abd Allāh b. Abī Sabra, without adding that that seems an excessively high figure for the *ḥalāl wa-ḥarām* genre (at any rate, at this early stage – Ibn Abī Sabra died in 162/788) and without mentioning that this man was generally accused of forgery. This information supports my own theories much more firmly than her own. Besides, Abbott tries to account for the seemingly tremendous growth of *ḥadīth* with references to mass-meetings during which certain famous *muḥaddithūn* were alleged to have transmitted traditions to crowds totaling 10,000! Visualizing sessions such as this with many dozens of *mus-tamlīs* moving about, shouting the traditions down to the last rows of eager *ḥadīth* students may lift the reader into the realm of 1,001-night fantasies, but in whatever way you look at it, it is difficult to take accounts like that seriously.

On the whole, Abbott's views, as also may appear from the foregoing, are perhaps too romantic, e. g. when she speaks of the *ahl al-ḥadīth* '... bracing themselves to meet the onslaughts of legal innovation and doctrinal heresy . . .' Powerful as this description may be, reading the sources with a little more sense of reality does help to draw up a historical picture which probably reflects 'what really happened' much more faithfully.

On the other hand, there may be readers whose scepticism bars them from making use of that particular genre of early reports in the sources as I have done and who, in turn, would label me gullible.

To this I can only say that I realize that it is difficult to accept that all those early reports are to be considered historically true, or that the details in each one of them should be taken as factually correct. But I maintain that, taken as a whole, they all converge on a description of the situation obtaining in the period of history under scrutiny which may be defined as pretty reliable. For the sceptics I may have used terms such as 'allegedly', 'reportedly' etc. too sparingly. In reply to this I venture the opinion that a

11. Not every family *isnād* was taken at face value; we read in Ibn Ḥajar's *Lisān*, II, p. 38, no. 131: *Wa-Bashīr* [b. Salama] *wa-abūhu wa-jadduhu majhūlūn*.

judiciously and cautiously formulated overall view of what all those early reports (*akhbār*, *faḍā'il/mathālib* – very often distilled from the major *rijāl* works) collectively point to, may in all likelihood be taken to be not very far from the truth of 'what really happened'. I think that a generous lacing of open-mindedness, which dour sceptics might describe as *naiveté*, is an asset in the historian of early Islamic society rather than a shortcoming to be overcome and suppressed at all costs.

In the five chapters of this book I have dealt with the following subjects:

Chapter 1 is structured on a framework of *awā'il* with the purpose of coming to a definitive chronology of the origins of *ḥadīth* and *ḥadīth*-related sciences. It gives a bird's eye view of the different centres of *ḥadīth* collecting and emphasizes their initial 'regionalism'. In the summary of this chapter, the last part, the three main questions, which also underlie the title of this study, are asked for the first time:

1. Where did a certain *ḥadīth* originate?
2. In what time did a certain *ḥadīth* originate?
3. Who may be held responsible for bringing a certain *ḥadīth* into circulation?

Although perhaps not always *expressis verbis*, these three questions – provenance, chronology and authorship – also underly most of the subjects dealt with in subsequent chapters.

Chapter 2 assesses the role the early *qāḍīs* of Islam may have played in the spreading of *ḥadīth*, arranged according to centre. Among the appendices at the end of this study there is one fairly lengthy one listing all the *qāḍīs* found in a variety of sources who lived during the first three centuries of the Muslim era outside the main centres studied in this chapter.

Chapter 3 tackles the concept *mutawātir* and, mainly with the help of *argumenta e silentio*, tries to guide the reader to the inevitable conclusion that the qualification *mutawātir* as such does not constitute incontrovertible proof for the historicity of a tradition's ascription to the earliest authority of its *isnād*. The two *mutawātir* traditions featuring in this chapter are the one prohibiting the lamenting of the dead and the one threatening the mendacious in *ḥadīth* with Hell.

Chapter 4 deals mostly with names, namely that body of information provided at the beginning of a *ḥadīth* transmitter's *tarjama* in the biographical lexica. On the one hand the theory is launched that of all the people sharing one particular name and/or *kunya* the majority is in all likelihood fictitious. On the other hand a case is made for considering the *nisba* Zuhri as not solely the name with which one famous transmitter, sc. Muḥammad b. Muslim Ibn Shihāb az-Zuhri, is identified but may very well be taken as disguising the true identity of a great number of individuals who had, through kinship, patronage or otherwise, also the *nisba* Zuhri and who lived at more or less the same time as the great Zuhri.

Chapter 5 contains an analysis of the technical terms used to assess the

(de)merits of *ḥadīth* transmitters. The concept *kadhib* (= mendacity in *ḥadīth*) is extensively dealt with as well as the extremely delicate subject of the Companion Abū Hurayra's alleged legacy in Muslim tradition and the equally sensitive subject of the collective *ta'dīl* of the Companions. Finally Schacht's 'common link theory' is illustrated with examples which, more so than was the case with its originator's evidence, underline the workability of this theory.

Among the Appendices is one listing the most important of Ibn Ḥajar's early sources which he drew from when he compiled his biographical lexica of *ḥadīth* transmitters. All appendices are closely linked with various issues raised in the chapters, and can be read as extended footnotes.

What does *ḥadīth* mean for twentieth century Muslims? In answer to this question it seems opportune to quote here a newsflash taken from the periodical *Muslim world*, LXVI, p. 72, which, more than anything I can think of, illustrates the popularity of *ḥadīth* and its canonized compilations with present day Muslims:

The Muslim Student' Association of the United States and Canada held a seminar on *ḥadīth* in July 1975 . . . to celebrate the 1200th anniversary of . . . Bukhārī.

Over one thousand Muslims of all ages and nationalities attended. It was a religious event in which everyone enthusiastically participated in the five daily *ṣalāts*.

Besides lectures on Bukhārī subjects like The indispensability of *ḥadīth* in Islam, and the role of *ḥadīth* in Islamic law and in the understanding of the Qur'ān were discussed. They also discussed methods of transmission, history, methodology. Speakers were unanimous in stressing the need for the study of *ḥadīth* and for following the *sunna* of the Prophet.

This account speaks for itself. What more is there to say, then, than that I sincerely hope that this book will also find its way to Muslim readers for whom it was written in the first place. I cannot disagree more than with the statement of a London colleague who said not long ago that Orientalists' studies constitute a 'private enterprise destined only for a handful of learned colleagues in the West'. I presume that it is this kind of attitude which eventually prompts such authors as E. W. Said to write books like his *Orientalism*.

When I say that this book was in the first place written for Muslims, that means that I have taken pains to express myself in as neutral a manner as possible, eschewing value judgements, especially where I come to speak of various fundamental articles of the Muslim faith. I have tried to place these articles of faith, such as the collective *ta'dīl* of the prophet's Companions (Chapter 5) in their **historical** contexts. Illuminating them in their purely religious contexts I leave to others who are better qualified to do so.

## CHAPTER ONE

# A tentative chronology of the origins of Muslim tradition

*Wa-da' 'anka arā'a 'r-rijāli wa-qawlahum "*  
*fa-qawlu rasūli 'llāhi azkā wa-ashraḥu*

Abū Bakr, the son of Abū Dāwūd, the author of the *Sunan*

### *Introduction*

Nobody is likely to deny that the earliest origins of what later became known as the tradition literature can be traced back to the time when Muḥammad was still alive. As soon as he had established himself as the leader of the new movement and had made a sizable number of converts, his followers must have begun to talk about him and in their conversations (in Arabic *aḥādīth*) they must have called to mind his exploits. The memory of the prophet was thus kept alive also after he had died. The new community's cohesion was for a large part based upon the collective concept his followers had of him. More and more it was the new religion he had preached that began to bind them together, not in the first place tribal, clan or family ties, which had been the principal binding force hitherto. But the new religion was still a long way from being defined within the terms under which it became known in, say, the third/ninth century of the Hijra. The mainstays of the new religion, to which time and again Muḥammad's followers went back, which kept them together, which inspired them to more efforts in making the community stronger, were the divinely inspired utterances within a few decades after his death collected in the Qur' ān<sup>1</sup> and the prophet's own example gradually taken as normative for the entire Islamic community. We are here solely concerned with the latter.

According to Muslim scholars the way in which Muḥammad's followers talked about him was standardized soon after his death and, with the creation of the institution of the *isnād*, moulded in a rigid form which was subject to evolution but which was never to change basically. It is here that my point of view starts to differ from that held by Muslim scholars. I do not deny the probability that his followers talked about him, but I do not believe that this talking as early as a few decades after the prophet's death was already to result in the formal transmission of information about him

1. For a new, and in my opinion doubtful, chronology of the codification of the Qur' ān, see J. Wansbrough, *Quranic studies. Sources and methods of scriptural interpretation*, passim, e.g. p. 44.

being standardized in a way ultimately developing in what we have later come to call the *ḥadīth* literature. I contend that a beginning of standardization of *ḥadīth* took place not earlier than towards the end of the first/seventh century. I base this hypothesis on a number of arguments centring on the following issues which I should like to deal with separately in more detail.

It will become apparent that the evidence adduced to support one issue may serve also to corroborate one or more others, thus producing a framework of evidence in which the various issues, while supporting each other, converge on my main hypothesis: the genesis of the *ḥadīth* literature proper must be sought in a time considerably later than most Muslim scholars have hitherto thought. These issues are:

- I. *Awā'il* evidence, in particular that pertaining to the date of origin of the *isnād*;
- II. The chronology of the growth of traditions;
- III. The date of origin of the concept 'prophetic *sunna*';
- IV. The earliest development of the different *ḥadīth* centres;
- V. The evolution and a tentative chronology of *ṭalab al-'ilm*.

After these sections I shall give a summary and try to arrange my conclusions.

### *Awā'il evidence*

It has not escaped scholars in East or West that many *awā'il*<sup>2</sup> may be considered as having a sound historical basis. The underlying basis for bringing *awā'il* information together was surely the establishing of a *terminus post quem* for an institution or a procedure to become customary, or indicating who could be credited with having invented something. *Awā'il* can roughly be divided into three categories, those dealing with pre-Islamic information – which is mostly legendary – from Adam onwards, those put into the mouth of Muḥammad<sup>3</sup> and finally those, considered to be historically reli-

2. Cf. J. Wansbrough, *The sectarian milieu. Content and composition of Islamic salvation history*, p. 36; A. Noth, *Quellenkritische Studien zu Themen, Formen und Tendenzen frühislamischer Geschichtsüberlieferung*, Vol. 1, pp. 97–100. Noth's description of *awā'il* as possibly also '*amusing Spielerei*' (p. 100) is certainly valid for a large number of them but not applicable to the *awā'il* adduced in the present study. His scepticism concerning their historicity as perhaps fabricated for the sake of reaping in the implied merit of 'having been the first to introduce such and such' deserves attention, but does not seem to affect my argument either. In any case, his views, intrinsically correct as they may be, do not alter my – admittedly – intuitive feeling that if the *awā'il* quoted here had been *exaggerated* accounts of how *early* various novel ideas were introduced, the question why the majority of these *awā'il* support my proposed chronology as opposed to the chronology of *ḥadīth* proposed by medieval Muslim scholars and henceforth generally accepted in the entire Islamic world, remains unexplained.

3. Among these we find notorious fabrications such as the *awā'il* indicating who of all Muḥammad's followers embraced Islam first, cf. Ibn al-Jawzī, *Kitāb al-mawdū'āt*, 1, pp. 342ff.

able on the whole, dealing with Islamic history after the prophet's death in the widest sense of the word. It is a striking fact that *awā'il* belonging to the third category rarely contradict each other, and if they seem to do so, they can mostly be interpreted in such a way that the contradiction is lifted. On the whole, the impression one gets from this third category of *awā'il* is that they constitute a pretty consistent genre of historical data which hardly ever give reason for profound scepticism. Exaggeration, in other works on early Islamic history a well-known feature, which makes the historical data contained in them so difficult to assess, is almost totally lacking in *awā'il* literature. The first famous collection of *awā'il* was made by Abū Hilāl al-'Askarī (d. after 395/1005), which outshone the few collections made by earlier authors – such as the one of aṭ-Ṭabarānī (d. 360/971) – but when one reads that source, one only occasionally comes across those *awā'il* that form the basis of the arguments that will presently be made the subject of discussion. It will appear that most *awā'il* adduced here were gleaned from a wide variety of sources in which they were only mentioned in passing, sources mostly dealing with traditions and traditionists in the widest sense of the word.

The earliest indications of people spreading stories which in the course of time became known as *ḥadīths* are the *awā'il* about the first *quṣṣās*. In Medina the first to be called a *qāṣṣ* was Tamīm ad-Dārī (d. 40/660) who related his stories from the reign of 'Umar onward.<sup>4</sup> In Mecca the first to relate stories was allegedly 'Ubayd b. 'Umayr (d. 68/687) who also began to do so under 'Umar.<sup>5</sup> In Egypt the first to relate *qīṣaṣ* is reported to have been a man called Sulaym b. 'Itr who was appointed *qāṣṣ* and *qāḍī* in 39 or 40/659–60<sup>6</sup> and the first to do so in Iraq were the Ḥarūriyya or simply the Khawārij.<sup>7</sup>

The exact contents of these earliest *qīṣaṣ* permit the following speculations. It is conceivable that they will have contained material that, in the

4. Cf. Ibn al-Jawzī, *Kitāb al-quṣṣās wa 'l-mudhakkirin*, p. 22; Ibn Ḥajar, *Iṣāba*, I, p. 368. Under the prophet and Abū Bakr there were no official *quṣṣās*, cf. Abū Zur'a, *Ta'rikh*, p. 647.
5. Cf. Ibn al-Jawzī, *Quṣṣās*, p. 22.
6. Kindī, *Governors and judges of Egypt*, p. 303; Ibn Ḥajar, *Iṣāba*, III, p. 262.
7. Cf. Ibn al-Jawzī, *Quṣṣās*, p. 23. Another report has it that al-Aswad b. Sarī (d. 42/662) was the first *qāṣṣ* in the mosque of Baṣra, cf. Ibn Ḥajar, *Iṣāba*, I, p. 74; Ibn Ḥanbal, *Kitāb al-'ilal wa-ma'rifaṭ ar-rijāl*, I, no. 1679. For Kūfa, see Shaqīq aḍ-Dabbī, Khārījite, *qāṣṣ*, in Ibn Ḥajar, *Lisān*, III, p. 151. It is precisely because of his antipathy for the Khawārij that Abū 'l-Aḥwaṣ 'Awf b. Mālik (d. sometime in the nineties/710s) may have been qualified as a *qāṣṣ* who was actually reliable, cf. Ibn Ḥajar, *Tahdhīb*, VIII, p. 169. In Dārimī, *muqaddima* 32 (= p. 53), we read how Ibn Sīfīn, one day, entered the mosque where one – otherwise totally unknown – Sumayr b. 'Abd ar-Rahmān related *qīṣaṣ* and Ḥumayd b. 'Abd ar-Rahmān related 'ilm. It is implied that the latter's occupation was by far the more meritorious of the two. Perhaps this is one of the earliest signs – I tentatively date the story in the nineties of the first century/710s – of the dichotomy between *qāṣṣ* and 'ālim.

course of time, found its way to the genre which later came to be called *tarhib wa-tarhib*. In conformity with the later position of the *qāṣṣ* in society, who delights as well as scares his audience, the earliest *qīṣaṣ* may well have contained sermon-like accounts of an edifying nature concerning the prophet and the Muslims of the first period.<sup>8</sup> The likelihood that these *qīṣaṣ* will have comprised also the genre of *ḥalāl wa-ḥarām* is slight in view of the fact that legal thinking on the basis of individual judgement as well as precedent in Islam is a development of somewhat later times, as I shall try to show below. Besides, in chapter 2, where the earliest *qāḍīs* who seemed also to have been recruited from the class of *quṣṣāṣ*, are investigated, it will appear that these *qāḍīs* relied almost solely on their personal judgement or common sense (*ra'y*).<sup>9</sup>

On the other hand, it is most probable that another important genre of *ḥadīths* originated in those early days immediately following the prophet's demise, the *faḍā'il* genre. Already during the caliphate of Abū Bakr the spreading of sayings attributed to 'Alī seems to have originated. Ibn Abī 'l-Ḥadīd (d. 655/1257), the commentator of that famous collection of sayings attributed to 'Alī b. Abī Ṭālib, the *Nahj al-balāgha*, candidly points to this where he says:

Know that the origins of fabrications in *faḍā'il* traditions were due to the Shī'a, for they forged in the first instance traditions concerning their leader. Enmity towards their adversaries drove them to this fabrication . . . When the Bakriyya (sc. those favouring Abū Bakr) saw what the Shī'a had done, they fabricated for their own master traditions to counter the former . . . When the Shī'a saw what the Bakriyya had done, they increased their efforts . . .<sup>10</sup>

8. Cf. J. Pedersen, *The Islamic preacher: wā'iz, mudhakkir, qāṣṣ*, in *Ignace Goldziher memorial volume*, I, Budapest 1948, pp. 226–51.

9. A link between the *qāṣṣ* who tells edifying stories and the one who uses his common sense and proper judgement is found in a passage where the Egyptian *qāḍī/qāṣṣ* 'Abd ar-Rahmān b. Ḥujayra . . . *yaquṣṣu . . . fī mut'ati 'l-muṣallaqati bi-thalāthati danānir*, cf. Kindī, *Governors*, p. 317; that we should not simply emend the text and read *yaqḍi* instead of *yaquṣṣu* finds its justification in the editor's footnote 2 on that page. The verb *qaṣṣa* is, furthermore, identified with *bayyana*. We read in Firūzābādhi's *Al-qāmūs al-muḥīt*, s.v.: *nahnu naquṣṣu 'alayka aḥsana 'l-qāṣaṣi nubayyinu laka aḥsana 'l-bayāni*. That *qīṣaṣ*, at one time, were placed on a level more elevated than even *aḥādīth* is reflected in a report cited in Ibn 'Abd al-Barr's *Jāmi' bayān al-'ilm wa-faḍlihi*, II, p. 121, where we read: . . . *yā rasūla 'llāh, ḥaddīthnā shay'an fawqa 'l-ḥadīth wa-dūna 'l-quṣṣa 'l-qīṣaṣ*; cf. Ṭabarī, *Tafsīr*, XII, p. 150.

10. Ibn Abī 'l-Ḥadīd, *Sharḥ nahj al-balāgha*, XI, pp. 48f. The chances that we will ever find distinct traces of these earliest *faḍā'il* are slight. Perhaps those compiled in Fasawī, I, pp. 446–55, give an idea of what they may have been like. What is now known in our sources under the name of, for instance, Abū Bakr *faḍā'il* is in fact material that came much later into existence, when the controversy between 'Alī's partisans and Abū Bakr's partisans acquired a new edge with the emergence of the Rāfiḍites. Bakriyya traditions meant to counter those of the Rāfiḍites can be found, for example, in Ibn al-Jawzī, *Kitāb al-mawḍū'āt*, I, pp. 303–19; all the *isnāds* of these traditions contain information pointing

The fact that it is Ibn Abī 'l-Ḥadīd, himself a Shī'ite (as well as a Mu'tazilite), who ascribes the first *faḍā'il* fabrication to the Shī'a, is significant and it can therefore be assumed, I think, that this allegation is historically correct. Furthermore, Ibn Abī 'l-Ḥadīd cites from the *Kitāb al-aḥdāth* of Madā'inī (d. 215–35/830–50). It seems appropriate to quote also a passage from this early source which is otherwise lost:

Mu'āwiya wrote one and the same letter to his tax collectors after the year of the Jamā'a (sc. 40/661) in which he said: 'Let the conquered people refrain from mentioning any merit of Abū Turāb or his kinsmen.' So in every village and on every pulpit preachers stood up cursing 'Alī, washing their hands of him, disparaging him and his house . . . [In another letter Mu'āwiya wrote:] 'Make a search for those you can find who were partisans of 'Uthmān and those who supported his rule and those who uphold (*yarawna*; it is perhaps better to read *yarwūna*, relate) his merits and qualities. Seek their company, gain access to them and honour them. Write down for me everything which everyone of them relates, as well as his name, that of his father and his clan.' Thus they did until they had increased the number of merits and qualities of 'Uthmān. In exchange Mu'āwiya sent them presents, garments, gifts and [he even made them the owners of] pieces of land. This was showered over Arabs and *mawālī* alike and it occurred on a large scale in every city, the people competing in rank and worldly honours. Every lowly individual who went to any governor of Mu'āwiya and related about 'Uthmān a merit or a virtue was received kindly, his name was taken down and he was given preferential treatment. This continued for some time.

Then Mu'āwiya wrote to his governors saying: '*Ḥadīth* about 'Uthmān has increased and has spread in every city, town and region. When this letter from me reaches you, summon the people to relate the merits of the Companions and the first caliphs. And do not let any Muslim relate anything about 'Alī without bringing something contradicting this about the Companions. This I like better and it pleases me more, it invalidates Abū Turāb's claims and those of his Shī'a in a more definitive way and it is for them more difficult to bear than the virtues and the merits of 'Uthmān.'

Mu'āwiya's letters were read out to the people. And many forged reports concerning the merits of the Companions, in which there was no [grain of] truth, were related. The people went out of their way in relating reports in this vein until they spoke thereof in glowing terms from the pulpits. The teachers in the schools were instructed to teach their young pupils a vast quantity of these until they related them and studied them just as they studied the Qur'ān and until they taught these to their daughters, wives and servants. God knows how long they persisted in this.<sup>11</sup>

to the probable forgers who lived in a period considerably later than the first decade after Muḥammad's death. It is likely that the first *faḍā'il mathālib* sayings or slogans, at which Ibn Abī 'l-Ḥadīd points in this passage, bore no resemblance whatsoever to *faḍā'il mathālib* brought into circulation as from 40/661, i.e. after 'Alī's caliphate. For an assessment of how the Rāfiqites fabricated traditions, see *ibidem*, p. 338, where they are also compared with the Jews with whose ideas they are said to have much in common.

11. *Ibidem*, pp. 44f.



Even if the historicity of the actual wording of these letters is doubtful,<sup>12</sup> the general picture offered by this fragment has much to commend it as being historical and describes in vivid terms the – what one might call – first large scale, political campaigning with which the various factions in early Islam sought to outdo one another.

Another significant passage from an Arabic source describing how the *qāṣṣ*'s help was enlisted by the caliph deserves to be quoted in full, if only because it corroborates the measures taken by Mu'āwīya as depicted in the above 'correspondence'.

Sulaym b. 'Itr, Egypt's first *qāṣṣ* who later was also appointed *qāḍī* as mentioned above, was rebuked by a certain Companion, one Ṣīla b. al-Ḥārith al-Ghifārī, for his activities as *qāṣṣ*, which were considered by Ṣīla as breaking with the generally accepted norms such as laid down in the time of the prophet. This incident is recorded in Kindī.<sup>13</sup> The reason why Ṣīla allegedly found it necessary to take Sulaym the *qāṣṣ* to task is supplied in a treatise by Ibn Ḥajar.<sup>14</sup> Here we read:

When 'Alī had returned from Ṣiffīn, he stood long in prayer and called down God's wrath upon those who opposed him. [News of] that reached Mu'āwīya. He ordered the *qāṣṣ*, after the morning and evening *ṣalāts*, to invoke God's blessing over him (sc. Mu'āwīya himself) and over the people of Syria, and dispatched orders to [other] cities to do likewise. Layth [b. Sa'd] said: Thus there are two [ways of] 'story telling' (in Arabic: *qaṣaṣāni*; in other words: two ways for the *qāṣṣ* to perform his duty in the mosque), the 'ordinary, usual way' (*qaṣaṣ al-'amma*) when the people gather around him and he admonishes them and preaches to them, and the 'special way' (*qaṣaṣ al-khāṣṣa*), which Mu'āwīya instituted by putting a man in charge of the *qaṣaṣ*. When the *imām* has uttered the [final] formula in the morning *ṣalāt*, the *qāṣṣ* sits down, invokes God, praises and extols Him, invokes His blessing upon His prophet. [After that] he invokes God's blessing upon the caliph, his people, his government officials, his soldiers and then he invokes God's wrath upon the caliph's enemies (read *ḥarbihi* instead of *ḥizbihi*) and upon all the unbelievers . . . Sulaym used to raise his hands during his *qaṣaṣ*.

Here we see how the *qāṣṣ*, who initially confined his preaching to subjects of a generally edifying tenor, was forced to become the mouthpiece of the ruler by spreading official government propaganda in the form of religio/political slogans which were soon to develop into *faḍā'il* and *mathālib*. In later times *quṣṣāṣ* were thought to keep the imagination of the common

12. Cf. Noth, *Quellenkritische Studien*, pp. 71–80, for a convincing argument in favour of rejecting any 'correspondence' as unhistorical without, however, losing out of sight the possibility that the events alluded to might in actual fact be taken to be more or less accurately depicted. Noth thinks these 'correspondences' may possibly also have come into existence as 'embellishment of the information' (*Auflockerung der Berichterstattung*), cf. p. 78.

13. *Governors*, p. 304.

14. *Ibidem*, note 1, where a ms. of his *Raf' al-iṣr* is quoted.

people in check (cf. Ibn Ḥajar, *Lisān*, I, p. 414) and thus prove their value for society.

As I said earlier, it is difficult to visualize that, at this early stage, the *ḥalāl wa-ḥarām* genre, at least in a form where the example of older authorities is quoted, had already found a place also in the stories that were to develop ultimately into standardized *ḥadīths*. It goes without saying that issues concerning *ḥalāl wa-ḥarām*, whether or not they had already been brought together under this technical term, have occupied the minds of Muslims ever since Muḥammad's community began to grow into a structured and regulated society. However, during the first few decades after the prophet's death legal thinking was predominantly the occupation of individuals (among whom were, as we have seen above, the first *qādīs*) who, rather than look back at examples already set by others, developed their own ideas of what was prohibited and what permissible. To support this view the following considerations and evidence may be offered.

It is a generally accepted fact that the first four caliphs set their own standards.<sup>15</sup> They ruled the community in the spirit of the prophet, thinking of their own solutions to problems rather than meticulously copying his actions. The same can be said of the first few great legal minds which Islam has produced. For example, Sa'īd b. al-Musayyab (d. 94/713) was known during his lifetime as the greatest expert in *fiqh* matters. Many traditions, later appearing in collections with *isnāds* containing his name, can be traced also in other sources as utterances of himself that do not go back to persons older than himself.

E.g. (1). The legal maxim *lā ṭalāqa qabla 'n-nikāh* (i.e. no divorce before the [concluding of] the marriage), ascribed to 'Alī, Abū Bakr b. 'Abd ar-Raḥmān, 'Ubayd Allāh b. 'Abd Allāh b. 'Utba, Abān b. 'Uthmān, 'Alī b. Ḥusayn, Sa'īd b. Jubayr, al-Qāsim b. Muḥammad, Sālim b. 'Abd Allāh, 'Aṣā' b. Abī Rabāh, 'Āmir b. Sa'd, Jābir b. Zayd, Nāfi' b. Jubayr, Muḥammad b. Ka'b, Sulaymān b. Yasār, Mujāhid, al-Qāsim b. 'Abd ar-Raḥmān, 'Amr b. Harim, Sha'bī, 'Urwa b. az-Zubayr, Shurayḥ, Ṭawūs b. Kaysān, Ḥasan al-Baṣrī, 'Ikrima as well as Ibn al-Musayyab (see Bukhārī, *ṭalāq* 9, = ed. Krehl, III, p. 463) is also listed as a prophetic tradition in Ibn Māja, *ṭalāq* 17 (= ed. M. F. 'Abd al-Bāqī, II, p. 660);

(2). The precept *idhā aqbalati 'l-ḥayḍatu tarakati 'ṣ-ṣalāt* (i.e. when [a woman] feels that her period has started, she abandons performing the *ṣalāt*), ascribed to Ibn al-Musayyab (Abū Dāwūd, *ṭahāra* 109, = ed. M. M. 'Abd al-Ḥamīd, I, p. 76) is found in a slightly different version in a prophetic saying, e.g. Nasā'ī, *ḥayḍ* 2, = ed. Ḥ. M. al-Mas'ūdī, I, p. 181 *passim*;

(3). The legal maxim *lā nikāha illā bi-waliyyin* (i.e. no marriage without a guardian) is listed as a prophetic tradition (Tirmidhī, *nikāh* 14, = ed. M. F. 'Abd al-Bāqī, III, pp. 407ff.) and also as a ruling of various *fuqahā'* among the Successors such as Sa'īd, but also Ḥasan al-Baṣrī, Shurayḥ and Ibrāhīm an-Nakha'ī (*ibidem*, p. 411);

(4). The legal maxim *al-walad li 'l-firāsh* (i.e. the child belongs to the marital bed),

15. See below, pp. 23-30.

allegedly transmitted with Sa'īd b. al-Musayyab in the *isnād* between Zuhri and Abū Hurayra, is on the other hand, according to a report of the *awā'il* genre, a rule of the pre-Islamic judge Aktham b. Şayfī, cf. E.I. 2, s.v. (Kister) and Ibn Bāṭish, *Ghāyat al-wasā'il ilā ma'rifat al-awā'il*, 1, p. 184;

(5). Dārimī, *wuḍū'* 85 (= p. 109) lists a number of precepts concerning the ablutions of the *mustahāda* ascribed to Ḥasan al-Baṣrī and Sa'īd b. al-Musayyab. Although many ablution precepts exist traced back to the prophet, this precept of Sa'īd has remained unambiguously ascribed to him;

(6). In Mālik we often find *mursal* traditions and also Sa'īd's own statements preceded by the same texts as prophetic sayings, e.g. *ṣalāt* 60 and 61, = ed. M. F. 'Abd al-Bāqī, pp. 94f. On the whole, precepts formulated by Sa'īd are very numerous in the *Muwaṭṭa'*.

In al-Khaṭīb al-Baghādī's *Kifāya*, p. 404, last few lines, we read a statement in which it is implied that all the *marāsīl* of Ibn al-Musayyab were in the course of time brought into circulation with perfect *isnāds* via other people. On p. 405 we find a statement to the contrary.

I maintain that it is Sa'īd b. al-Musayyab who is to be credited with these legal decisions (which sometimes take the form of maxims) rather than the prophet or a Companion as mentioned in the *ḥadīth* collections compiled some hundred and fifty years later. It must be assumed that, at this early stage, *fiqh* did not yet mean insight in matters permissible and forbidden as verbally dictated by the new religion, but as *ad hoc* problem solving, at most inspired by it. In other words, revelation, which was in due course also to include the example set by Muḥammad, had not yet become identical with religious law.

The reason why these legal decisions should be considered, in the first instance, as being the products of Sa'īd's own juridical insight, rather than as being traceable back to previously set examples, lies in the mere fact of them being quoted as Sa'īd's decisions at all. A legal decision that indeed does go back to the prophet or one of his Companions simply does not require being put into the mouth of Sa'īd as also being a product of the latter's reasoning. The numerous instances where Sa'īd is credited with juridical opinions definitely point to one conclusion only. He thought of the solution to the problem in these terms first, before this decision was moulded into a saying attributed to authorities preceding Sa'īd. There is indeed no necessity whatsoever for crediting Sa'īd with merely having repeated a legal opinion of his predecessors, be they the prophet or one or more of his Companions.<sup>16</sup>

16. How Muslim scholars have wrestled with the problem of *mursalāt* and *munqaṭī'āt* versus that same material properly provided with *isnāds* going back to the prophet (*muttaṣilāt*) is, I think, nowhere better illustrated than in al-Khaṭīb, *Kifāya*, pp. 404ff., 386ff. Cf. pp. 415ff., for an appraisal of traditions that are sometimes *marfū'*, sometimes *mawqūf*. Al-Khaṭīb leaves me with the impression that he has done his utmost to rescue as many traditions as he possibly could from being rejected, granting a certain value to anyone of them - no matter how little - rather than, by applying critical standards, to sift the

Looking at the various centres of Islamic intellectual activity we see that in Baṣra the same situation obtains. A younger contemporary of Sa'īd b. al-Musayyab, Ḥasan al-Baṣrī (d. 110/728), has numerous legal decisions and even maxims traced to him which can be found in the explanatory remarks (= *ta'liqāt*) Bukhārī adds to traditions duly traced back to the prophet containing in most cases exactly the same wording or brief statements amounting to the same decisions.<sup>17</sup>

Thus far an attempt has been made to demonstrate that (1) apart from all those who simply talked about the prophet (in Arabic *taḥaddatha*), it was probably the *quṣṣās* who started spreading stories (*aḥādīth*) of a generally edifying tenor about the prophet and his first supporters;

(2) the disappointment of 'Alī and his adherents led, immediately after the death of the prophet with the appointment of Abū Bakr as caliph, to the fabrication of forged *faḍā'il* eulogizing 'Alī countered by the fabricated *faḍā'il* favouring Abū Bakr at the hands of the Bakriyya;

(3) *ḥalāl wa-ḥarām*, if any, must have been extremely limited in scope and were mainly the products of individual judgement on the part of the first legal minds Islam produced; later these juridical opinions seem to have been remoulded into *ḥadīths* going back to the prophet.

An important feature that was to grant the material enumerated under these three rubrics a more or less standardized form is the *isnād*. Already during the life of the prophet, or shortly after his death, certain Companions are said to have shown caution by not immediately accepting everything that was related before having scrutinized the informant. 'Umar and 'Alī are said to have been the first who screened their informants.<sup>18</sup> But according to Muslim scholarship the *isnād* came definitely into use after the troubles ensuing from the murder of the caliph 'Uthmān in 35/656, when people transmitting information could no longer be trusted automatically but had to be examined firstly as to whether or not they harboured innovative ideas and, in general, as to reliability, veracity and other lofty character traits. The report often adduced to procure a historical basis for this is the saying attributed to Muḥammad b. Sīrīn (d. 110/728): 'They [sc. the traditionists] were not used to inquiring after the *isnād*, but when the *fitna* occurred they said: Name us your informants. Thus, if these were *ahl*

'reliable' from the 'not so reliable'. Or, differently put, al-Khaṭīb has tried to reason away any objections that were raised – or that theoretically could be raised – to traditions which were not transmitted *marfū'*, or otherwise undeniable examples of the *sunnat an-nabī*; for him any *mawqūf*, *mursal*, or even *munqaṭi' isnād* can, with a little effort, be looked upon as potentially *marfū'*. Cf. especially p. 424. See also Nawawī's *Taqrīb*, translated by W. Marçais in *JA*, xvi, 1900, pp. 326ff., and the literature quoted there.

17. E.g. Bukhārī, *mawāqūt* 40. Mostly, Ḥasan's decisions in Bukhārī's *ta'liqāt* are limited to statements such as *lā ba's bihi, kariha 'l-Ḥasan* etc. For more examples of Ḥasan's sayings and rulings that finally evolve into prophetic traditions, see below pp. 52–5.

18. Cf. Ibn Ḥibbān, *Kitāb al-majrūhīn*, 1, p. 28. In Dhahabī, *Tadhkirat al-huffāz*, 1, p. 2, Abū Bakr is mentioned as the first.

*as-sunna* their traditions were accepted, but if they were *ahl al-bida'* their traditions were not accepted.<sup>19</sup> The word *fitna* was generally taken to indicate the civil strife following 'Uthmān's murder.<sup>20</sup> Elsewhere<sup>21</sup> I have tried to show that it is more likely that with this word the civil war is meant between 'Abd Allāh b. az-Zubayr and the Umayyad caliphs in Damascus. Since the publication of this hypothesis only one counterargument was brought forward which can be construed as undermining its validity.<sup>22</sup> I have dealt with this counterargument in another publication.<sup>23</sup> Moreover, with the help of *awā'il* it is possible to adduce additional evidence in favour of my initial hypothesis. But first it should be pointed out that it seems more likely to interpret Ibn Sīrīn's use of the word *fitna* as alluding to an event which occurred during his own adult life rather than to an event which took place when he was still an infant.<sup>24</sup> Furthermore, to Ibn Ma'īn (d. 233/848) is ascribed a remark concerning al-A'mash, who allegedly never heard traditions before the *fitna*. Since al-A'mash lived from 59–61 (679–681) until 145/762, we again have here a context in which the concept *fitna* and tradition transmission are mentioned in one breath,<sup>25</sup> in which by *fitna* definitely the one of Ibn az-Zubayr is meant. Both reports seem to be substantiated by a statement ascribed to Mālik b. Anas who is reported to have said: *Awwalu man asnada 'l-ḥadīth Ibn Shihāb*.<sup>26</sup>

The verb *asnada* in this context admits of two interpretations. Firstly it may mean that Mālik indicated Ibn Shihāb az-Zuhrī, who lived from ± 50/670 until 124/742, as the first who made consistent use of *isnāds*;

19. E.g. Muslim, *Ṣaḥīḥ bi-sharḥ an-Nawawī*, I, p. 84 (= ed. M. F. 'Abd al-Bāqī, I, p. 15).
20. E.g. Muṣṭafā 's-Sibā'ī, *As-sunna wa-makānatuhā* etc., p. 89; Abū Lubāba Ḥusayn, *Al-jarḥ wa 't-ta'dīl*, Riyāḍ 1979, pp. 32–6; Muḥammad 'Ajjāj al-Khaṭīb, *As-sunna qabla 't-tadwīn*, p. 187; Ṣubḥī 's-Ṣāliḥ, *'Ulūm al-ḥadīth wa-muṣṭalahuhu*, p. 286. Another author indicates as the onset of *waḍ'* in early Islam the *fitna* following Ḥusayn's death, see Nūr ad-Dīn 'Itr, *Manhaj an-naqd fī 'ulūm al-ḥadīth*, Damascus 1972, p. 47.
21. The date of the great *fitna*.      22. By J. van Ess, in *Arabica*, xxii, 1975, p. 49.
23. Forthcoming in *Jerusalem studies in Arabic and Islam*, vol. v: Muslim's introduction to his *Ṣaḥīḥ* translated and annotated with an excursus on the chronology of *fitna* and *bid'a*, (in the press).
24. Cf. J. Robson, *The isnād in Muslim tradition*, in *Transactions [of the] Glasgow University Oriental Society*, xv, pp. 15–26, for a similar chronology for which he did not adduce conclusive evidence. M. M. Azmi, on p. 216 of his *Studies in early ḥadīth literature*, opposes this view. His arguments may appear not to hold out against the arguments I presented in the excursus at the end of my paper referred to in the previous note. In Ibn Rajab, *Sharḥ 'ilal at-Tirmidhī*, pp. 82f., we read a report corroborating my proposed chronology; Ibrāhīm an-Nakha'ī stated that asking about *isnāds* started in the days of al-Mukhtār b. Abī 'Ubayd. On the same page we encounter an *awā'il* report describing Ibn Sīrīn as: . . . *awwalu manī 'ntaqada ar-rijāl wa-mayyaza ath-thiqāt min ghayrihim*.
25. Abū 'l-Qāsim al-Balkhī, *Qabūl al-akḥbār*, ms. Dār al-kutub, p. 92. (I thank J. van Ess for lending me his copy of a microfilm of this unique manuscript.)
26. Ibn Abī Ḥātim, *Taqdīm al-ma'rifa li-kitāb al-jarḥ wa 't-ta'dīl*, p. 20; idem, *Al-jarḥ wa 't-ta'dīl*, IV I, p. 74.

secondly, it can be explained as indicating Zuhri's consistent search for *isnāds* going back all the way to the prophet, *isnāds*, in other words, which are *musnad*; interpreted thus it may be taken to mean that he consistently looked for *isnāds* that were *marfū'*. This latter interpretation is, however, somewhat difficult to harmonize with the statement al-Ājurri has made on the authority of Abū Dāwūd as-Sijistānī<sup>27</sup> concerning Zuhri's methods.<sup>28</sup> It is alleged in this remark that Zuhri had collected in all 2,200 traditions half of which were *musnad*. Taken literally this might mean that he only found 1,100 *musnad* traditions, but the question may be asked why he collected the other 1,100 if he was supposedly not interested in them. That he indeed was also on the look-out for non-*musnad* traditions is borne out by a statement of Šāliḥ b. Kaysān (d. after 140/758) as reported by Ma'mar b. Rāshid (d. 154/770) in which Zuhri's search for sayings attributed to Companions is explicitly attested.<sup>29</sup>

To conclude from this that it was Zuhri who was the first to make consistent use of *isnāds*, as I suggested in the first interpretation above, seems the more appropriate.<sup>30</sup> In view of Zuhri's lifespan – he was born in 50 – it seems more likely, therefore, to consider the *fiṭna* alluded to in the statement of Ibn Sīrīn as the one resulting from the conflict of Ibn az-Zubayr and the Umayyads.<sup>31</sup>

Other *awā'il* testifying to the chronology of the origins of *ḥadīth* proper as perhaps somewhat later than the majority of Muslim scholars have thought are those dealing with *isnād* examination evolving into full-fledged *isnād* criticism and *ḥadīth* recording. If the birth of the institution of the *isnād* is accepted as having taken place sometime in the late sixties or early seventies rather than in 35, *awā'il* about the first *isnād* critics become a great deal more plausible, or, differently put, if the date of origin of the *isnād* is taken to be around 35, it is all the more incomprehensible that it took so long for the first Muslim *isnād* critics to apply their criticism, because the circulation of forged *ḥadīths* had become eminently noticeable by the end of the first century. (In the following as well as in all other chapters I computed people's ages in *lunar* rather than solar years.)

The first systematic examination of informants ever recorded is reported to have occurred in Kūfa when Sha'bī (d. 103–10/721–8) interrogated ar-Rabī' b. Khuthaym as to his informant regarding a certain *ḥadīth*.<sup>32</sup> Ar-Rabī' is said to have died after the battle of Karbalā' of 61/680, so the

27. For Abū 'Ubayd Muḥammad b. Aḥmad al-Ājurri, see Sezgin, *GAS*, 1, p. 165.

28. Ibn Hajar, *Tahdhīb*, ix, p. 447, last line. 29. *Ibidem*, p. 448, lines 8f.

30. In a late source, the *Tadrīb ar-rāwī fī sharḥ taqrīb an-Nawawī* by Suyūṭī (d. 911/1505), we come across a definition of a *musnid* which seems to corroborate also my first interpretation: *wa-huwa man yarwī 'l-ḥadīth bi-isnādihi siwā'an kāna 'indahu 'ilmun bihi aw laysa lahu illā mujarradu riwāyatīn*, cf. 1, p. 43.

31. For still more evidence, see the excursus at the end of my paper referred to in note 23 above.

32. Cf. Rāmāhurmuzī, *Al-muḥaddīth al-fāṣil bayna 'r-rāwī wa 'l-wā'i*, p. 208.

conversation, if it is assumed to be historical, must have taken place prior to that date. In view of Sha'bi's alleged date of birth, given as 20 – which makes him either eighty-three or ninety when he died – or 31, which makes him seventy-two or seventy-nine at the time of his death, and in view of the fact that so many traditionists pretended to be older than they were in reality – a common practice of especially Kūfan transmitters (see pp. 46ff. below) – I think that it is safe to say that it took place in the same year or only a short time earlier.

Taking Sha'bi's alleged time of death as the point of departure, which is given as 103/721 or 110/728, or sometime between these two dates, and assuming he was in his sixties or, at most, in his seventies when he died, that suggests that he was born in 40/660 or a little later. This would make him a man in his early twenties when he interrogated ar-Rabi'. This is not an unreasonable proposition, when we read in his *tarjama* that he 'did not reach (in Arabic: *lam yudrik*) [the time when] 'Āṣim b. 'Adī [was still alive].' This 'Āṣim died in 40/660 according to Ibn Ḥajar (*Tahdhīb*, v, p. 49). And that traditionists did not usually begin collecting *ḥadīth* before the age of twenty (see notes 150 and 220 below) is furthermore in the case of Sha'bi supported by the information that he allegedly did not hear traditions with Samura b. Jundab, who died in 58/678 or 60/680 in Baṣra or Kūfa.

If it is assumed, then, that this first examination of transmitters occurred sometime in the early sixties, the first *isnād* critic as such, who systematically examined every *isnād* and made the reliability of transmitters a *conditio sine qua non* for accepting their traditions, was Shu'ba b. al-Ḥajjāj, who died in 160/777 when he was allegedly 77 years old.<sup>33</sup> He is recorded to have said to someone: *Innaka lā takādu tajidu aḥadan fattasha 'l-ḥadīth tafīṣhī wa-lā ṭalabahu ṭalabī wa-qad nazartu fīhi fa-wajadtuhu lā yaṣīḥḥu minhu ath-thulth* (i.e. You will hardly find anyone who scrutinized the tradition or searched for it as I have done and after inspection I found not [even] one third of it to be 'sound').<sup>34</sup> Since Shu'ba allegedly occupied himself with collecting traditions for the last thirty years or so of his life,<sup>35</sup> we can assume the starting date of systematic *rijāl* criticism in Islam to be at about 130/747. And for Medina we have the report concerning Mālik b.

33. *Awwalu man fattasha bi 'l-'Irāq 'an amr al-muḥaddīthīn wa-jānaba 'd-ḥu'afā' wa 'l-matrūkīn wa-ṣāra 'ilman yuqtadā bihi wa-tabī'ahu 'alayhi ba' dahu ahl al-'Irāq*, in Ibn Ḥajar, *Tahdhīb*, iv, p. 345; and ibidem: *Awwalu man takallama fi 'r-rijāl Shu'ba thumma tabī'ahu* [Yahyā b. Sa'id] *al-Qaṭṭān* [d. 198/813] *thumma Aḥmad* [b. Muḥammad b. Ḥanbal, d. 241/855] *wa-Yahyā* [b. Ma'in, d. 233/848]. And also: *Awwalu man jumi'a kalāmuhu fi dhālika* (sc. fi 'l-jarḥ wa 't-ta'dīl) *Yahyā b. Sa'id al-Qaṭṭān*, cf. Ibn Ḥajar, *Lisān*, i, p. 5; Dhahabī, *Kāshif*, i, p. 25.

34. Cf. *Qabūl*, p. 6; an alternative translation might be: . . . I found one third of it to be 'weak'. Although the latter translation seems the more grammatically correct, the former interpretation is borne out by another statement attributed to Shu'ba: *Law lam uḥaddīthkum illā 'ani 'th-thiqāt lam uḥaddīthkum illā 'an nafarin yasīrin*, cf. Ibn Rajab, p. 105.

35. Cf. Rāmahurmuzī, p. 356.

Anas (d. 179/795), although this, admittedly, does not imply that he was necessarily the first *isnād* critic as such.<sup>36</sup> There is, however, no explicit mention in the sources of any *rijāl* expert from Medina who preceded Mālik, and in view of the still far from sophisticated use of *isnāds* in the *Muwatta'* that is hardly surprising.

As for the recording of sayings concerning Muḥammad, there is sufficient material to build up a strong case in favour of the theory that Muslims started to write certain things down perhaps already during their prophet's lifetime. But it is difficult to maintain that this must have been carried out on a scale suggesting that this was in any way the custom. *Awā'il* concerning persons who first made a collection of the Qur'ān indicate, as was to be expected, Abū Bakr<sup>37</sup> and 'Umar.<sup>38</sup> Interesting in this context is perhaps the fact that the first to use diacritical points in Qur'ān copies was a certain Yaḥyā b. Ya'mar from Baṣra, one time *qādī* of Marw, who died in 129/746.<sup>39</sup> But *awā'il* describing the first organized *ḥadīth* collections date to a time considerably later than one would expect from so important an activity, that is, if the early chronology as proposed by Muslim scholars is taken as point of departure. Even if it were maintained that writing down traditions or simply taking notes had been going on from the earliest times, it was Bukhārī (d. 256/870) who was credited with having compiled the first collection that was *ṣaḥīḥ*; that means that more than one and a half centuries had elapsed since the *isnād* had come into existence before a compilation was made that was generally considered sound.<sup>40</sup> It was also at a relatively late date that the first instances were recorded of people who voluntarily showed what they had written to interlocutors in order to prove that they had made reliable notes.<sup>41</sup>

Before Bukhārī there had been others recorded as having made structured collections of traditions, but again it appears that a long time had elapsed since the last few decades of the first/seventh century when the *isnād* probably came into existence. The first to do so was 'Abd al-Malik b.

36. *Kāna Mālik awwala mani 'ntaqā 'r-rijāl mina 'l-fuqahā' bi 'l-Madīna wa-a'raḍa 'amman laysa bi-thiqā fi 'l-ḥadīth wa-lam yakun yarwī illā mā ṣaḥḥa wa-lā yuḥaddīhu illā 'an thiqa mā'a 'l-fiqh wa 'd-dīn wa 'l-faḍl wa 'n-nusk*, a saying of Ibn Ḥibbān, cf. Ibn Hajar, *Tahdhīb*, x, p. 9. Mālik is also recorded as the first author of a work on *fiqh*, the *Muwatta'*, cf. Ibn Bāṭish, II, p. 14.

37. *Awwalu man jama'a 'l-qur'ān Abū Bakr*, Ibn Ḥanbal, *ʿIlal*, I, no. 1461.

38. *Awwalu man jama'a 'l-qur'ān fi 'ṣ-ṣuḥuf' Umar b. al-Khaṭṭāb*, Ibn Sa'd, III I, p. 202.

39. Cf. Ibn Hajar, *Tahdhīb*, XI, p. 305. However, in another source (Ibn Hajar, *Iṣāba*, III, p. 562) we read that someone much older, the Successor Abū 'l-Aswad ad-Du'ālī or ad-Dīlī (d. 69/688), who is famous for having laid the foundations of Arabic grammar (as is reported in Ibn Hajar, *Tahdhīb*, XII, p. 10), may be credited with this also.

40. *Awwalu man waḍa'a fi 'l-islām kitāban ṣaḥīḥan*, Ibn Hajar, *Tahdhīb*, IX, pp. 54f.

41. *Awwalu man aḥzara kitābahu Rawḥ b. 'Ubāda* [d. 205/821] *wa-Abū Usāma* [Ḥammād b. Usāma, d. 201/817] *yurīdu annahumā rawayā mā khūlifa fīhi fa-aḥzarā kutubahumā ḥuj-jatan lahumā*, a statement ascribed to al-Ḥasan b. 'Alī al-Ḥulwānī (d. 242/856), cf. Ibn Hajar, *Tahdhīb*, III, p. 294.



'Abd al-'Azīz, better known as Ibn Jurayj, who died ca. 150/767 when he was seventy years old.<sup>42</sup> He seems to have been quite impressed with his own efforts, for he is alleged to have said: *mā dawwana 'l-'ilmā tadwīnī aḥadun*<sup>43</sup> (i.e. no one has recorded this science as I have done). He was active in Mecca. For Medina we find Mālik (d. 179/795) or Ibn Ishāq (d. 151/767) according to some medieval scholars quoted by Kattānī.<sup>44</sup> In Yemen it was Ma'mar b. Rāshid (d. 153/770) who compiled the first collection in a book.<sup>45</sup> Another traditionist who is credited with having made a systematic collection as the first in his city was Sa'id b. Abī 'Arūba (d. 157/773) in Baṣra. But also ar-Rabī' b. Ṣabīḥ (d. 160/777) is mentioned in this respect.<sup>46</sup> For Kūfa it was Yaḥyā b. Zakariyyā' b. Abī Zā'ida (d. 182/798).<sup>47</sup>

*Musnad* collections came even later into existence. In Kūfa Yaḥyā b. 'Abd al-Ḥamīd (d. 228/847) was the first to compile a *musnad*,<sup>48</sup> and in Baṣra Musaddad b. Musarhad (d. 228/847).<sup>49</sup> Furthermore, we also have the name of the first traditionist to compile a *musnad* collection who lived in Egypt. He had collected his material in Iraq. This was Nu'aym b. Ḥammād b. Mu'āwiya who died in 229/848.<sup>50</sup>

The relatively late growth of traditions is, furthermore, attested in several *awā'il* dealing with those people who were credited with having been the first to introduce *ḥadīth*, specified in genre as well as unspecified, into certain areas of the Islamic world.

Yazīd b. Abī Ḥabīb, who died in 128/745 at the age of seventy-five, was reputedly the first to introduce traditions of any sort into Egypt. He is also

42. Ibn Ḥajar, *Tahdhīb*, vi, pp. 403f., a statement of Aḥmad ibn Ḥanbal; see also his *'Ilal*, i, no. 2294.

43. Ibn Ḥajar, *Tahdhīb*, vi, p. 404; this saying is also reported as one of Zuhri, cf. Kattānī, *Ar-risāla al-mustatrafā*, p. 5. Other sayings attributed to Zuhri run: *mā ṣabara aḥadun 'alā 'l-'ilm ṣabī*; *mā nasharahu* [sc. *al-'ilm*] *aḥadun qaṭṭ nashrī*, cf. Ibn Kathīr, *Al-bidāya*, ix, p. 345. The similarity of all these sayings seem to point to a *faḍīla* formula which takes as it were the form of a *topos*.

44. Ibidem, p. 9.

45. Dhahabī, *Tadhkirat al-huffāz*, i, p. 191.

46. *Awwalu man ṣannafa wa-bawwaba fimā a'lamu 'r-Rabī' b. Ṣabīḥ bi'l-Baṣra thumma Sa'id b. Abī 'Arūba*, Rāmahurmuzī, p. 611; cf. Dhahabī, *Tadhkirat al-huffāz*, i, p. 177; Ibn Ḥajar, *Tahdhīb*, vi, p. 404, iii, p. 248. Sa'id is mentioned in al-Khaṭīb, *Kifāya*, p. 358, as a paramount example of a *mudallīs*.

47. Cf. Ibn Ḥajar, *Tahdhīb*, xi, p. 209; and also Ibn Rajab, p. 67.

48. Cf. Ibn Ḥajar, *Tahdhīb*, xi, p. 248.

49. Cf. ibidem, x, p. 109; and also Ibn Rajab, p. 71.

50. Cf. Ibn Bāṭīsh, i, p. 169; Sufyān ath-Thawrī is mentioned here as having preceded him in this; this is probably Ibn Bāṭīsh's own opinion not borne out by the above; Ibn Ḥajar, *Tahdhīb*, x, p. 459; cf. also al-Khaṭīb, *Ta'rikh Baghdād*, xiii, p. 306. Ḥabīb ar-Rahmān al-A'zamī, in the preface of his edition of Humaydī's *Musnad*, p. 1, wrongly quotes Kattānī's *Ar-risāla al-mustatrafā*, as if Asad b. Mūsā (d. 212/827) was the first to do so. For other tradition centres (Shām, Rayy, Wāsiṭ etc.), see Rāmahurmuzī, p. 612. Cf. also Kattānī, *Ar-risāla al-mustatrafā*, pp. 8f. Even for an outpost like Transoxania we have data, cf. Ibn Ḥajar, *Tahdhīb*, vi, p. 10, Ibn Rajab, p. 72.

credited with having been the first to discuss *ḥalāl wa-ḥarām* matters and issues of a more general nature.<sup>51</sup> This may even be considered relatively early, if it is realized how long it took for Islam to grow roots in Egypt;<sup>52</sup> the first teacher of Qur'ān recitation was a man who flourished as late as the second century, 'Abd Allāh b. Lahī'a, who died in 174/790 allegedly at the age of 78 or even 104!<sup>53</sup> The first to enter Andalus with traditions was Mu'āwiya b. Šāliḥ al-Ḥimšī who moved there in 125/742.<sup>54</sup> He was appointed *qāḍī* and died in 158/775.<sup>55</sup> And the first to introduce there *fiqh* and *ḥalāl wa-ḥarām* was Ziyād b. 'Abd ar-Raḥmān al-Lakhmī (d. between 193/809 and 199/815),<sup>56</sup> who is not even listed in the *Tahdhīb* as having engaged in the transmission of traditions. Also on the basis of evidence culled from sources dealing with other areas it is demonstrable that *fiqh* and *ḥadīth* do not necessarily go hand in hand.<sup>57</sup> Furthermore, it was an-Naḍr b. Shumayl, who died in 204/820, who was the first to introduce the *sunna* in Marw and all of Khurāsān.<sup>58</sup> Finally, Abū Ishāq Ibrāhīm b. Hāshim b. al-Khalīl, who flourished about 200/816, was the first who spread traditions from Kūfan transmitters in Qumm.<sup>59</sup>

The *awā'il* evidence collected here converges, I think, on one conclusion, that is that the earliest origins of standardized *ḥadīth* cannot be traced back earlier than, at most, to the seventies or eighties of the first century. What had preceded this was, as we have seen above, still unstructured and still unstandardized material of edifying contents (*quṣṣās*, *tarḥīb wa-targhīb*) or with a political slant (*faḍā'il/mathālib*).

### The chronology of the growth of traditions

The growth of traditions has been occasionally alluded to in the previous section, but will be the main subject of discussion in the following. In order

51. *Wa-kāna [Yazīd b. Abī Ḥabīb] awwala man aḏhara 'l-'ilm bi-Miṣr wa 'l-kalām fī 'l-ḥalāl wa 'l-ḥarām wa-masā'il*, according to Ibn Sa'd as quoted in Ibn Hajar, *Tahdhīb*, xi, p. 319. (This is not found in the *Ṭabaqāt*, however). Note the use of the term *kalām*, and not *'ilm* or *aḥādīth*, referring to legal issues. Mālik's *Muwatta'* was first introduced by 'Abd ar-Raḥmān b. al-Qāsim b. Khālīd (d. 191/807), who was not a *ṣāḥīb ḥadīth*, cf. Ibn Hajar, *Tahdhīb*, vi, pp. 252ff. The first to introduce Mālik's *masā'il* into Egypt was 'Uthmān b. al-Ḥakam al-Judhāmī (d. 163/780), cf. *ibidem*, vii, p. 111.
52. Cf. Ira Lapidus, The conversion of Egypt to Islam, and also Chapter 2.
53. Cf. Ibn Hajar, *Tahdhīb*, v, p. 377; Ibn 'Abd al-Ḥakam, *Futūḥ Miṣr*, p. 264. Also one otherwise unknown Abū Ṭu'ma is mentioned as the first teacher of Qur'ān recitation (*ibidem*). And one al-Qāsim b. Kathīr (d. 220/835) was . . . *min mutaṣaddiri 'l-qurrā' bi-Miṣr*, cf. Ibn Hajar, *Tahdhīb*, viii, p. 331.
54. Cf. Ibn Hajar, *Tahdhīb*, x, p. 210; Khushanī, *Quḍāt Qurṭuba*, p. 31.
55. Khushanī, *ibidem*.
56. *Ibidem*, p. 46; from Ḥumaydī, *Jadhwat al-muqtabis*, pp. 202f., it appears that he introduced Mālik's *fiqh* and that hitherto they had followed the *madhhab* of Awzā'ī.
57. See Chapter 2.
58. Cf. Ibn Hajar, *Tahdhīb*, x, pp. 437f.
59. Cf. Ibn Hajar, *Lisān*, 1, no. 367.

to depict the earliest origins and first growth of *hadīth* a detailed investigation has been made of the transmitted material and/or personal opinions of a small number of important Companions as described in a major early historical source, Ibn Sa'd, as compared with the respective *musnads* of these Companions in a few of the earliest collections. The Companions most eminently suited for such a comparison in the first place seem to be the four rightly-guided caliphs, since the number of traditions traced back to them are small and therefore easier to handle in comparison with the numbers traced back to other Companions, mostly much younger persons, whose occurrences in *isnāds* form, as may become abundantly clear in later chapters, no guarantee whatsoever anyhow that these *isnāds* may, in actual fact, be traced to them.

Reading through Ibn Sa'd's *tarjama* of Abū Bakr and other occurrences in the *Ṭabaqāt*, we hardly find any material that eventually emerges as a *hadīth*. Of the forty-four traditions of Mālik's *Muwatta'*, in which Abū Bakr occurs, only one contains a prophetic saying transmitted through him via a totally deficient *isnād* to Mālik.<sup>60</sup> Abū Bakr's *musnad* is small throughout. In Ṭayālīsī (d. 203/818) it comprises nine traditions, seven of which are of the *tarhīb wa-targhīb* genre and two are historical accounts.<sup>61</sup> In Ibn Ḥanbal's *Musnad* there are many more, seventy-nine in all.<sup>62</sup> Forty-one of these are repetitions, enlargements or abridgements, and of the remaining thirty-eight twenty-eight deal with *tarhīb wa-targhīb*, four are historical accounts and only six can be construed as belonging to *ḥalāl wa-ḥarām*, among which we find the famous *zakāt* precepts.<sup>63</sup> These were transmitted on *ṣahīfas*, the authenticity of which was never doubted by Abbott,<sup>64</sup> and which Schacht was inclined to date back at least to the time of 'Umar.<sup>65</sup>

It is indeed tempting to consider this list of tariffs a genuine institution of the prophet. We read in the *Kitāb al-amwāl* that two versions of this list, one allegedly transmitted in writing to Zuhri via 'Abd Allāh b. 'Umar and his son Sālim<sup>66</sup> and one allegedly transmitted via the descendants of 'Amr b. Ḥazm – which someone went to copy in Medina by order of 'Umar II<sup>67</sup> – present striking similarities to the list allegedly transmitted from Abū Bakr, via Anas to his grandson Thumāma. Therefore I am inclined to lend

60. Vol. 1, p. 231, no. 27: a prophet is only buried at the very spot he has died.

61. *Musnad*, nos. 3 and 6. This last one is at the same time of the *faḍā'il* genre singing the praises of Ṭalḥa.

62. At the beginning of vol. 1.

63. *Musnad*, 1, pp. 11f. (no. 72).

64. Vol. II, p. 31, where she inadvertently mistook Anas' grandson Thumāma, who allegedly transmitted the precepts via his grandfather on one of those *ṣahīfas*, for a grandson of Abū Bakr with the same name. There is no such person.

65. *Origins*, p. 167, note 1.

66. Regrettably, this is the only version preserved in the *Muwatta'* (vol. 1, pp. 257ff.), otherwise the evidence adduced would have been even more convincing.

67. Abū 'Ubayd, *Kitāb al-amwāl*, p. 360, no. 934 and p. 358, no. 933.

credence to the list as possibly going back to the time of Muḥammad, although the version transmitted through Anas need not necessarily be so old but a copy made later by Ḥammād b. Salama (d. 167/783) or someone using his name.<sup>68</sup> Finally, the five traditions in Muslim's *Ṣaḥīḥ*<sup>69</sup> going back to Abū Bakr do not present new material and can all be traced in Ibn Ḥanbal in longer or shorter versions. In conclusion, it is safe to say that Abū Bakr cannot be identified with *ḥadīth* in any extensive way. This may show that during his reign examples set by the prophet or his followers did not play a decisive role in Abū Bakr's decision making. If this had been the case, many more traditions traced back to him, whether or not this ascription is historically genuine, would have been found in the earliest collections. On the contrary, these collections convey rather the idea that the first caliph of Islam, who suddenly saw himself faced with the enormous task of leading a community that had just lost its spiritual leader, relied almost exclusively on his own judgement.

Another conclusion that suggests itself is that it is in Iraqi collections, and not in the earliest extant and most authoritative Medinan collection – the *Muwatta'* – that we have to look for the first sizable numbers of *ḥadīths*, including those on *ḥalāl wa-ḥarām*. A Hijāzī collection that originated a few decades after the *Muwatta'*, the *Musnad* of al-Ḥumaydī (d. 219/834), corroborates this conclusion with only one of its seven traditions traced to Abū Bakr having a Medinese *isnād* (no. 5).

A comparison of 'Umar in all his doings and decisions as described by Ibn Sa'd with the traditions traced back to him as listed in the earliest standard collections yields the following interesting results:

In an early historical source, such as Ibn Sa'd's, it appears that 'Umar hardly figures in traditions relating sayings of the prophet which can also be traced to the classical *ḥadīth* collections. In his *tarjama*<sup>70</sup> there are only a few references to activities where he set standards that later developed into legal prohibitions and injunctions. For example, he was the first to condemn wine-drinkers to eighty stripes and to make the fasting of Ramaḍān incumbent upon all Muslims.<sup>71</sup> Of all religious rites he thought the *ṣalāt* most important: *lā islāma li-man taraka 'ṣ-ṣalāt* or: *la ḥaẓza li 'mri' in fī 'l-islāmi aḍā'a 'ṣ-ṣalāt*<sup>72</sup> (i.e. he who neglects the prayer ritual has no part in Islam). There are indeed numerous instances when, under a variety of

68. Abū Dāwūd is quoted as saying that Ḥammād only possessed one *kitāb* – that of Qays b. Sa'd – i.e. that he transmitted usually from memory, cf. Ibn Ḥajar, *Tahdhīb*, III, p. 15. This sort of information makes any *isnād* indicating transmission of other written material suspect.

69. Ed. M. F. 'Abd al-Bāqī, v, p. 225; I have used Muslim's *Ṣaḥīḥ* for this purpose rather than any other collection because of the extensive indexes given in vol. v.

70. Ibn Sa'd, III 1, pp. 190–274.

71. *Ibidem*, p. 202.

72. E.g. *ibidem*, pp. 250, 254.

different circumstances and in many different situations, he is alleged to have performed certain *ṣalāts*, without these reports being meant in the first place as descriptions of exemplary behaviour zealously imitated by his followers.<sup>73</sup> There is even one report in which 'Umar is described as being somewhat forgetful in the *ṣalāt* so he appointed someone to prompt him where necessary.<sup>74</sup> Whether or not this report is historical, this, as well as the majority of the others in his *tarjama*, do describe 'Umar as an authoritarian *primus inter pares* rather than a blindly obeyed despot whose every word and action become law. This is clearly reflected in the story where he had someone shave his body hair on which occasion he is alleged to have said that this practice was no part of the *sunna*; the term is surely used to mean: the normative behaviour of a good Muslim in the widest sense of the word.

The *sunna* of the prophet, a concept emphasized for the first time by 'Umar b. 'Abd al-'Azīz rather than by the prophet himself or his immediate followers,<sup>75</sup> is conspicuously absent in a report in which 'Umar b. al-Khaṭṭāb on his deathbed made certain recommendations: in case of difficulties his followers should resort to the Qur'ān, the *muhājirūn*, the *anṣār*, the people of the desert and, finally, the *ahl adh-dhimma*. (Conspicuously absent – as yet – are also the *qurrā'*!).<sup>76</sup> This report tallies with the reputation which 'Umar acquired in a number of reports strewn over practically all historical sources that he was not in favour of *aḥādīth* concerning the prophet being spread, let alone being fixed in writing. Also Ibn Sa'd lists such a report.<sup>77</sup>

In all there are just a few reports in which 'Umar referred to a decision of the prophet or where he explicitly followed his example. One concerns the famous verse, not included in the Qur'ān, on the lapidation of adulterers, where 'Umar is alleged to have said that the prophet resorted to this punishment before him, so why not he.<sup>78</sup> This issue requires a separate study, for which this is not the proper occasion.<sup>79</sup> Another one describes how 'Umar loathed the smell of garlic and onions, something which, as he said, had prompted the prophet to have a man removed from the mosque, whose breath stank of it.<sup>80</sup> Furthermore, the prophet had enjoined 'Umar not to forget the distant relatives (*kalāla*) as potential heirs.<sup>81</sup>

It is true that there are a few more reports in which 'Umar mentions an

73. E.g. *ibidem*, pp. 205 (22), 216 (9), 217 (12f.), 225 (18), 261 (11).

74. *Ibidem*, p. 205 (23ff.).

75. See below pp. 31–39, and also Tilman Nagel, *Rechtleitung und Kalifat. Versuch über eine Grundfrage der islamischen Geschichte*, pp. 50–5.

76. Ibn Sa'd, III 1, p. 243.

77. *Ibidem*, p. 206 (5f.), cf. p. 210 (4f.).

78. *Ibidem*, p. 242.

79. Cf. Wansbrough, *Quranic studies*, pp. 193–6, for a few interesting new ideas, if one takes the author's point of issue for granted.

80. Ibn Sa'd, III 1, p. 243 (12–15).

81. *Ibidem*, p. 243 (6ff.).

opinion of the prophet but they are either non-committal, or provided with such perfect *isnāds* that we may assume that Ibn Sa'd, who died in 230/845, copied them complete with *isnād* from a tradition collection circulating during his lifetime. An example of such an *isnād* is: 'Affān b. Muslim – Hammād b. Salama – Thābit – Anas.<sup>82</sup> In a report supported by this *isnād* 'Umar referred a woman, who wept over him after the ultimately successful attempt on his life, to the dictum of the prophet: he who is bewailed [by his relatives] will be punished [in the Hereafter].<sup>83</sup> Elsewhere in this study I have tried to prove that a similar dictum with a derivative of the root *NWH* (= lamenting) cannot be traced to a date earlier than ca. 40/661.<sup>84</sup> If 'Umar's saying, which has the verb *'awwala* for 'bewailing', is taken to be genuinely his, and there are indeed reports in which the saying is traced back to him exclusively,<sup>85</sup> it can be considered as a forerunner of the dictum in the form of a prophetic utterance.

As far as Ibn Sa'd's treatment of 'Umar is concerned and his position in the spreading of *aḥādīth* about Muḥammad, the above is all the relevant material that could be found. Looking now into the earliest general collections of *ḥadīths*, such as Mālik's *Muwatta'*, we find our findings so far eloquently corroborated. Of all the 234 traditions in which 'Umar occurs, only fifteen contain sayings or descriptions of actions of the prophet with three more which are mere repetitions.<sup>86</sup>

But when we look in the earliest Iraqi collections, it becomes once more abundantly clear when and where prophetic traditions transmitted through 'Umar originated. In the *Musnad* of Ṭayālīsī (d. 203/818) we find sixty-two traditions of which only one or two contain 'Umar's own views or statements and of which four are repetitions, abridgements or enlargements, while the Medinese contemporary of Ṭayālīsī, Ḥumaydī, lists in all only twenty-five traditions allegedly transmitted by 'Umar, ten of which via Iraqi and Syrian *isnāds* brought to his attention by Ibn 'Uyayna and al-Walīd b. Muslim respectively. Looking once more at Iraq, just a few decades later another *Musnad*, the one of Ibn Ḥanbal (d. 241/855), was compiled. Here a total of 304 traditions transmitted by 'Umar is listed. Only six of these are historical accounts, 123 are pure prophetic traditions and the remaining 175 are repetitions, abridgements or enlargements. The fact that we do not find a representative sample of 'Umar's *ḥadīth* in Ibn Sa'd may indicate that their spreading was restricted to *ḥadīth* circles only.

82. See Chapter 4 for a tentative solution for the 'mysterious Thābit', and below pp. 46 and 67f. for a study of the reliability of 'Anas *isnāds*'.

83. Ibn Sa'd, III 1, p. 263 (7-10).

84. See Chapter 3.

85. Ibn Sa'd, III 1, p. 263 (14, 17, 25). The dictum, with instead of *'awwala* the noun *bukā'*, is also attributed to 'Ā'isha, p. 263 (22).

86. *Muwatta'*, 'idayn 5, qur'ān 5, 9, zakāt 49, 50, ḥajj 115, nudhūr 14, farā'id 7, talāq 53, buyū' 38, madīna 18, 22, 24, 25, qadar 2, libs 18, isti'dhān 3 and ṣadaqa 9.

A scrutiny of the traditions allegedly transmitted by 'Uthmān yields a more or less similar result. When one reads through the occurrences of 'Uthmān in Ibn Sa'd, one is struck by the total lack of legal traditions, although he is enumerated on various occasions as one of the few Companions whose personal advice was sought on legal issues.<sup>87</sup> Although the number of people who allegedly transmitted material from him is large, not one prophetic tradition – legal or other – on his authority is listed in the *Ṭabaqāt* with the exception of the famous dictum *Man qāla 'alayya mā lam aqul* etc.<sup>88</sup> As far as Ibn Sa'd is concerned, 'Uthmān seems to have relied solely on his own judgement. If he was inspired by the prophet, this does not show in the *Ṭabaqāt*, a source in which we would have expected to encounter at least a few references to his having copied the prophet's example, if that had been his custom.

Likewise it appears that among the numerous occurrences of 'Uthmān in Mālik's *Muwatta'* only three concern his transmitting of a prophetic tradition,<sup>89</sup> whereas in Ḥumaydī's *Musnad* there are only four. But, again, in the earliest Iraqi *musnads* we find a gradually increasing number. In Ṭayālisī there are fifteen prophetic traditions allegedly reported by 'Uthmān with one repetition and in Ibn Ḥanbal a total of 131 of which 74 are repetitions, abridgements or enlargements. This number appears to be reduced in the canonical collection of Muslim to seventeen with one repetition.

So far a pattern seems discernible. A major historical source depicts the first three caliphs as mainly relying on their own personal judgements, offering only very few instances when they allegedly resort to following an example set by the prophet. In Mālik's *Muwatta'* and in Ḥumaydī's *Musnad*, the latter compiled at the same time as Ṭayālisī's, the number of prophetic traditions traced back through them is very small. In the earliest Iraqi collections, however, a gradually increasing number of prophetic traditions is found. It is not surprising that 'Alī's alleged position in the spreading of *ḥadīth* proved to be predictable on the basis of this provisional conclusion. Only five of the twenty-eight traditions in Mālik on his authority allegedly go back to the prophet; in Ḥumaydī that number is twenty-one including repetitions and also those supported by Iraqi *isnāds*; in Ṭayālisī we find already ninety-two prophetic traditions of which just a few are repetitions, and in Ibn Ḥanbal there are listed a total of 819 traditions. In order to determine the number of repetitions, enlargements and abridgements of these traditions, an average of the occurrences has been taken of those in the *musnads* of Abū Bakr, 'Umar and 'Uthmān dealt with above as guiding principle, and it has been calculated that of these 819 some 450 will turn out to be repetitions etc. Even so, that means that during Mālik's lifetime

87. Cf. Ibn Sa'd, II 2, pp. 99 (9), 109 (22), 110 (2).

88. Ibn Sa'd, II 2, p. 100 (15). Cf. Chapter 3 for an analysis and a tentative dating of this saying (middle second century).

89. *Ṭahāra* 29, *ḥajj* 70 and *buyū'* 32.

there circulated in Iraq several hundred prophetic traditions traced back to 'Alī of which there were hardly any traces in Medina shown by the near-absence of 'Alī traditions in the *Muwatta'*.

As alluded to above, it would indeed be a time consuming task to analyse in the same way the growth of traditions in the various centres allegedly transmitted by even a few of the most important Companions. A number of the younger Companions are credited with such colossal numbers of traditions that applying the above methods will turn out to be unfeasible, while the overall conclusion amounts to the same as the one reached so far: in Iraq *ḥadīth* underwent its first major growth as a brief comparison of these Companions' *musnads* preserved in Medinese collections with those preserved in Iraqi collections will demonstrate. Perhaps I should add to this the consideration that it is especially *isnāds* ending in such Companions as Anas, Abū Hurayra, Ibn 'Abbās, Ibn 'Umar, Ibn 'Amr, Ibn Mas'ūd,<sup>90</sup> Jābir b. 'Abd Allāh and a number of others that were attached to fabricated traditions, as a cursory glance through Ibn al-Jawzī's *Kitāb al-mawḍū'āt* or Ibn Ḥajar's *Lisān* will verify.

Perhaps an illustration of the rapid but relatively late growth of Iraqi traditions in particular can be found in Rāmahurmuzī, who quotes a report attributed to 'Awn b. 'Abd Allāh (d. between 110/729 and 120/739) who, at one time, said that to Ibn Mas'ūd a total of a mere fifty traditions were traced.<sup>91</sup> Compare this low figure with the 900 collected in Ibn Ḥanbal's *Musnad*,<sup>92</sup> and it will be clear that it was in the course of the second/eighth century that the proliferation of *ḥadīths* in Iraq flourished, perhaps even later. We have, after all, a statement of Ghundar Muḥammad b. Ja'far (d. 193/808) who is alleged to have said that Ibn 'Abbās did not hear more than nine traditions from the prophet, while Yaḥyā b. Sa'īd al-Qaṭṭān (d. 198/813) believed this figure to be ten.<sup>93</sup> Even though Ibn Ḥajar has tried to invalidate these statements,<sup>94</sup> it is significant, to say the least, that two major *muḥaddithūn*, who both died toward the end of the second century, are reported to have had these ideas about Ibn 'Abbās' output, which in Ibn Ḥanbal's *Musnad*, dating from barely half a century later, reached the

90. The last four constitute together the 'Abādila, but it is not always specified, when mention is made of 'the three 'Abādila', what three of these four are meant. One finds, for example, sometimes 'Abd Allāh b. az-Zubayr included among the 'three 'Abādila' within a Hijāzī context, cf. Ibn 'Asākir, *Ta'rikh kabīr*, 1, pp. 59ff.; Ibn Ḥajar, *Lisān*, II, p. 18, and *Tahdhīb*, II, no. 309. One can safely say that among the 'three' in a Iraqi context Ibn Mas'ūd is always included, also Ibn 'Abbās, but there are no definite pointers to the third being Ibn 'Umar or Ibn 'Amr. Cf. Also Ibn al-Jawzī, *Kitāb al-mawḍū'āt*, II, p. 242.

91. Cf. Rāmahurmuzī, p. 557.

92. In the old edition in Vol. 1, pp. 374-466 = vol. v, p. 184-vol. VI, p. 205 of the Shākīr edition.

93. Cf. Ibn Ḥajar, *Tahdhīb*, v, p. 279. Even Ghazālī is quoted here who maintained that Ibn 'Abbās heard no more than four traditions from Muḥammad.

94. *Ibidem*.



figure of 1710 *ḥadīths* (including, it is true, abridgements, enlargements and repetitions).

### *The origin of the concept 'prophetic sunna'*

The approximate date of origin of the narrowing down of the concept *sunna*, formerly comprising the *sunna*, or exemplary behaviour, of the prophet as well as his most devoted followers, to the exemplary behaviour of the prophet only, is another issue on which the findings presented here differ with the generally held view in the Islamic world.<sup>95</sup> The Islamic view boils down to fixing this date of origin during the life of the prophet, when his behaviour was generally and undisputably taken as normative for all his followers, especially immediately after Muḥammad's death when the Muslim community had nothing else to be guided by except an, as yet, uncodified Qur'ān. This is supposed to have soon resulted in the standardization of the tools with which this exemplary behaviour of the prophet was transmitted to later generations, which may, according to Muslim scholars, be taken to coincide with the date of origin of the standardization of the *isnād*, some twenty-five years after the prophet's death.<sup>96</sup>

I think that the time when the concept *sunna* began to be exclusively identified with *sunnat an-nabī* is to be set in a time some six or seven decades later, that is toward the end of the first century of the Hijra. This chronology is based on the following evidence and considerations.

In the foregoing, while dealing with the *ḥadīth* material traced back to 'Umar, I mentioned a report in which 'Umar, on his deathbed, enumerated where the Muslim community should look for the solutions to its problems, namely the Qur'ān, the *muhājirūn*, the *anṣār*, the desert dwellers and finally the *ahl adh-dhimmā* (cf. p. 26 above). It was pointed out that the concept *sunna* was conspicuously absent from this enumeration. Where we

95. For an account of the *sunnat an-nabī* having allegedly been established during the prophet's lifetime, see M. M. Bravmann, *The spiritual background of early Islam*, pp. 123-98, especially pp. 168ff. Bravmann holds the view that, originally, *sunna* meant: procedure . . . ordained, decreed, instituted, introduced into practice (by a certain person or - less frequently - by a group of definite persons), and that its meaning 'custom of the community' must be considered as secondary (p. 155). I do not dispute this. Besides, it is not in conflict with the findings laid down in this section of the present chapter.

In Martin Hinds, *The Šifīn arbitration agreement*, p. 100, we find the word *sunna* used in two versions of an agreement, one probably early and seemingly historically reliable: *as-sunna al-'ādila al-jāmi'a ghayru 'l-mufarriqa*, and one probably later version: *sunnat rasūli 'llāh al-jāmi'a*; Hinds' proposed chronology seems to be supported by my findings. Furthermore, see Schacht's paper *Sur l'expression "Sunna du Prophète"* in *Mélanges d'orientalisme offerts à Henri Massé*, pp. 361-65.

96. According to the modern author 'Izzat 'Alī 'Id 'Aṣṣiyya, *Al-bid'a taḥdīduhā wa-mawqif al-islām minhā*, pp. 117-122, *sunna* is *sunna* of the prophet to which some authors add, as he says, that of the *rāshidūn* and of the noblest Companions.

would have expected it to be mentioned, namely immediately after the Qur'ān, we find instead the two major contingents of the prophet's followers.

Now, it may be conceded that submitting a problem to a *muhājir* or an *anṣārī*, as 'Umar enjoined his fellow Muslims to do after his disappearance, might very well result in this *muhājir* or *anṣārī* suggesting a solution inspired by the prophet's example but, surely it is just as feasible to maintain that the interrogated *muhājir* or *anṣārī* might offer a solution based upon the generally accepted normative behaviour of the majority of *muhājirūn* and *anṣār* as a group, or a solution based upon his own fair appraisal of the problem, in other words: his *ra'y*. Thus came into existence personal ideas and concepts of how a good Muslim should behave in certain circumstances. Early tradition collections and other early works on the science of tradition, as is well-known, abound with reports traced back to Companions and also Successors, who volunteer solutions to problems presented to them. Even if the ascription of many of these reports is open to doubt, one should not categorically reject their historicity as a whole. Very many of these private opinions remained in the course of time identified and connected with the name of a Companion or Successor, while a great many others – based upon *ra'y* as well as inspired by the example of the prophet and/or other Companions or Successors – are found in later collections moulded in the form of prophetic sayings.<sup>97</sup> Witness to this phenomenon are the countless references in the earliest *rijāl* works and other sources to people who 'raise' a report of a Companion or a Successor 'to the level' of a prophetic saying. The Arabic terms used are derivatives of the root *RF'*.<sup>98</sup>

Names of transmitters from different periods mentioned in connection with *raf'* are among innumerable others:

Rufay' b. Mihrān Abū 'l-'Āliya (d. ca. 93/712), whose traditions occur in all classical collections;<sup>99</sup>

Ḥasan al-Baṣrī (d. 110/728),<sup>100</sup> who will be extensively dealt with on pp. 49–55;

'Adī b. Thābit (d. 116/734), whose traditions occur in all classical collections;<sup>101</sup>

Simāk b. Ḥarb (d. 123/740), whose *ḥadīths* occur in five of the 'six books';<sup>102</sup>

97. Later theoreticians have tried to minimize the role of Companions expressing their own personal views as, for instance, reflected in Ibn 'Abd al-Barr, *Jāmi'*, II, pp. 90f.

98. As I pointed out in the Introduction, Schacht has presented in his *Origins*, e.g. p. 5, among other things, the major theory that '... *isnāds* have a tendency to grow backwards'. It will appear that in the following, in dealing with this phenomenon, I have sought to approach it from a quite different angle.

99. Ibn Ḥanbal, *'Ilal*, I, nos. 63 and 539. 100. *Ibidem*.

101. Ibn Ḥajar, *Tahdhīb*, VII, p. 166 (line 2).

102. Ibn Abī Ḥātim, *Taqdīm*, p. 158.

'Alī b. Zayd ibn Jud'ān (d. 129/746), also found in five of the 'six';<sup>103</sup> Farqad b. Ya'qūb as-Sabakhī (d. 131/748), in two of the 'six';<sup>104</sup>

Abān b. Abī 'Ayyāsh (d. 138/755), whose occurrence in *isnāds* is also a subject of discussion elsewhere;<sup>105</sup>

Shu'ba b. al-Ḥajjāj (d. 160/776), a key figure in Iraqi *ḥadīth*;<sup>106</sup>

Mubārak b. Faḍāla (d. 166/782), whose traditions are listed in three of the 'six', and who may be held responsible for 'raising' very many sayings and opinions of Ḥasan al-Baṣrī 'to the level' of prophetic sayings;<sup>107</sup>

And finally in this shortlist the famous as well as notorious Syrian al-Walīd b. Muslim (d. ca. 195/810), in whose highly contradictory *tarjama* in Ibn Ḥajar's *Tahdhīb*<sup>108</sup> we read the highest praise as well as the bitterest criticism and also that he was a *raffā'*.

Apart from dozens of other transmitters from the classical collections, one can glean the names of hundreds of people accused of the same practice from Ibn Ḥajar's *Lisān*. The 'raising' did not in all cases reach the level of a prophetic saying,<sup>109</sup> in the majority of cases, however, it did and was many a time the subject of discussion in the early sources.<sup>110</sup>

Turning back to 'Umar's saying mentioned above, one is undoubtedly on safe ground when concluding that, if the concept *sunna* had already been exclusively identified with *sunnat an-nabī* by the year 23/644, when 'Umar allegedly made this statement, he would have used this expression and not *muhājirūn* and *anṣār*, which is, as perhaps demonstrated above, a much wider concept. Differently put, it is significant that 'Umar did not use the term *sunnat an-nabī*, if the term *sunna* had developed into this limited specification already by the time he made this statement.

In sum, although the concept *sunnat an-nabī* occasionally emerges in the earliest sources, in the vast majority of cases we find merely *sunna*, with or without the definite article, while the contexts do not make clear to whom and/or to what region the *sunna* in question is ascribed.

As may have become apparent in the foregoing investigation into the alleged role played by the *rāshidūn* in transmitting traditions, the position of 'Umar's successors vis-à-vis *sunna* or *sunnat an-nabī* is in no conspicuous way different from that of 'Umar. The same obtains for the first seven

103. Ibidem, p. 145; cf. Ibn Ḥajar, *Tahdhīb*, vii, p. 323.

104. Ibn Ḥajar, *Tahdhīb*, viii, p. 264.

105. Cf. Chapter iv, p. 144; cf. also Ibn Ḥibbān, *Kitāb al-majrūhīn*, i, p. 56.

106. Ibn Ḥanbal, *ʿIlal*, i, no. 1794.

107. Ibn Ḥajar, *Tahdhīb*, x, pp. 28–31. 108. x, pp. 151–5.

109. E. g. Dārimī, *Sunan*, p. 81, a maxim concerning the *'idda* as starting immediately upon the demise of the husband was first contributed to a Successor and subsequently to a Companion but was never made into a prophetic saying, at least nowhere listed as such.

110. E. g. Ibn Ḥanbal, *ʿIlal*, i, no. 2779; Ibn Abi Ḥātim, *Kitāb al-majrūhīn*, i, pp. 18, 66, 76ff., where, among other things, Ibn Ḥibbān makes the bold, but in my opinion doubtful, statement that the great experts have been successful in sifting the artificially *marfū'* material from the genuine *marfū'*; Rāmāhurmuzī, p. 312, etc. etc.

Umayyad caliphs who, if anything, were merely concerned with countering anti-Umayyad slogans by means of pro-Umayyad ones.<sup>111</sup>

The development of Islam as a religion in general, and of Islamic precepts in particular<sup>112</sup> was mainly in the hands of those who are described in the biographical lexica as *fuqahā* or '*ulamā*'. When conflicts arose between people or solutions were sought to problems of a more general nature from whatever sphere of life, people generally speaking did not go to the ruler<sup>113</sup> but sought advice from wise men, *fuqahā* or '*ulamā*'.<sup>114</sup>

During the time that several of the younger Companions of the prophet were still alive, these were allegedly approached and asked for advice. If this advice was based upon private judgement (*ra'y*), such a Companion became known as a *faqīh*, and if he chose to refer his interlocutor to the *ra'y* of a fellow Companion or to an example set by the prophet, which could be taken as a precedent, then this 'knowledge', this '*ilm*', earned him the honorific '*ālim*'. In the study of the *qādīs* of early Islam (Chapter 2) an attempt is made to show that, especially during the earliest years, say the first century of the Hijra, *fiqh* and '*ilm*' were only occasionally combined in one and the same person.

And so, in the course of the first/seventh century, Islam can be characterized by two methods of development: the resorting to individual judgement = common sense = *ra'y* (cf. Chapter 2) as opposed to the quest for, and transmission of, precedent. Previous pages have briefly dealt with the main representatives of the former method (Sa'īd b. al-Musayyab, Ḥasan al-Baṣrī);<sup>115</sup> we can now concentrate for a while on '*ilm*' as comprising the knowledge, including the transmission, of *āthār*, *akhbār* or *ahādīth*, depending on the person(s) to whom these were ascribed.<sup>116</sup> All three terms

111. Abbott's plea (vol. II, pp. 18–25) for considering the Umayyads as being very much interested in *ḥadīth* is in my opinion not convincing. In the first place she believes in a chronology of the earliest *ḥadīth* which predates mine by at least half a century. Thus she accepts at face value Mu'āwiya's role as a transmitter simply on the basis of the existence of his *musnad* in, for example, Ibn Ḥanbal, and also that of Marwān b. al-Ḥakam.
112. Cf. Wansbrough, *Sectarian milieu*, p. 123.
113. The first to put himself at the disposal of people who sought to solve conflicts (*maẓālim*) was 'Umar b. 'Abd al-'Azīz, but it was only under the 'Abbāsids that *maẓālim* sessions became institutionalized, see al-Māwardī, *Al-ahkām as-sultāniyya*, p. 131.
114. The dichotomy between '*ilm*' and *fiqh* in early usage is very clearly and succinctly outlined in E.I. 2, s.v. *fiqh* (Schacht). For the contrast between *ṣāhib ḥadīth* and *ra'y*, see e.g. Ibn Ḥanbal, *Iḥal*, I, no. 1212.
115. Cf. Ibn Abd al-Barr, *Jāmi'*, II, pp. 61f., for a good survey of the earliest Muslims who relied heavily – if not exclusively – on their own personal judgement distributed over the various centres of the empire.
116. Usually – but not always – the terms *āthār* and *akhbār* refer to statements made by Companions or Successors, whereas the term *ḥadīth* is usually reserved for prophetic traditions. The use of technical terms is a lot less stringent than, for instance, Sezgin leads us to believe. E. g. cf. how Mālik and others are quoted in Ibn 'Abd al-Barr, *Jāmi'*, II, pp. 175f.; cf. also al-Khaṭīb, *Kifāya*, pp. 305–10. Furthermore, we read in Qāḍī 'Iyāq b. Mūsā, *Kitāb al-'ilmā*, p. 125: *awwalu man aḥdatha al-farq bayna ḥādḥayni 'l-lafẓayni* [sc. *akhbārānā* and *ḥaddathanā*] *Ibn Wahb bi-Miṣr* [who died in 197/813].

denote transmitted materials often describing *sunnas*, whether of the community as a whole, or specifically of the prophet, or of one specific region or centre, or of one individual other than the prophet.

The first man to apply himself to the concept *sunnat an-nabī* more than to *sunnas* ascribed to other persons or localities was, as Muslim sources inform us, 'Umar b. 'Abd al-'Azīz. His request to Abū Bakr b. Muḥammad b. 'Amr b. Ḥazm<sup>117</sup> and Zuhri<sup>118</sup> to note down what 'ilm they possessed is well-known and has already been dealt with extensively by others.<sup>119</sup> But in view of the present discussion it may be interesting to look closely once more at the exact wording in which he is alleged to have moulded his request. As recorded in Ibn Sa'd 'Umar asked literally for (1) *ḥadīth rasūli 'llāh*; (2) *sunna māḍiya*<sup>120</sup> (N.B. without the definite article); and (3) *ḥadīth* from 'Amra bint 'Abd ar-Raḥmān (d. 98/717 or 100/719).<sup>121</sup> Numbers two and three can be construed as not containing exclusively *sunnat an-nabī*, as is the case with number one. In other words, although 'Umar b. 'Abd al-'Azīz is described in history as a champion of the prophetic *sunna*, he did not neglect *sunnas* from other sources. This view can be substantiated by passages from the biographies devoted to him.

For example, we find in Ibn 'Abd al-Ḥakam's *Sīrat 'Umar b. 'Abd al-'Azīz* a saying attributed to him: *sanna rasūlu 'llāh (ṣ) wa-wulātu 'l-amri ba'dahu sunanan . . .*<sup>122</sup> (i.e. the Messenger of God, and after him his successors in office, instituted *sunnas*), which conveys clearly the (still) wide interpretation given to the term *sunna*. And he is also credited with the remark that he would not have been capable of managing the affairs of state properly, if he had not paid heed, apart from the Qur'ān and the *sunna* of the prophet, to other matters . . . *allatī min ra'yi 'n-nās*<sup>123</sup> (i.e. belonging to the people's private opinions).

'Umar II was born in 60/680, 61/681 or 63/683, so it can be assumed that he started to emphasize his ideas concerning the *sunnat an-nabī* in any case not earlier than the year 80/700 and probably somewhat later.<sup>124</sup> As noted above, on 'Umar II's instigation, in all likelihood after he had become caliph in 99/717,<sup>125</sup> but perhaps somewhat earlier, Zuhri, who was then allegedly in his forties or fifties, is recorded to have been the first to make an organized collection of all the 'ilm he could find. A significant report attributed to Ṣāliḥ b. Kaysān (d. 140/758 or later) describes how Zuhri went

117. E.g. Ibn Hajar, *Tahdhīb*, xii, p. 39.

118. E.g. Ibn 'Abd al-Barr, *Jāmi'*, i, p. 76.

119. Cf. Goldziher, *Muh. Stud.*, ii, pp. 210f.; Abbott, vol. ii, pp. 22f.; Sezgin, *GAS*, i, pp. 56f.

120. Cf. Bravmann, *The spiritual background*, pp. 139-51.

121. Ibn Sa'd, ii 2, p. 134.

122. Ibn 'Abd al-Ḥakam, *Sīrat 'Umar b. 'Abd al-'Azīz*, p. 38.

123. *Ibidem*, p. 77.

124. Abū Zur'a, *Ta'rikh*, p. 569, intimates that he did not live to see 40.

125. Cf. Abbott, vol. ii, p. 25.

about it: 'Ibn Shihāb<sup>126</sup> and I', said Ṣāliḥ, 'were looking for *'ilm* and we agreed to record the *sunna*. Thus we wrote down everything we heard about the prophet. Then Zuhri said: "Let us write down what we can find attributed to his Companions." But I said: "No, that is not *sunna*." Zuhri, however, insisted that it was and recorded this also.' Added Ṣāliḥ ruefully: 'I did not record it, so Zuhri became a successful traditionist, whereas I did not.'<sup>127</sup>

Even if we have here an instance of organized *ḥadīth* collecting, from the prophet as well as from his Companions, it is erroneous to think that this example was immediately and automatically followed in Medina, Syria or in the other main centres of the Islamic empire. A look at the biographies of Zuhri's contemporaries in those centres demonstrates that *ḥadīth* collecting was not yet taken up in any systematic way, at least for some time to come. People in the different centres were scarcely aware of each other's activities. Zuhri, in any case, appeared to be ignorant of what was going on in other centres. For example, he learned to his astonishment that people such as al-A'mash (d. 148/765) did indeed possess traditions worthy of being taken into consideration.<sup>128</sup>

As mentioned above, 'Umar II, more than any ruler before him, was determined on granting the *sunna* of the prophet a position as guiding principle in importance only second to the Qur'ān. He is considered to be the first theoretician of the *sunna*.<sup>129</sup> But many of his administrators did initially not subscribe to this policy when he became caliph in 99/717. So he allegedly wrote to his governor in Baṣra, 'Adī b. Arṭāt (d. 102/720): It has reached me that you follow the customs (*an tastanna bi-sunan*) of al-Ḥajjāj . . . ,<sup>130</sup> and in another letter he wrote to one of his governors: I enjoin you . . . to follow the *sunna* of the Messenger of God and to abandon *mā aḥdatha 'l-muḥdithūn ba'dahu mimmā qad jarā sunnatuhu*,<sup>131</sup> this last sentence being an indication that he was aware of the sometimes doubtful role

126. For an assessment of the difficulties concerning the different names various key figures in early Islamic *ḥadīth* transmission were known by, such as Zuhri = Ibn Shihāb, see Chapter 4.

127. Ibn 'Abd al-Barr, *Jāmi'*, I, p. 76. A similar report is attributed to Abū 'z-Zinād (d. 133/751) who confined himself to recording *ḥalāl wa-ḥarām*, cf. *ibidem*, p. 73. 'Abd Allāh b. Dhakwān Abū 'z-Zinād was allegedly born in 64/684, so if we assume that he started writing down *ḥalāl wa-ḥarām* at an early age, we have here an indication of a time when a man devoted himself exclusively to recording this genre of traditions, namely circa 90/709. Until now I have not found a transmitter who may be assumed to have started this sort of work earlier than Abū 'z-Zinād.

128. Cf. Ibn 'Abd al-Barr, II, p. 34.

129. *Awwalu mutakallimī ahl as-sunna mina 't-tābi'in 'Umar b. 'Abd al-'Azīz wa lahu risālatun balighatun fi 'r-raddi 'alā 'l-qadariyya*, 'Abd al-Qāhir al-Baghdādī, *Uṣūl ad-dīn*, p. 307, referred to by J. van Ess in *Abr nahrain*, XII, p. 19. The first to be designated thus among the Companions was 'Alī because of his dispute with the Khārijites, cf. *ibidem*. 'Umar was also called *mu'allim al-'ulamā'*, cf. Abū Zur'a, *Ta'rikh*, p. 520.

130. Ibn al-Jawzī, *Sirat 'Umar b. 'Abd al-'Azīz*, p. 88. 131. *Ibidem*, p. 67.

played by innovators who obstructed the 'establishing' of the prophetic *sunna*. (Even if it is tempting to read *muḥaddithūn* instead of *muḥdithūn*, this does not seem to be correct.)

Furthermore, 'Umar II allegedly demanded that the *qādīs* he appointed be possessors of 'ilm who would ask others concerning the issues about which they had no knowledge<sup>132</sup> or who would consult the people of *ra'y*.<sup>133</sup> When we investigate 'Umar's *qādīs* in more detail, we see that, although this was in theory what he wanted, in practice precious few of his requirements were met. The majority of *qādīs* who held office during his reign in the less important centres can in no way be identified with *sunna* or tradition transmission.

Ahwāz: Sālim b. Abī Sālim, cf. Waki', *Akhbār al-quḍāt*, III, p. 320, not listed in the *rijāl* works;

Armīniyā: al-Ḥārith b. 'Amr al-Asadī, cf. Waki', I, p. 264, idem;

Ba'lbakk: al-'Abbās b. Nu'aym al-Awzā'i, cf. Waki', I, p. 264, idem;

Filasṭīn: (1) an-Naḍr b. Maryam, cf. Waki', I, p. 264, idem; (2) 'Abd Allāh b. Mawhab, cf. Ibn Ḥajar, *Tahdhīb*, VI, p. 47, on the whole little known figure;

Ifriqiyyā: (1) 'Abd ar-Rahmān b. Rāfi', cf. Ibn Ḥajar, *Tahdhīb*, VI, pp. 168f., good *faqīh*, but his traditions were *munkar*; (2) Ismā'il b. 'Ubayd Allāh b. Abī 'l-Muhājir, a *mawlā* who died in 131/749, the first reliable transmitter so far, also good *faqīh*, cf. Ibn Ḥajar, *Tahdhīb*, I, pp. 317f.;

al-Jazīra: (1) Maymūn b. Mihrān, allegedly reliable but he transmitted only a few traditions, cf. Ibn Ḥajar, *Tahdhīb*, X, pp. 390ff.; (2) 'Adī b. 'Adī b. 'Amīra, *faqīh*, but there was doubt as to his reliability in *ḥadīth*, cf. Ibn Ḥajar, *Tahdhīb*, VII, pp. 168f., and Ibn Sa'd, VII 2, p. 179;

Khurāsān: al-Jarrāh b. 'Abd Allāh, cf. Ibn Sa'd, V, pp. 251 and 285, not identified with *sunnat an-nabī*;

Mawṣil: Yahyā b. Yahyā b. Qays, cf. Ibn Ḥajar, *Tahdhīb*, XI, pp. 299f., *faqīh*, but only a few traditions;

Qinnasrīn: al-Walīd b. Hishām, honest transmitter, cf. Ibn Ḥajar, *Tahdhīb*, XI, p. 156;

Ṣan'ā': Wahb b. Munabbih, *thiqa*, but also considered weak, cf. Ibn Ḥajar, *Tahdhīb*, XI, pp. 166ff.;

Yemen: 'Urwa b. Muḥammad as-Sa'dī, had to use his *ra'y*, cf. Ibn 'Abd al-Barr, *Jāmi'*, II, p. 60;

Urduṅn: Qays b. al-Ḥārith, very few traditions, cf. Ibn Ḥajar, *Tahdhīb*, VIII, p. 386.

For the *qādīs* of Egypt, see Chapter 2, pp. 80ff., and Kindī, *Governors*, pp. 333-9.

For Mecca we only find the wholly unknown Dāwūd b. 'Abd Allāh al-Ḥaḍramī, cf. Waki', I, p. 264.

As for Damascus, the capital of the Umayyads, according to Waki', III, pp. 203f., a totally nondescript *qāḍī*, one 'Abd ar-Rahmān b. al-Ḥashās, served under 'Umar II; also one Sulaymān b. Ḥabīb is mentioned, cf. Abū Zur'a, *Ta'rīkh*, p. 202, and Ibn Ḥajar, *Tahdhīb*, IV, p. 178.

As for the *qādīs* in the main centres, we find for Baṣra Iyās b. Mu'āwiya

132. Ibn Sa'd, V 2, p. 272 (18): . . . 'alīman yas'alu 'ammā lā ya'lamu.

133. Ibidem, lines 21f.: . . . 'alimum bimā kāna qablahu yastashīru dhawī 'r-ra'y.

(d. 122/739) who can hardly be associated with *ḥadīth* or *sunna*, but who was a good *faqīh*, though,<sup>134</sup> and Ḥasan al-Baṣrī, whose alleged activities in *ḥadīth* transmission are doubtful in the extreme as elucidated below (pp. 49–54).<sup>135</sup> In Kūfa ‘Umar allegedly had a *qāḍī* who was very much concerned with *ḥadīth* (according to Ibn Sa’d), al-Qāsim b. ‘Abd ar-Raḥmān (d. 120/737), a grandson of Ibn Mas‘ūd, but whose *samā’* from his informants is generally doubted, which means that in all probability someone anonymous used his name in fabricated *isnāds* or he is himself to be held responsible for that material with the transmission of which he is credited.<sup>136</sup> Finally for Medina we find ‘Abd Allāh b. ‘Abd ar-Raḥmān b. Ma‘mar b. Ḥazm (d. 134/751), who is *kathīr al-ḥadīth*, but also qualified as *ṣadūq*<sup>137</sup> and Abū Bakr b. Muḥammad b. ‘Amr b. Ḥazm mentioned above (p. 34). So it is only in Medina that ‘Umar’s *qāḍīs* more or less met the requirements he is reported to have stipulated.<sup>138</sup> Even so, when the son of the last mentioned *qāḍī*, called Muḥammad (d. 132/749), was *qāḍī* in Medina, he passed sentence on the basis of the generally held practice of Medina rather than on the basis of *ḥadīth*, this practice being considered as more binding (in Arabic: *aqwā*) than *ḥadīth*.<sup>139</sup> It is safe to assume that this ‘practice’ is none other than that based upon the *ra’y* of the famous Medinan *fuqahā’* (e.g. Sa‘īd b. al-Musayyab a.o.) whose alleged activities in *ḥadīth* transmission were discussed above (pp. 15f.) as probably unfounded, an issue which will again be referred to below on pp. 42f.

‘Umar II’s own role in transmitting traditions should, furthermore, not be overrated. It is true that we have a *musnad*<sup>140</sup> exclusively devoted to all the traditions in whose transmission he supposedly has been instrumental. This *musnad* contains in all forty-three different traditions going back to the prophet. The *isnāds* show an as yet very primitive state and are, according to the criteria developed in later *rijāl* criticism, for the most part to be considered weak. An opinion as to whether these traditions, or at least a few of them, can be taken as historically genuine utterances of the prophet is, as is always the case in these matters, difficult to form. The various

134. Cf. Ibn Ḥajar, *Tahdhīb*, I, pp. 391f.

135. About one ‘Abd al-Malik b. Ya‘lā al-Laythī (d. between 100/719 and 104/723) it is not certain whether he served as *qāḍī* under ‘Umar II or someone else. In any case, he is in no way identified with traditions, cf. Ibn Ḥajar, *Tahdhīb*, VI, pp. 429f., where it says that he is only mentioned in Bukhārī’s *ta’liqāt*.

136. Cf. Ibn Ḥajar, *Tahdhīb*, VIII, p. 321.

137. Cf. *Ibidem*, V, p. 297, and Chapter 5 below for an assessment of this term.

138. Not even that! ‘Umar’s *qāḍī* during his governorship was ‘Abd ar-Raḥmān b. Yazīd b. Jāriya (d. 93/712), listed as *qalīl al-ḥadīth* in Ibn Sa’d, V, pp. 60f.; anyway, every time ‘Umar himself had to give a *qaḍā’*, he consulted Sa‘īd b. al-Musayyab, *ibidem*, p. 90.

139. Cf. Ṭabarī, *Ta’rikh*, III, p. 2505, as quoted in J. Horowitz, *The earliest biographies of the prophet and their authors*, in *Islamic culture*, 1928, vol. II, p. 25, and note 4.

140. It was edited by A. H. Harley in *JASB*, n.s. XX, 1924, pp. 391–488, henceforth quoted as ‘Harley’.



precepts regarding the proper execution of the *ṣalāt* and other references to ritual may very well be historical, and this in spite of their *isnāds* showing 'defects', but, for instance, the obvious *vaticinatio post eventum* in which the prophet allegedly referred to the *qadar* issue is very probably a forgery of a *rāwī* occurring in the second tier above 'Umar II.<sup>141</sup> Furthermore, when a suspect saying attributed to Mu'āwiya is examined, who is then quoted as quoting the prophet, a likely candidate for having brought this tradition into circulation can be found in the *rāwī* again two tiers above 'Umar.<sup>142</sup> Given the fact that the number of traditions transmitted by him as referred to in an early biography (Ibn 'Abd al-Ḥakam's) and even in a late one (Ibn al-Jawzī's) is extremely limited, the conclusion seems justified that, even if his emphasis on prophetic *sunna* is accepted as historically established, 'Umar II cannot in any way be identified with the knowledge and/or the transmission of a sizable number of prophetic traditions.<sup>143</sup> This conclusion is, moreover, borne out by the near-absence of traditions in a text where we would have expected them most. I am referring, of course, to an epistle attributed to him, *Radd 'alā 'l-qadariyya*, allegedly written toward the end of his life.<sup>144</sup> If anywhere, it is in this text that 'Umar would have adduced what appropriate traditions he knew of in support of his argument. That he does not can have in my view only one feasible explanation, that is that appropriate traditions had not yet been brought into circulation.

Other documents belonging to the earliest remnants of Arabic literature, i.e. going back to the first/seventh century,<sup>145</sup> bear out the conclusion

141. This *rāwī* is 'Umar b. Yazīd an-Naṣrī (or: Naḍrī, fl. 125/743), a notorious manipulator of *isnāds* (and *not* the *rāwī* identified by Harley, cf. p. 483), who is listed in Dhahabī's *Mizān al-'itidāl* as having transmitted – which I interpret as 'having forged' – this very same tradition. Cf. Harley, p. 439 and Dhahabī, III, pp. 231f.
142. This *rāwī* is 'Abd al-Jabbār b. 'Umar al-Ayḷī (d. between 160/777 and 170/786), a *mawlā* of the clan of Umayya. Ibn Ḥajar, *Tahdhīb*, VI, p. 104, quotes a remark of 'Alī b. 'Umar al-Ḥarbī (d. 386/996) concerning him, namely *kāna yatafaqqahu*, which may be interpreted as 'devoting himself to *fiqh*' as well as 'posing as a *faqīh*'. His having been a *mawlā* of the clan of Umayya, as well as his alleged interest in *fiqh*, both aptly corroborate the hypothesis that he is to be 'credited' with this report ascribed to Mu'āwiya in which the latter ridicules the achievements of the Medinese in *fiqh* matters emphasizing his own. Cf. Harley, pp. 423, 442f.
143. Furthermore, 'Umar does not (yet) find it imperative to mention the *isnāds* of the sayings he is reported as having quoted, cf. Ibn 'Abd al-Ḥakam, *Sira*, pp. 103, 107; *Jamharat rasā'il al-'arab*, ed. Aḥmad Zakī Ṣafwat, vol. II, Cairo 1937, p. 337. At any rate, his predilection for traditions may be due to the influence 'Umar II supposedly underwent from the *qāṣṣ/qāḍī* Muslim b. Jundab (d. 106/724), cf. Abū Zur'a, *Ta'rikh*, p. 568, Ibn Ḥajar, *Tahdhīb*, X, p. 124.
144. Cf. the edition by J. van Ess in *Anfänge muslimischer Theologie*, Beirut 1977, pp. 43–54 of the Arabic text.
145. Ḥasan al-Baṣrī's *Risāla* to 'Abd al-Malik about *qadar* (also mentioned below p. 48.); Ḥasan b. Muḥammad b. al-Hanafīyya, *Kitāb al-irjā'*, ed. J. van Ess in *Arabica*, XXI, 1974, pp. 20–52; idem, *Ar-radd 'alā 'l-qadariyya*, ed. by J. van Ess in *Anfänge muslimischer Theologie*, pp. 11–37 of the Arabic text.

derived from the foregoing, namely that traditions came relatively late into existence together with, and probably also because of, the concept *sunna* being narrowed down to *sunnat an-nabī* only as late as toward the end of the first/seventh century. The (near-) absence of traditions in these early documents can surely only be accounted for if the theories outlined in the above are accepted.

### ***The earliest development of the ḥadīth centres***

In the following I should like to concentrate on the earliest development of *ḥadīth* transmission and collection as carried out in the various centres. It is hoped to demonstrate that during the last two or three decades of the first century of the Hijra/the 700s–720s A.D. the interest for *ḥadīth* slowly increased in the separate administrative centres of the Islamic empire.

It is on purpose that these centres are referred to as 'separate'. One overall characteristic of *ḥadīth* evolution in its earliest stages deserves to be emphasized before anything else. In the beginning there was little or no contact between the centres especially if they were far apart. In other words, in each centre there circulated different *ḥadīths*. Initially collectors of *ḥadīth* traveled only rarely to other centres to learn with new masters, at least during the first/seventh century. In this investigation into this early development I have come to recognize that the vast majority of *isnāds*, as far as their three oldest transmitters are concerned, can be considered as being particular to one centre. At a somewhat later stage, say, during the first few decades of the second century/the 720s–750s A.D., contacts do seem to have been established between centres and we witness the emergence of *isnāds* that can be labeled as being particular to more than one centre. The next section of this chapter will deal with the evolution of the *ṭalab al-'ilm* which gave rise to these *isnāds* of 'mixed' origin. But first I propose to classify *isnāds*, concentrating exclusively on their oldest transmitters, into the following principle categories: Hijāzī, Egyptian, Syrian and Iraqi.

Taking these categories now one by one, the earliest history of *ḥadīth* may be depicted on the basis of the *isnāds* characteristic of each.

#### **1. Hijāzī isnāds: a. Mecca**

According to the number of Successors active in the main cities, Mecca and Medina, we may conclude that more people occupied themselves with *ḥadīth* in the latter. But this does not mean that the position of Mecca as a *ḥadīth* centre should be underrated, at least not if we take its number of alleged *ḥadīth* transmitters as something to go by. The Companions to whom we find most traditions traced back are the four 'Abādila (i.e. Ibn 'Umar, Ibn 'Abbās, Ibn 'Amr and Ibn az-Zubayr), 'Ā'isha and Jābir b. 'Abd

Allāh. In Mecca a certain number of Successors allegedly held key positions in the transmission of *ḥadīths*. Of these should be mentioned here Mecca's first *qāṣṣ*, 'Ubayd b. 'Umayr (d. 68/687), the *mawlā* Miqsam b. Bujra (d. 101/720), the *mawlā* Mujāhid b. Jabr (d. ± 102/721), Ibn Abī Mulayka (d. 117/735), the *mawlā* 'Amr b. Dīnār (d. 125/742), the *mawlā* Abū 'z-Zubayr (d. 126/743) and finally the *mawlā* Abū Sufyān Ṭalḥa b. Nāfi' (d. ± 120/738) who settled later in life in Wāsiṭ from where his *ḥadīth* became known with Iraqi transmitters. Supposedly one of the first Successors to introduce Iraqi material into Mecca was Abū Umayya 'Abd al-Karīm (d. 127/744).

As far as knowledge of *fiqh* matters is concerned, pride of place goes perhaps to the *mawlā* 'Aṭā' b. Abī Rabāḥ (d. 114/732), whose *fatwās* are reported to have been widely sought and whose expertise in *manāsik*, i.e. *ḥajj* ceremonials, was allegedly unrivaled. He probably was one of those *fuqahā'* whose legal decisions, either through his own endeavours or at the hands of anonymous others, were in the course of time moulded into prophetic sayings, a procedure mooted on pp. 15f. above and again in more detail on pp. 42f. below. Proof for this surmise can be gleaned from the fact that his *samā'* from a large number of Companions is doubted and that he is 'credited' with numerous *mursalāt* which did not enjoy general acceptance.<sup>146</sup>

## 2. Medina

Because of the large number of Successors who allegedly transmitted traditions in Medina from a sizable number of different Companions, it is difficult to give accurate figures.

As far as the Companions are concerned, not one of the important figures is exclusively Medinan, as is sometimes the case with other Companions who appear in the *isnāds* of only one centre. For Medina the Companions Abū Hurayra, 'Ā'isha and Zayd b. Thābit are of major importance, but they also emerge in *isnāds* centring on Successors of other centres. Another Companion, who is perhaps the most clear-cut example of one who is claimed by two centres, is Anas b. Mālik.<sup>147</sup> It is hard to say whether the Baṣran *isnāds* with his name outnumber the Medinan ones. But a distinction is easily made when the provenance of the Successor, who allegedly heard with him, is investigated.

As for the Successors of Medina, they are far too numerous to list *in toto*. If we want to begin with the most important one, mention should be made in the first place of Ibn Shihāb az-Zuhrī (d. 124/742). No matter what

146. Cf. Ibn Hajar, *Tahdhīb*, vii, pp. 199-203.

147. Cf. M. J. Kister, On 'concessions' and conduct, p. 12. It is difficult to keep track of where Anas was during the last few decades of his life. But we find, for instance, that he was supposedly in Medina when 'Umar II was appointed governor there (from 86/7-705/6 until 93/712), cf. Ibn Sa'd, v, p. 244; Khalifa, *Ta'rikh*, p. 315.

criteria one applies to the historical value of *isnāds*, no list of early authorities is complete without Zuhri being included. Zuhri is at the same time one of those characteristic figures who was active in two centres, Medina and Damascus. *Isnāds* that mention Zuhri are therefore either Medinan or Syrian depending on the provenance of the transmitters who learned from him and also on the provenance of several of his masters, e.g. Abū Idrīs al-Khawlānī (d. 80/699) who supposedly was only active in Syria.<sup>148</sup>

Besides, for various materials Iraqi tradition centres also claim Zuhri as their informant. It turns out, however, that the large number of so-called pupils of Zuhri in Iraq, who asserted that they had heard traditions with him, were practically all exposed in the *rijāl* works as having falsely claimed to have been pupils of Zuhri. In Chapter 4 a special study will be devoted to Zuhri. There the theory will be presented, with supporting evidence, that possibly those people mentioned by the *nisba* Zuhri in otherwise Iraqi *isnāds* may be considered as having been among the numerous transmitters with that *nisba* active in Iraq who were called, or who called themselves, by that *nisba*. This was only to lend the *isnād* in which they appeared more prestige, a clear-cut case of deception known as *tadlīs*.<sup>149</sup>

As mentioned above (p. 34) Zuhri was allegedly the first to make a systematic collection of *ḥadīth* and all other *āthār* while making consistent use of *isnāds*. Born in 50/670, 51/671 or between 56/676 and 58/678, we may therefore assume that he started his activities absolutely not earlier than 70/689 and most probably several – perhaps ten – years later.<sup>150</sup> His *samā'* from Ibn 'Umar, who died in 74/793, for one thing, is doubted.<sup>151</sup>

Other allegedly major *ḥadīth* transmitters among the Successors of Medina were:

- 'Ubayd Allāh b. 'Abd Allāh b. 'Utba (d. between 92/711 and 99/718);
- 'Urwa b. az-Zubayr (d. between 92/711 and 101/720);
- Abū Bakr b. 'Abd ar-Raḥmān b. al-Hārith (d. 93/712);

148. The notorious forger 'Abd Allāh b. Ziyād Ibn Sam'ān, one time *qādi* of Medina, only transmitted his fabricated traditions in Syria, naming Zuhri as one of his masters, cf. Ibn Hajar, *Tahdhīb*, v, pp. 219ff., and Ibn Ḥanbal, *'Ilal*, 1, no. 652.

149. See below in Chapter 4, pp. 146–58, and especially notes 57 and 64.

150. Not earlier, since the phenomenon of children collecting traditions emerges only at a later stage. Cf. Rāmāhurmuẓī, pp. 185f., where Zuhri is reported to have said that he had never seen anyone in search of traditions younger than Ibn 'Uyayna who was only fifteen years old at the time. Ibn 'Uyayna was born in 107/725; Zuhri must, therefore, have made this statement – if he made it – in 122/740. As I said, whether or not this report is historical is doubtful. If Ibn 'Uyayna really met Zuhri, while he supposedly died in 198/814, as the sources assert, he must have reached the for those days incredible age of 91 (lunar) years. Compare my exposé on the 'age trick' below, pp. 46ff.; cf. also Rāmāhurmuẓī, pp. 198ff. and in al-Khaṭīb, *Kifāya*, p. 359, we read a report in which *samā'* between Zuhri and Ibn 'Uyayna is subjected to serious doubt. Furthermore, cf. Dhahabī, *Ahl al-mi'a fa-shā'idan*, no. 47.

151. Ibn Hajar, *Tahdhīb*, ix, p. 450 (penult.).

Abū Salama b. 'Abd ar-Raḥmān (d. 94/713 or 104/723);

Khārija b. Zayd b. Thābit (d. 99/718 or 100/719);

al-Qāsim b. Muḥammad (d. 106/725);

Sālim b. 'Abd Allāh b. 'Umar b. al-Khaṭṭāb (d. 106/725).<sup>152</sup>

All these were major representatives of what later came to be called a *madhhab*.<sup>153</sup> They were reputed to share the following characteristics, which they had in common with Sa'īd b. al-Musayyab (d. between 93/712 and 100/719): all were Arabs, they were all great experts in *fiqh* matters, noted for the large number of traditions they were supposed to have transmitted and, in addition to this, they were all known for *irsāl* or, differently put, several cases of *samā'* from Companions were doubted in the case of each of these.

Famous *mawlās* noted for the same qualities and shortcomings were:

Sulaymān b. Yasār (d. 107/726);

Nāfi', Ibn 'Umar's *mawlā* (d. 117/735 or 120/738);

Muḥammad b. 'Ajlān (d. 148/765).

As I have tried to demonstrate above (pp. 15f.), it is more than likely that the bulk of traditions in the transmission of which these early *fuqahā'* were supposedly instrumental, started life as legal opinions of these *fuqahā'* themselves who merely expressed their own personal judgement. These opinions or legal advices were in the course of time 'raised to the level' (in Arabic: *marfū'*) of prophetic sayings, when the emphasis on the concept *sunnat an-nabī* had eclipsed *sunan* of Companions and Successors. That their legal decisions, or as they were called above ad hoc solutions to problems presented to them, were in the course of time moulded into decisions of the prophet, can also be inferred from the confusion concerning *samā'* from many of their informants.<sup>154</sup>

Not of every major *faqih* have private statements and rulings survived in the canonical collections. Here follows a selection of those that have. This list could easily be extended and is only meant as a representative cross-section.

'Urwa b. az-Zubayr:

(1) A statement in Dārimī, *muqaddima* 17 (= p. 28) is in Ibn Māja a prophetic tradition (*muqaddima* 8, = 1, p. 21).

(2) The way in which he wiped his shoes (*mash' al-khuffayn*) described in Mālik, *ṭahāra* 45 (= 1, p. 38), is also found supported by numerous different *isnāds* traced to the prophet, passim in the 'six'.

(3) An ablution rule (Mālik, *ṭahāra* 61, = 1, p. 43), is in slightly different wording traced to the prophet (Ibn Māja, *ṭahāra* 63, = 1, p. 161).

152. The famous *isnād* ending in Sālim - Ibn 'Umar - prophet was used by, among others, one 'Amr b. Dīnār (Ibn Ḥajar, *Tahdhīb*, viii, no. 46, allegedly *not* the famous traditionist from Mecca) to substantiate *munkar* material.

153. Cf. Ibn Abī Ḥātim, *Taqdima*, p. 252, where 'Abd ar-Raḥmān b. Mahdī is labeled as also an adherent of the *madhhab tābi'i ahl al-Madīna*.

154. Cf. pp. 15f. above. The statements and judgements of these Successors were collected in the same way as other material, cf. Ibn Ḥanbal, *'Ilal*, 1, nos. 1445, 1456.

Abū Bakr b. 'Abd ar-Raḥmān b. al-Ḥārith:

(1) In Mālik, *ṣafar* 23 (= 1, p. 150) we find a custom of his, which was also practised by the prophet (cf. no. 26, = 1, p. 151).

(2) A pious statement of Abū Bakr (Mālik, *ṣafar* 53, = 1, pp. 160f.) is also a prophetic tradition transmitted by Abū Hurayra (cf. Ibn Ḥanbal, *Musnad*, II, p. 350).

Al-Qāsim b. Muḥammad:

(1) Dārimī, *wuḍū'* 111 (= p. 131) contains his own ruling, cf. the slightly more severe ruling of the prophet in Tirmidhī, *ṭahāra* 102, = vol. I (Shākir) p. 243.

(2) After a tradition about the prophet's custom regarding Qur'ān recitation in the *ṣalāt* (Mālik, I, p. 84) there follows a similar custom of al-Qāsim (ibidem, p. 85).

(3) Al-Qāsim's custom concerning the shaving of his head (Mālik, *ḥajj* 185, = 1, p. 395) is simply juxtaposed to the custom of the prophet (ibidem, no. 184).

Sālim b. 'Abd Allāh b. 'Umar:

(1) Proud of his descent from 'Umar, Sālim haughtily asserts that he does not go near a menstruating woman (Dārimī, *wuḍū'* 107, = p. 128).

(2) Sālim performs the *ṣalāt* without a *wuḍū'* for a nosebleed (Mālik, *ṭahāra* 50, = 1, p. 39).

(3) Sālim's ruling concerning a divorcee, an opinion shared by Zuhri, al-Qāsim, Abū Bakr b. 'Abd ar-Raḥmān and Sulaymān b. Yasār (Mālik, *ṭalāq* 57, = II, p. 578).

Other famous Successors from Medina, not generally recognized for their insight in *fiqh* matters but allegedly major transmitters of *ḥadīth*, were the following persons, all *mawlās*:

Dhakwān Abū Šāliḥ (d. 101/720);

'Aṭā' b. Yasār, the well-known *qāṣṣ* (d. 103/722);

Sa'īd b. Abī Sa'īd al-Maqbūrī (d. between 117/735 and 123/741);

Shuraḥbīl b. Sa'd (d. 123/741), allegedly an expert on those who fought at Badr;

Šāliḥ b. Nabḥān (d. 125/743), suspected of having spread *mawḍū'āt* on the authority of *thiqāt*;

'Abd Allāh b. Dīnār (d. 127/745);

'Abd Allāh b. Dhakwān, better known as Abū 'z-Zinād (d. 130/748).

This is just a sample but, perhaps, a representative one. Every one of them is recorded in the *rijāl* works as having had one or more cases of *samā'* and/or *liqā'* questioned. We may conclude from this that those early transmitters were not (yet) concerned so much with recording the names of their informants and, furthermore, since *rijāl* criticism got under way at the earliest only some half a century later, that too much time had elapsed for establishing the historicity of these links with any degree of certainty.

Through the activities of Medinese Successors other *ḥadīth* centres came into being, notably Yemen where the *mawlā* Ṭāwūs b. Kaysān (d. 101/720 or 106/725) settled. He was also suspected of *irsāl*. And also the *ḥadīth* centre to be dealt with next owed a great deal to Medinese Successors, Egypt.

## 2. *Egyptian isnāds*

Of the Companions heading many Egyptian *isnāds*, among others 'Uqba b. 'Āmir should be mentioned, who was made governor of Egypt by Mu'āwīya in 44/664. Among the Successors of typically Egyptian *isnāds* no one stands out in particular. As alluded to in the *awā'il* section of this chapter and also pointed out in Chapter 2, in Egypt the transmission of traditions came relatively late into full swing with the well-known 'Abd Allāh b. Lahī'a (d. 174/790) who, with his pupil 'Abd Allāh b. Wahb (d. 198/813), can rightly be considered as the originators of *ḥadīth* circulation in the province, but with the consideration that the bulk of their material was supposedly gathered in various Iraqi *ḥadīth* centres and *not* in Egypt itself. When we scrutinize, for example, Ibn Wahb's *Jāmi'*, it appears that a large percentage of the *isnāds* is Iraqi judging by the provenance of the transmitters at the Successors' level or the one following that.

The regional character of Egyptian traditions is, perhaps, no better illustrated than in the words of Ibn 'Abd al-Ḥakam: '. . . now follows an enumeration of those Companions from whom the Egyptians transmitted [traditions] . . . and of those Companions from whom also people outside Egypt (*ahl al-buldān*) transmitted'.<sup>155</sup> Ibn 'Abd al-Ḥakam's work is remarkable in another respect. In his enumeration of allegedly Egyptian traditions he very often mentions the key figures of Egyptian *ḥadīth*, such as Ibn Lahī'a and al-Layth b. Sa'd, at the beginning of the *isnāds*. Then he proceeds by enumerating the older *rijāl* down to the prophet plus the *matn*, after which he enumerates the one or two younger transmitters bridging the period between himself and Ibn Lahī'a, al-Layth or other key figures. It seems as if he tacitly indicates that Egyptian *ḥadīth* began roughly in the time of these key figures and that the names of the older transmitters in the *isnād* were simply added for completion's sake. A closer scrutiny of these transmitters makes rapidly clear that the vast majority were indeed unknown, if not fictitious, people about whom the *rijāl* works offer only scant and mostly contradictory information. All these *isnāds* may be considered, possibly, as dating from a time not earlier than the first half of the second/eighth century.

## 3. *Syrian isnāds*

Above mention has already been made of Ibn Shihāb az-Zuhri's role in transmitting traditions supposedly heard with Medinan as well as Syrian informants.<sup>156</sup> 'Umar b. 'Abd al-'Azīz, whose activities with *ḥadīth* were scrutinized in the previous section of this chapter, can also be considered as

155. *Futūḥ Miṣr*, p. 248.

156. The difference between Zuhri's Medinan and Syrian *ḥadīths* is, for example, referred to in his words: . . . *wa-lam asma' hādha 'l-ḥadīth ḥattā ataytu 'sh-Shām*, cf. Ḥumaydī, *Musnad*, II, no. 875.

someone who established a link between Medina and Damascus and their respective tradition materials.<sup>157</sup> Other well-known Successors, who should however be identified solely with Syrian *ḥadīth* as allegedly obtained from such Companions as Mu'adh b. Jabal, 'Ubāda b. aṣ-Ṣāmit – both famous for their expertise in *fiqh* matters – and Abū 'd-Dardā', are Abū Idrīs 'Ā'idh Allāh b. 'Abd Allāh al-Khawlānī (d. 80/699), *qāṣṣ* and *qāqī* of Damascus, and the *mawlās* Shahr b. Ḥawshab (d. 111/729) and Makḥūl (d. sometime between 112/730 and 118/736), all three supposedly well-versed in *fiqh* matters. The remarks made in connection with Medina's *fuqahā'* are applicable here too. Moreover, several cases of *irsāl* are imputed to them.<sup>158</sup> That Syrian traditions were relatively late in gaining recognition is reflected in a remark of the Iraqi expert 'Amr b. 'Alī al-Fallās (d. 249/863) who said literally that among the first Syrian transmitters, who were not *ḍa'if*, were one Sa'id b. 'Abd al-'Azīz (d. 167/783) and Awzā'ī (d. 158/774).<sup>159</sup> Even so, opinions about Awzā'ī are mixed; whereas Shāfi'ī is reported to have said that he had never set eyes on anyone whose *fiqh* so much resembled his *ḥadīth* – one may ask, what came first? – Ibn Ḥanbal declared that Awzā'ī's *ḥadīth* was weak.<sup>160</sup>

Damascene *isnāds* are, finally, not the only *isnāds* particular to Syria; a limited number of *isnāds* are also found containing from the tier following the Successor's level only people hailing from Ḥimṣ.<sup>161</sup> And, to name one more example, also the border town (in Arabic: *thaghr* or *ribāt*) Maṣṣiṣa developed its own *ḥadīth* activities.<sup>162</sup>

#### 4. Iraqi *isnāds*

According to the transmitters mentioned at the Successors' level and the following one, Iraqi *isnāds* can be subdivided into Baṣran and Kūfan, but

157. An example of a transmitter whose attempt at collecting materials from both centres was not deemed successful was Ismā'īl b. 'Ayyāsh (d. 181/797), cf. Ibn Ḥajar, *Tahdhīb*, I, pp. 323ff.

158. Ascribed to Makḥūl we find the maxim: *kullu muskirin ḥarām* (cf. Nasā'ī, *ashriba* 53, last line, = VIII, p. 331). And the statement: *man ṭalaba 'l-'ilm* etc. is listed in Dārimī, *muqaddima* 34 (= p. 57) first as Makḥūl's and then as a *mursal*. In Mālik, *aqḍiya* 44 (= II, p. 756) he is listed as consulting a fellow *faqīh* from Medina.

Shahr b. Ḥawshab reports a saying of Luqmān (Dārimī, *muqaddima* 34, = p. 57) which is also listed as a prophetic tradition in Ibn Māja, *muqaddima* 23 (= I, p. 93).

The saying: *man ja'ala humūmahu hamman wāḥidan* etc., ascribed in Abū Nu'aym, *Ḥilya*, v, p. 123, to Abū Idrīs, is also listed in Ibn Māja, *muqaddima* 23 (= I, p. 95) as a prophetic saying. See for Abū Idrīs also E.I. 2, s.v. al-Khawlānī.

An example of another Syrian *faqīh* whose traditions are open to doubt is 'Abd Allāh b. Abī Zakariyyā' al-Khuzā'i, cf. Ibn Ḥajar, *Tahdhīb*, v, p. 218.

159. Cf. Ibn Ḥajar, *Tahdhīb*, IV, p. 60. 160. Cf. *ibidem*, VI, p. 241.

161. First and foremost among Ḥimṣ's transmitters was Ismā'īl b. 'Ayyāsh, cf. note 157 above.

162. With the arrival of Ibrāhīm b. Muḥammad b. al-Ḥārith Abū Ishāq al-Fazārī (d. 185-8/801-4), cf. Ibn Ḥajar, *Tahdhīb*, I, p. 152, who disseminated mainly Kūfan material.



we also find *isnāds* with one early authority from the one city and his pupil from the other; we call these Baṣran/Kūfan.

Even more so than was the case with Successors from the other centres dealt with so far, a surprisingly large percentage of Iraqi Successors supposedly lived to such a ripe old age<sup>163</sup> that I have developed the theory<sup>164</sup> that lying about one's year of birth must have been common practice. Living conditions in seventh and eighth century Iraq cannot have been easy and simply do not admit of the supposition that the vast majority of tradition transmitters died at an age considerably more advanced than the average age reached by males living in the twentieth century in, for example, the West. This deceit is what I have come to call the 'age trick'; it deserves, I think, a short digression, because so many Iraqi Successors as well as later transmitters, also from other centres, resorted to it.

The credulity on the part of the living when confronted with the age which elderly people claimed to have reached is attested in the *tarjama* of the famous Companion 'Ammār b. Yāsir. There it is reported that 'everybody agreed' that when he finally met his end, fighting at the side of 'Alī at Ṣiffīn(!) in 37/658, he was ninety-three years old.<sup>165</sup> But lying about one's age cannot have been all that difficult. If one, for example, persuaded one's descendants to spread the story of one's fictitious year of birth, scarcely anyone among the living would be able to testify to the contrary. Ibn Ḥanbal seems to have believed a daughter's assertion that her father was 120 years old when he died.<sup>166</sup> This automatically enabled this man to claim the coveted status of Companion.<sup>167</sup> And when one Yazīd b. Muslim al-Hamdānī told him that he was 135, which could earn him the status of Successor, Ibn Ḥanbal did not comment upon that either.<sup>168</sup> Anas b. Mālik's alleged late year of death, 90/708,<sup>169</sup> especially constituted an obvious challenge for those who wanted to be included in the generation of Successors by claiming that they had heard traditions from him.<sup>170</sup> Later

163. This may also have struck A. H. Harley, for in his edition of 'Umar b. 'Abd al-'Azīz's *Musnad* he referred to the 'remarkable longevity' of certain traditionists, cf. p. 411. He did not follow it up, though, as far as I know.

164. I have proposed this theory on an earlier occasion at a colloquium on early Islamic history held at Oxford in July 1975. See my *On the origins of Arabic prose*, pp. 170ff.

165. Ibn Hajar, *Iṣāba*, iv, p. 576: *wa-ajma'ū 'alā annahu. . .*

166. Cf. Ibn Ḥanbal, *'Ilal*, 1, no. 1718.

167. Cf. M. Muranyi, *Die Prophetengenossen in der frühislamischen Geschichte*, pp. 21-29, for an appraisal of the merits Companions were deemed to have, which could not be attained by later generations. Likewise Successors enjoyed higher esteem than Successors of Successors. 168. Cf. *'Ilal*, 1, no. 6.

169. Or 91, 92, 93 (709-11). His age at his death is given as ranging between 99 and 107 (lunar) years, cf. Ibn Hajar, *Iṣāba*, 1, pp. 127f.

170. For general information, see Ibn Hibbān, *Kitāb al-majrūhin*, 1, pp. 61 and 72, Ibn Abī Ḥātim, *Taqdīm*, pp. 259f. (artificial stretching of Anas *isnāds*), Balādhurī, *Futūḥ al-buldān*, p. 381: Anas settled in Baṣra under 'Umar b. al-Khaṭṭāb; cf. Harley, p. 418: he

*rijāl* critics must have known of this fraud for they coined the phrase *uḥ-subūhu bi 'sinīn* (compute someone's age and that of his informant).<sup>171</sup>

This phenomenon also gave rise to various traditions dealing with the ideal age for a man to engage in *ḥadīth* transmission or other activities. A Baṣran tradition has the prophet say: 'The average age [at death] of my community is between fifty and sixty; only a few will reach seventy'.<sup>172</sup> And Rāmahurmuzī declared that a traditionist could be expected to pursue his activities best in his forties, or at most his fifties; as already referred to above (p. 41, n. 150), a traditionist should not start his search for traditions before he has reached his twenties.<sup>173</sup> Rāmahurmuzī confessed to being thunderstruck by those transmitters still carrying on while in their eighties, the age of senility.<sup>174</sup> On the other hand, we also find traditions countering the ones just mentioned. Hushaym b. Bashīr (d. 183/799), a transmitter of highly doubtful reliability but of enormous productivity, mentioned that the traditionists of Medina, by mouth of Ṣafwān b. Sulaym az-Zuhrī and others, claimed that the prophet once said that God loved octogenarians (in a *mursal* tradition).<sup>175</sup>

came to Medina when 'Umar II was appointed governor. For a list of Anas' more disreputable 'pupils', see Appendix II.

171. Cf. al-Khaṭīb, *Kifāya*, pp. 119f. Of course, not everybody was believed on his word: Zakariyyā' b. Durayd's (or Duwayd's) claim that he was 135 years old seems to have been dismissed, cf. Ibn al-Jawzī, *Kitāb al-mawḍū'āt*, I, p. 325, and Dhahabī, *Mizān*, II, p. 72. And one al-Muẓaffar b. 'Āṣim, who claimed at one time to be 189 years old, was not believed either, cf. Ibn al-Jawzī, II, p. 40, and Dhahabī, *Mizān*, IV, p. 131. That the age trick as such seems not to have escaped detection in some cases, may be distilled from the exclamation (Ibn Ḥajar, *Tahdhīb*, VI, p. 363): *fa-qultu [li-Abī Mus'ab] yuḥaddithu ['Abd al-'Azīz b. Yahyā] 'an Sulaymān b. Bilāl fa-qāla: kadhḥāb! ana akbaru minhu wa-mā adrakuhū.*
172. Cf. Ibn Ḥanbal, *ʿIlal*, I, no. 2142.
173. In Ibn al-Jawzī, *Kitāb al-mawḍū'āt*, I, p. 233, we find the tradition: *istawdī'ū 'l-'ilma 'l-aḥdātha idh raḍitumūhum*, attributed to al-Walīd b. Muḥammad al-Mūqarī (d. 182/798). Perhaps this forged saying may be interpreted as heralding the phenomenon of children as *ḥadīth* collectors. And the notorious forger Wahb b. Wahb Abū 'l-Bakhtarī (d. 200/816) is alleged to have fabricated the 'prophetic' saying: *irḥamū . . . 'ālīman tatalā' abu bihi 's-ṣibyān*, cf. *Ibidem*, pp. 236f.
174. Cf. Rāmahurmuzī, pp. 352, 353 and 354. In Wakī', II, p. 54, we read that the first white hairs in a transmitter's beard may be taken as an indication that he has reached the proper age for handling traditions.
175. Ibn Ḥanbal, *ʿIlal*, I, no. 2143. Besides, to Mālik is attributed the remark: *adraktu bi-ḥādḥā 'l-balad* (probably Medina - J) *rijālan min banī 'l-mī'a wa-naḥwihā yuḥaddithūna 'l-aḥādītha lā yu'khadh minhum laysū bi-a'immatin*. When 'Abd Allāh b. Wahb asked him: *wa-ghayruhum dānahum fi 's-sinn yu'khadhu dhālika minhum?*, Mālik is reported to have replied in the affirmative, cf. al-Khaṭīb, *Kifāya*, p. 162. Cf. also Ibn al-Jawzī, *Kitāb al-mawḍū'āt*, I, pp. 179ff., for a series of forged sayings extolling advanced ages, probably brought into circulation to 'explain' and 'back up' this phenomenon. There is, furthermore, a new edition of a work by Dhahabī on centenarians, *Ahl al-mī'a fa-ṣā'idan*, published by Jacqueline Sublet in *Cahiers d'onomastique arabe*, Paris 1979, pp. 99-159.

I have dealt with the 'age trick' in some detail because it surely is a major feature of early *muḥaddithūn* and its inclusion in this survey of Iraqi *isnāds* stems from the conviction that this fraud was practised in Iraq on a scale vaster than in any other centre.<sup>176</sup> But that it was practised everywhere goes without saying and can easily be inferred from the – on the whole – incredibly advanced ages that traditionists all over the Islamic empire claimed to have reached.<sup>177</sup>

Iraqi tradition centres are, furthermore, characterized by various features not found – at least not so conspicuously – in other centres. For example, it was in Baṣra that the discussions on predestination (*qadar*) started.<sup>178</sup> The majority of traditions against this issue are, as a result, supported by *isnāds* of transmitters from that city.<sup>179</sup> Kūfa, on the other hand, from its founding had always been the strong-hold par excellence of 'Alī b. Abī Ṭālib's supporters.<sup>180</sup> The majority of *tarājim* of Kūfan transmitters, especially the *ṭabaqāt* of the Successors and the one following, contain as a consequence references to *tashayyu'* in a wide variety of gradations, from lukewarm to fanatical.

What *tashayyu'* meant in the usage of tradition experts is neatly summarized by Ibn Ḥajar in the following words:<sup>181</sup>

176. A piece of corroborating evidence can be found in Ibn Sa'd's *tarjama* of one an-Nu'mān b. Bashīr (vi, p. 35), where we read that he was the first *anṣārī* baby to be born after the Hijra, namely after some fourteen months. But as for the Kūfans: . . . *fa-yarwūna 'anhu riwāyatan kathīratan yaqūlu fihā sami'tu rasūla 'llāhi (s) fa-dalla 'alā annahu akbaru sinnan mimnā rawā ahlu 'l-Madīna fī mawlidih.*
177. That also the opposite occurred is proved by the fact that there was a proverb that said: *akdhabu min shaykh gharīb*, which is explained as referring to elderly men who sought to marry (young) women of their choice by lying about their age. Claiming to be thirty years younger than one's actual age was apparently no exception, cf. Ibn Shādhān, *Adab al-wuzarā'*, p. 144, and Maydānī, *Majma' al-amthāl*, no. 3196.
178. *Awwalu man takallama fī 'l-qadar bi 'l-Baṣra Ma'bad al-Juhānī* (d. between 80 and 90/699 and 709) (Ibn Ḥajar, *Tahdhīb*, x, p. 225), and also: *awwalu man naṭaqa fī 'l-qadar . . . Sawṣan kāna naṣrāniyyan . . . fa-akhadha 'anhu Ma'bad* (ibidem, p. 226); other reports mention Yūnus al-Aswārī, cf. Ibn Ḥajar, *Lisān*, vi, p. 335, and Abū 'l-Aswad (d. 69/689), cf. Abū 'l-Qāsim al-Balkhī, *Qabūl al-akhbār*, p. 213, and Ibn Bāṭish, ii, p. 107. This last *awā'il* report should, I think, not be accepted without reservation, since Abū 'l-Aswad is also mentioned in another one, in which he is earmarked as the first to have busied himself with grammar (*awwalu man takallama fī 'n-naḥw*, cf. Ibn Ḥajar, *Tahdhīb*, xii, p. 10). At some stage in the transmission the words *qadar* and *naḥw* might have been confused (?). But, in fact, he does appear in *qadar* traditions, see J. van Ess, *Zwischen Hadīth und Theologie*, pp. 47f., 51; cf. also his *Ma'bad al-Ġuhānī*, in *Festschrift Meier*, pp. 49–77.
179. The first record of a Qadarite in Egypt, whose function as a professional witness at court was discontinued because of his convictions, dates to the year 200/815, cf. Kindī, *Governors*, p. 422.
180. Ibn al-Madīnī is reported to have said: *law taraktu ahla 'l-Baṣra li 'l-qadar wa-taraktu ahla 'l-Kūfa li 't-tashayyu' la-kharibat al-kutub*, cf. Ibn Rajab, p. 84.
181. Cf. *Tahdhīb*, i, p. 94.

*Tashayyu'*, in the usage of the scholars of old (*al-mutaqaddimūn*), is the belief that 'Alī is to be preferred to 'Uthmān and that 'Alī had the right on his side in his wars and that those who opposed him were in the wrong, but *with* the belief that the two *shaykhs* (i.e. Abū Bakr and 'Umar) are to be given precedence as well as preference. Sometimes the belief that 'Alī is the most excellent of all creatures after the Messenger of God is held by some, but when they express this belief out of pious considerations, in sincerity and religious fervour, their transmission of traditions ought not to be rejected because of this, especially if they do not pose as propagandists (of this doctrine).

As for *tashayyu'* in the usage of later tradition scholars (*al-muta'akhhirūn*), that is tantamount to downright rejection (in Arabic: *rafq mahq*, sc. of all first three caliphs) and, consequently, the transmission of an extreme Rāfiḍite ought not to be accepted.

I shall now deal with the principal Successors of each centre.

### **Baṣra.**

In Baṣra two people stand out above everybody else, Ḥasan al-Baṣrī and Muḥammad b. Sīrīn (both died within a few months of one another in 110/728-9). Doubt has already been expressed above (p. 17) as to Ḥasan's position among transmitters of traditions. Here the theory is proposed that he is one of those early devout Muslims reputed for his insight in all matters of pious behaviour whose advice was sought in so many problems concerning *fiqh* as well as faith that he became known as an overall expert,<sup>182</sup> but that his activities in the transmission of *ḥadīths*, if anything at all, are at best minimal. Strong supporting evidence for this theory<sup>183</sup> is found in an *argumentum e silentio*, which was already adduced by others,<sup>184</sup> namely that early treatises attributed to Ḥasan do not contain any *ḥadīths*, even in contexts where these would have fitted admirably. Therefore, it is surely not far wrong to infer from this that, even if appropriate traditions had already been brought into circulation at the time Ḥasan wrote his epistles, he either did not know about them – which is at best unlikely – or he left them deliberately unmentioned – which is even more unlikely. Either way

182. Cf. Ibn Sa'd, vii 1, p. 118, line 23: *ḥalāl wa-ḥarām*, line 27: *fitan* and *dimā'*; the Shī'ite *imām* al-Bāqir (d. 114-18/732-6) compared his utterances with those of prophets, cf. Ibn Ḥajar, *Tahdhīb*, ii, p. 265; cf. also Ibn al-Murtaḍā, *Kitāb ṭabaqāt al-mu'tazila*, p. 21.

183. Almost half a century ago, H. Ritter arrived at a critical assessment of Ḥasan as traditionist basing himself mainly on judgements of early Muslim *rijāl* critics. Cf. *Der Islam*, xxi, 1933, pp. 2ff.; cf. also Iḥsān 'Abbās, *Al-Ḥasan al-Baṣrī, sīratuhu shakhsīyyatuhu ta'ālimuhu wa-ārā'uhu*, pp. 145ff.

184. E.g. J. van Ess, *Zwischen*, pp. 31, 51; the same, Umar II and his epistle against the Qadariya, p. 23. Moreover, in the epistles ascribed to Ḥasan collected in *Jamharat rasā'il al-'arab*, pp. 378-391, there is not one tradition either. Whether or not these epistles are genuinely Ḥasan's is open to doubt.

he cannot possibly be identified with *ḥadīth* transmission on any measurable scale, if at all. But as his fame spread, a rapidly increasing number of people falsely claimed, especially after his death, that they had heard traditions with him. This can be substantiated with the following evidence.

Over the years I have collected the names of some 380 people who are alleged to have heard traditions with Ḥasan, culled from a number of different sources. That the vast majority of these were inexperienced transmitters appears from the overall defectiveness characterizing most Ḥasan al-Baṣrī *isnāds*. This resulted in his *tarjama* in the *rijāl* works, notably the one in Ibn Ḥajar's *Tahdhīb*, turning out to be an on the whole very unfavourable one, not at all commensurate with a man of his stature and renowned piety. Very many cases of *samā'* were questioned<sup>185</sup> and surely Ḥasan al-Baṣrī should once and for all be exonerated of these critical allegations.<sup>186</sup>

Moreover, the list of alleged pupils of Ḥasan reveals crowds of shadowy, probably fictitious figures<sup>187</sup> as well as a great many notorious forgers, propagandists of the *qadar* doctrine and otherwise 'unreliable' transmitters. (For a representative cross section of those so-called pupils, see Appendix I.) At the same time, as mentioned above, the epistles he is credited with, whose authorship has so far not been invalidated conclusively in my opinion, do not contain one single tradition.

Recently, Wansbrough (cf. his *Quranic Studies*, pp. 160-3) has brought together arguments in favour of dating it to a time about one century after Ḥasan, interpreting the very absence of *ḥadīths* as pointing probably to a deliberate attempt of the anonymous author to emphasize the Qur'ān as *aṣl* for the formulating of religious values in opposition to those who accorded value also to *uṣūl* other than the Qur'ān. The fact that the *sunna* of the prophet, as well as transmission, are mentioned, cannot, I think, be construed as evidence that the *risāla* must, therefore, have been composed some one hundred years after Ḥasan.

As I tried to demonstrate above (pp. 30ff.), confirmed more than anything by the findings of Bravmann (cf. n. 95 above), *sunna* and *sunnat an-nabī* are old enough concepts to be mentioned in a treatise written in the first/seventh century. But if the

185. Born in 21/642, he was allegedly scribe in the service of Mu'āwiya's governor of Khurāsān, ar-Rabī' b. Ziyād, until the latter's death in 51/671, cf. Ibn Ḥajar, *Iṣāba*, II, p. 458, and *Tahdhīb*, III, p. 243. This simply rules out *samā'* with a number of Companions as falsely claimed in the biographical notices devoted to Ḥasan. In Ibn al-Madīnī's *Al-'ilal*, pp. 54-65, we find enumerated a seemingly complete list of these mistaken cases of *samā'*. See also under Sahl (or Suhayl) b. Abī Farqad in Appendix I; Ibn Ḥanbal, *'Ilal*, I, no. 1428, and note 199 on p. 53 below.

186. Even Ritter (E.I. 2, s.v.) admitted to agreeing with this criticism.

187. Concerning transmitters being 'shadowy' or 'fictitious', see Chapter 4. Not mentioned there are the names of alleged pupils such as various men called:

Abān (*Tahdhīb*, I, pp. 94f.; *Lisān*, I, p. 25);

Ash'ath (*Tahdhīb*, I, pp. 350, 352ff., 355f., 357ff. and *Lisān*, I, p. 454);

'Aṭā' (*Tahdhīb*, VII, pp. 203-7, 208ff., 215f., *Lisān*, IV, p. 173);

'Imrān (*Tahdhīb*, VIII, pp. 137ff., 142ff., *Lisān*, IV, pp. 344, 345, 352);

*risāla* ascribed to Ḥasan constitutes in reality, as Wansbrough contends, nothing more than an *uṣūl* controversy of the late second/eighth century, why does it not contain by far the best and most conclusive arguments supporting the view of the Qur'ān's supremacy over the other *uṣūl*, namely 'traditions' brought into circulation in great quantities in exactly that time emphasizing the Qur'ān's pride of place? What weapon is there to cut down to size *ḥadīths* as *aṣl* that is more effective than *ḥadīths* doing just that? See, for example, the chapters entitled *Faḍā'il al-qur'ān* in Bukhārī (vol. III, pp. 391-410, especially *bābs* 17 and 18 on p. 401), Dārimī, pp. 422-43, especially *bāb* 6 on p. 428. See also the traditions adduced in Shāfi'ī's *Risāla*, where Qur'ān and *sunna* are weighed against each other, e.g. pp. 50f. and 64f. of the A. M. Shākīr edition. The *Risāla* was written, if we believe the appraisal of 'Abd ar-Raḥmān b. Maḥdī (d. 198/814) printed on the title page to be historical, before the end of the second century (± 815).

Yet another consideration deserves to be taken into account.

Many alleged pupils of Ḥasan did not even bother to mention the name of the Companion from whom Ḥasan was supposed to have heard the prophetic saying. This resulted in large numbers of *mursalāt*. It is reported that Ḥasan, asked for a reason why he so often left out the name of the Companion, explained that, where he did so, 'Alī's name had to be inserted, which, for fear of al-Ḥajjāj b. Yūsuf, the then governor, he dared not mention.<sup>188</sup> But in the case of 'Alī, *ru'yā* (i.e. seeing 'Alī in the flesh, even from a distance) has not even been established.<sup>189</sup> What is more, in many instances even the prophet himself is not mentioned. It seems feasible that a sizable number of 'traditions', in whose *isnāds* Ḥasan's name appears, are in reality his own utterances moulded after his death into prophetic sayings with the help of sometimes seemingly sound but in most cases clumsily fabricated *isnāds*. Sifting Ḥasan's authentic utterances from those 'prophetic sayings' with Ḥasan *isnāds*, put together by contemporary or later people who merely used his name and reputation to lend more prestige to these sayings, will require a good deal of diligent research. Of course, the following list only scratches the surface.<sup>190</sup>

However, before this list is given, one final argument should be added to support the theory that Ḥasan al-Baṣrī should in no significant way be associated with the transmission of *ḥadīth*, as already adduced above when Sa'īd b. al-Musayyab was dealt with (p. 17). This argument boiled down to

Maymūn (*Tahdhīb*, x, pp. 388f., 392f., 394, 395f., *Lisān*, vi, no. 488);

aṣ-Ṣāliṭ (*Tahdhīb*, iv, pp. 434f., *Lisān*, III, pp. 195, 198 (879, 890));

Sulaymān (*Tahdhīb*, iv, pp. 168f., 201ff., 212, 220f., *Lisān*, III, nos. 319 and 321);

'Umāra (*Tahdhīb*, vii, pp. 416f., 423f., 424);

al-Walīd (*Tahdhīb*, xi, pp. 133, 156f., Abū Nu'aym, *Hilya*, II, p. 152); and finally a name mentioned in Chapter 4, but without references: Ziyād (Ibn Sa'd, III 1, p. 271 (9), *Lisān*, III, p. 499, and *Tahdhīb*, III, pp. 362-86, for seven (!) more).

188. Cf. Ibn Ḥajar, *Tahdhīb*, II, p. 266, note 1. 189. Cf. *ibidem*, p. 267.

190. One source in which we find quite a few *ḥikam* directly ascribed to Ḥasan is Māwardī's *Al-amthāl wa 'l-ḥikam*, MS. Leiden (Or. 655(2)). It might be interesting to trace these in other collections and see whether they 'stop' there at Ḥasan also.

considering Ḥasan's own sayings recorded in various sources as indeed his own, in spite of these sayings also being recorded as prophetic sayings in other sources with Ḥasan merely mentioned as transmitter in the *isnād*, or not even that. In any case, the few alleged pupils of Ḥasan, who were generally considered reliable – and even that epithet is extremely rare<sup>191</sup> – can, therefore, not be held responsible for the hundreds of sayings supported by Ḥasan *isnāds*. Their names might simply have been inserted by otherwise anonymous people. Occasionally we stumble upon transmitters who allegedly heard with Ḥasan and who exclusively transmitted his private opinions.<sup>192</sup> We shall also have the opportunity in the following list to draw attention to the other important Baṣran Successor, Muḥammad b. Sīrīn, since he played a particular role in the transmission of some of the same material – at least, that is what various *isnāds*, taken at face value, may lead us to believe. Ibn Sīrīn is also reported more than once to have expressed himself in a critical way about Ḥasan's alleged activities with *ḥadīth*. Thus he accused him of gullibility,<sup>193</sup> and in a most probably apocryphal dream explanation he intimated that Ḥasan embellished *ḥadīth* by means of his logic.<sup>194</sup> The allegedly basic difference between Ibn Sīrīn and Ḥasan is the former's insistence on *riwāya lafẓiyya* (i.e. transmitting a text to the letter) versus the latter's slackness in confining himself to transmitting only the sense without paying heed to the actual wording (= *riwāya ma'nawiyya*).<sup>195</sup> Finally, he is reported to have said: 'Do not relate to me traditions from Ḥasan and Abū 'l-Āliya Rufay' b. Mihrān for they do not pay attention to whom they get their traditions from'.<sup>196</sup>

#### LIST OF STATEMENTS AND RULINGS ASCRIBED TO ḤASAN AL-BAṢRĪ<sup>197</sup>

In the *Sunan* of Abū Dāwūd (*ṭalāq* 13, = II, p. 263), cf. Tirmidhī, *ṭalāq* 3 (III, p. 481) and Nasā'ī, *ṭalāq* 11 (VI, p. 147), we find a maxim attributed to Ḥasan: *amruki bi-yadiki* (i.e. ± you rule over your own affair), which was unsuccessfully traced back to the prophet. In Mālik, however, we find it traced back to one of Muḥammad's wives, Ḥafṣa bint 'Umar, with a seemingly perfect *isnād* (*ṭalāq* 27, = II, p. 563). Compare also al-Khaṭīb, *Kifāya*, p. 138.<sup>198</sup>

191. Take, for example, Yūnus b. 'Ubayd (d. 140/757). In Ibn Hajar, *Tahdhīb*, XI, pp. 442–5, we read only praise but Ibn Abī Khaythama is quoted as having called him a *mudallis* (Abū 'l-Qāsim, *Qabūl*, p. 127). This view is shared by Shu'ba (cf. Ibn Abī Ḥatīm, *Taqdima*, pp. 134f). Even so, Yūnus is considered more reliable in Ḥasan traditions than 'Abd Allāh b. 'Awn (d. 151/768), cf. *Tahdhīb*, XI, p. 443.

Another highly esteemed alleged pupil of Ḥasan is Ḥumayd at-Ṭawīl (d. 142/759), who is also generally censured for *tadlīs* (*Tahdhīb*, III, p. 40). And although it is stated that Ḥumayd and 'Ubāda b. Muslim supposedly had been Ḥasan's best pupils (*Tahdhīb*, III, p. 39), the latter is described (*Tahdhīb*, V, pp. 113f.) in a *tarjama* full of contradictions.

192. E.g. 'Abd Allāh b. Marwān al-Khuzā'ī, cf. Ibn Hajar, *Tahdhīb*, VI, pp. 25f.

193. Cf. Ibn Ḥanbal, *'Ilal*, I, no. 908. 194. Ibidem, no. 2305.

195. Al-Khaṭīb, *Kifāya*, p. 186, and Ibn Ḥanbal, *'Ilal*, I, no. 2654.

196. Al-Khaṭīb, *Kifāya*, p. 392. 197. Cf. also note 17 above.

198. Cf. also Abū Dāwūd, *sunna* 6 (= IV, p. 204), where Ḥasan is reported to have stated that he would rather drop to his death than say *al-amru bi-yadi*.

In Abū Dāwūd, *ʿitq* 7 (IV, p. 26) a saying is listed attributed to Ḥasan which in the same chapter is also duly traced to the prophet (*man malaka dhā raḥimin maḥramin fa-huwa ḥurr* (i.e. he who possesses [as a slave] a relative whom he cannot marry, that relative is to be freed).

Another legal maxim (*lā nikāḥa illā bi-walī* i.e. no marriage without a guardian) put into the mouth of Ḥasan is, according to Tirmidhī, *nikāḥ* 14 (III, pp. 407ff.) also ascribed to various other *tābiʿūn*, such as Saʿīd b. al-Musayyab, Shurayḥ b. al-Ḥārith (d. between 78 and 99/697 and 717), the – perhaps legendary – *qāḍī* of Kūfa and (for a few years) also of Baṣra, Ibrāhīm b. Yazīd an-Nakhaʿī (d. 96/715) and ʿUmar b. ʿAbd al-ʿAzīz. Here we see how a maxim is 'claimed' by four different *ḥadīth* centres. It is also found as a prophetic saying, cf. Tirmidhī, *ibidem*, and al-Khaṭīb, *Kifāya*, pp. 409ff. Cf. also ʿAbd ar-Razzāq, VI, nos. 10473, 10475, 10492 and 10506.

In Nasāʿī we find a particularly interesting case: in *ṣayd* 38 (VII, pp. 210f.), there is a story attributed to Ḥasan (*nazala nabīyyun mina 'l-anbiyā' taḥta shajaratīn fa-ladaghathu namlatun* etc. i.e. a certain prophet sat down under a tree and was stung by an ant etc.), then with a brief addition and supported by the *isnād* Ibn Sīrīn – Abū Hurayra *marfūʿ* to the prophet (the *samāʿ* between Ibn Sīrīn and Abū Hurayra never having been doubted, that probably seemed a most expeditious way of providing a sound *isnād*), and then once more *mawqūf* with the *isnād* Qatāda – Ḥasan – Abū Hurayra. The *samāʿ* between Ḥasan and Abū Hurayra has for long been a hotly debated issue, but was never generally accepted.<sup>199</sup>

Nasāʿī, *zīna* 7 (VIII, p. 132) constitutes a similar case; the tradition *nahā rasūlu 'llāhi (ṣ) 'ani 't-tarajjuli illā ghibban* (i.e. the Messenger of God forbade to tend the hair except occasionally) on the authority of ʿAbd Allāh b. Muḡaffal is also listed here as a personal saying of Ḥasan and as a *mursal*.<sup>200</sup>

The saying *manḥūmāni lā yashbaʿāni* etc. (i.e. two cases of greed will not be satisfied etc.) is attributed to Ḥasan in Dārimī, *muqaddima* 32 (= p. 32) and a few lines down also to Ibn ʿAbbās with the *isnād* Layth – Tāwūs – Ibn ʿAbbās.

In Dārimī, *muqaddima* 34 (= p. 34, line 1) there is a saying attributed to Ḥasan (*al-'ilmu 'ilmāni* etc. i.e. knowledge is bipartite etc.) which immediately after that is also made into a *mursal* prophetic saying.

199. The oldest authority recorded who denied *samāʿ* between Abū Hurayra and Ḥasan was the latter's alleged pupil Yūnus b. ʿUbayd (d. 140/757), cf. Ibn Ḥajar, *Tahdhīb*, II, p. 267, as reported by Shuʿba. Other early authorities who denied this *samāʿ* were Bahz b. Asad (d. 197–200/813–16), Ibn al-Madīnī (d. 239/853), Aḥmad ibn Ḥanbal (d. 241/856), Abū Zurʿa ʿUbayd Allāh b. ʿAbd al-Karīm ar-Rāzī (d. 264/878) and Abū Ḥātim (d. 277/890), cf. Ibn Ḥajar, *Tahdhīb*, II, pp. 266–70. In Dhahabī's *Mizān* (I, p. 108) there is preserved an amusing anecdote describing how one of Islam's most notorious forgers, Aḥmad b. ʿAbd Allāh b. Khālid al-Juwaybārī (fl. ± 175/791) fabricated on the spot with an *isnād marfūʿ* the saying attributed to the prophet: *samiʿa 'l-Ḥasan min Abī Hurayra*, in order to solve this controversy once and for all. Aḥmad Muḡammad Shākīr's plea for accepting this *samāʿ* is unconvincing and does not throw new light on the issue, cf. my article Aḥmad Muḡammad Shākīr (1892–1958) and his edition of Ibn Ḥanbal's *Musnad*, p. 231. Al-ʿIzzī (about whom more will be said in Chapter 5), for all his expertise in early sources, simply seems to ignore that there is doubt about this *samāʿ*, cf. his *Difāʿ ʿan Abi Hurayra*, pp. 132 and 135.

200. Cf. also Nasāʿī, *ashriba* 29 (= VIII, p. 304) and 53 (p. 330), for a ruling of Ḥasan juxtaposed to prohibitions of a similar tenor.



In the chapter on *istiḥāda* (Dārimī, *wuḍū'* 84, = p. 108) we find various rulings ascribed directly to Ḥasan. (It strikes one that rules and regulations concerning personal hygiene for women are almost invariably drawn up by men; a reply attributed to Ibn Sīrīn (ibidem, line 7: *an-nisā'u a'lamu bi-dhālika* i.e. women are more aware of those things) is a rarity in Muslim laws about ritual purity of women.) Cf. also 'Abd ar-Razzāq, I, no. 1168.

A slogan regarding the inheriting of foundlings (Dārimī, *farā'id* 44, = p. 404) attributed to both Ibn Sīrīn and Ḥasan appears to be tantamount to the rulings ascribed to Abū Bakr, 'Umar and 'Uthmān (cf. ibidem).

One of the very few *farā'id* prescriptions listed in Dārimī's *Sunan* (53, = p. 409) allegedly going back to the prophet (*nahā rasūlu 'llāhi (s) 'an bay'i 'l-walā'i wa-'an hibatihi* i.e. the Messenger of God forbade to sell clientage or to give it away as a present) is also mentioned as merely (?) disapproved of by Ḥasan and Sa'īd b. al-Musayyab.

The position of Ḥasan's opinions versus rulings attributed to Companions is neatly pointed out by a statement ascribed to Abū Ishāq as-Sabī'ī in Dārimī's chapter on *waṣāyā* (no. 44 on p. 422): *huddithu anna 'Aliyyan kāna yujizuhā mithla qawli 'l-Ḥasan* i.e. I have been informed that 'Alī used to permit this just like Ḥasan used to rule.

A good example of a saying attributed to Ḥasan which, provided with the controversial *isnād* Ḥasan – Abū Hurayra – prophet, also turns up as a *ḥadīth*, is found in Dārimī, *faḍā'il al-qur'ān* 21 (= p. 435) and concerns the merit of *sūrat yāsīn* (= xxxvi). In *bāb* 22 (= p. 436) we find a similar case and in *bāb* 30 (= p. 439) there is preserved a *mursal*.

The one and only prophetic tradition in Mālik's *Muwatta'* ascribed to Ḥasan as well as Ibn Sīrīn on the authority of an anonymous Companion (*'itq* 3, = vol. II, p. 774) crops up in the *Ṣaḥīḥ* of Muslim (*aymān* 56, vol. III, p. 1288) with a 'perfect' *isnād* in which the Successor is Abū 'l-Muhallab (Ibn Ḥajar, *Tahdhīb*, XII, p. 250) from Baṣra.

In Ibn Ḥanbal's *Musnad* quite a few *mursalāt* are listed with Ḥasan – prophet *isnāds* which can be traced with 'perfected' *isnāds* elsewhere. Here follow a few references to the old Cairo edition, e.g.:

II, p. 382, as compared with Bukhārī, *jum'a* 18 (= vol. I, p. 230) and Muslim, *masājid* 153 (= I, p. 421).

II, p. 385, the 'perfected' *isnād* as well as the *mursal* one supporting the maxim: *man ṣāma Ramaḍāna imānan wa'ḥtisāban* etc. (i.e. he who fasts during Ramaḍān faithfully anticipating [divine reward] etc.).

II, pp. 492f.: various *mursalāt* of Ḥasan juxtaposed to Ibn Sīrīn – Abū Hurayra – prophet *isnāds* followed by the same *matn* (as it says in Arabic: *mithla dhālika*).

V, p. 22: a *mursal* of Ḥasan juxtaposed to the same with the *isnād* 'patched up' by means of the insertion of Samura b. Jundab between Ḥasan and the prophet.

Likewise cf. II, pp. 395, 429, 473, 514, 536, III, pp. 99, 154, 239, 243, 257 and 361.

On V, p. 27 we find an *isnād* which is tentatively 'patched up' with Ḥasan: . . . *ḥaddathanā Qatāda 'an rajulin huwa 'l-Ḥasan in shā'a 'llāhu 'an Ma'qil b. Yasār* etc. (i.e. Qatāda related to us from a man who might be Ḥasan from Ma'qil etc.).

In Ḥumaydi's *Musnad* (II, no. 1119) we find a dictum ascribed to Ḥasan (*li 'l-umm ath-thulthāni mina 'l-birr wa-li 'l-ab ath-thulth* i.e. the mother gets two thirds of filial piety, the father one third) the idea of which can be traced in a prophetic

tradition, cf. Humaydī, II, no. 1118, and Mundhirī, *At-tarḥīb wa 'l-tarḥīb*, III, p. 532 and n. 4.

In the preceding list we have seen that Ibn Sīrīn often emerged in *isnāds* supporting materials that were also brought into circulation via mostly defective Ḥasan *isnāds*. It is difficult to say whether Ibn Sīrīn is to be held responsible for this; it is more likely that his name was used by later generations in order to preserve poorly supported Ḥasan traditions simply because he was contemporaneous with Ḥasan.<sup>201</sup> But, on the other hand, it cannot be denied that it was Ibn Sīrīn who is credited with drawing attention to the importance of *isnāds*. Apart from the famous saying attributed to him concerning the necessity of establishing *isnāds*, something which had become imperative as a consequence of the *fitna* (see above p. 17), he is also reported to have once said: *Hādihā 'l-'ilmu* (sc. the collecting and the transmitting of *ḥadīth*) *dīnun fa'nzurū 'amman ta'khudhūna dīnakum* (i.e. this science sc. of *ḥadīth* is a religion, so look from whom you receive it). This statement or slogan was cited in context with a remark of Dārimī who ventured that it could be considered as initiating the consistent use of the *isnād*,<sup>202</sup> once more good supporting evidence for my theory concerning the chronology of *fitna* and *isnāds*.

After Ḥasan and Ibn Sīrīn a few more famous (or notorious) Successors who allegedly promoted *ḥadīth* in Baṣra deserve to be mentioned here.

'Ikrima, Ibn 'Abbās' *mawlā* (d. between 104/722 and 107/725),<sup>203</sup> has

201. That his name was used in *isnāds* supporting doubtful material is, for example, attested in the *tarjama* of Iṣhāq b. Najīb al-Malaṭī who sought to introduce Abū Ḥanīfa's *ra'y* by means of the *isnād* 'Uthmān al-Battī'an Ibn Sīrīn, cf. Ibn Ḥajar, *Tahdhīb*, I, p. 252.
202. Dārimī, *Sunan*, p. 61. Pellat, *Le milieu bašrien et la formation de Ḡāhiz*, p. 87, note 9, mentions Ibn Sīrīn as the first traditionist in Baṣra to reject doubtful traditions; the source material Pellat refers to does not, however, contain an *awā'il* report. Furthermore, it seems that Ibn Sīrīn was well aware of juridical opinions being eventually 'raised to the level' of prophetic sayings, cf. Waki', II, p. 67, if that is how we have to understand the verb *rafa'a* (line 16); at least, that is how the editor, 'Abd al-'Azīz Muṣṭafā al-Marāghī, seems to understand it.
203. My selection of 'Ikrima as a specifically Baṣran transmitter, although in Ibn Ḥajar's *Tahdhīb* (VII, p. 263) he is listed as al-Madanī, finds its justification, perhaps, in the following considerations. 'Ikrima, allegedly of Berber extraction, was donated to 'Abd Allāh b. 'Abbās when the latter was governor of Baṣra (as from 36/656). 'Ikrima was later manumitted. In whatever way one assesses the historicity of his having heard traditions with his master (later his patron) as well as with a few other Companions, or the historicity of his having traveled widely in the Islamic empire (as Schacht points out in his E.I. 2 article on him), the number of his alleged pupils from Iraqi *ḥadīth* centres is in actual fact far greater than from Hijāzī *ḥadīth* centres. It is true that his alleged Kūfan pupils do outnumber his alleged Baṣran ones, but a quick count of the traditions transmitted via him, which have found their way to the canonical collections, as enumerated in al-Mizzī's *Tuhfa* (v, pp. 107-181), makes abundantly clear that traditions transmitted via alleged Baṣran pupils far outnumber those transmitted via pupils from any other centre including Kūfa. It is because of these considerations that it seems more appropriate to call him a Baṣran.

always been a subject of controversy.<sup>204</sup> Reading through his lengthy *tarjama* in the *Tahdhīb* (vii, pp. 263–73), one gains the impression that, on the one hand, the *ḥadīth* experts did not trust him but, on the other hand, could not do without the material allegedly transmitted via him. On the one hand he is accused of having spread false traditions on the authority of his master. We read how Ibn 'Umar as well as Sa'īd b. al-Musayyab are both reported to have warned their *mawlās*, Nāfi' and Burd respectively, with the words: . . . *lā takdhīb 'alayya kamā yakdhibu 'Ikrima 'alā 'bni 'Abbās* (i.e. do not spread lies about me as 'Ikrima did about Ibn 'Abbās).<sup>205</sup> On the other hand, the *ḥadīth* collectors could not do without his traditions; I quote from his *tarjama*: *lam yastaghnū 'an ḥadīthihi wa-kāna yatalaqqā ḥadīthuhu bi 'l-qabūli wa-yuḥtajju bihi qarnan ba'da qarnin wa-imāman ba'da imāmin ilā waqti 'l-a'immati 'l-arba'ati 'lladhīna akhrajū 'ṣ-ṣaḥīḥa wa-mayyazū thābitahu min saqīmihi wa-khaṭa'ahu min ṣawābihi wa-akhrajū riwāyatahu wa-humu 'l-Bukhārī wa-Muslim wa-Abū Dāwūd wa 'n-Nasā'ī fa-ajma'ū 'alā ikhrāji ḥadīthihi wa 'ḥtajjū bihi* (p. 272) (i.e. they were not able to dispense with 'Ikrima's traditions which met with acceptance and were used as arguments, generation after generation, by one *imām* after the other, until the time of the four *imāms* [sc. four of the 'Six']. They selected the 'sound', distinguishing between the reliable and the unreliable, between the faulty and the correct; and they selected [also] 'Ikrima's transmitted material. Those 'four', namely Bukhārī, Muslim, Abū Dāwūd and Nasā'ī, agreed to publicize [also] 'Ikrima's traditions, [even] adducing them as arguments). And 'Ikrima is also reported to have spread so-called Ibn 'Abbās traditions which were in reality the products of his own *ra'y* (p. 269).

In fact, only very few *tarjamas* are as controversial as his. Even if it is believed that Bukhārī and the others have been successful in sifting the genuine material from the fabricated – and in Chapter 5 below I shall try to bring together conclusive evidence of a different nature that they have not – still a huge number of very weird traditions that have found their way to the canonical collections with 'Ikrima in the *isnāds* has to be accounted for. But, as was the case with Ḥasan *isnāds* discussed above, later anonymous forgers are likely to have profited from 'Ikrima's fame and may have brought material into circulation in which 'Ikrima himself had no part at all. The *mawlā* Simāk b. Ḥarb (d. 123/741), for example, was especially suspect in his 'Ikrima traditions,<sup>206</sup> and the *mawlā* Ismā'īl b. 'Abd ar-Raḥmān as-Suddī (d. 127/745), so called because he used to sit all the time on the threshold (*sudd*) of the mosque in Kūfa, used to expound the Qur'ān in his own

204. Even in this century; cf. how Aḥmad M. Shākir tries to argue away the controversy about 'Ikrima's alleged *irsāl* from 'Alī in his edition of Ibn Ḥanbal's *Musnad*, II, p. 97, the commentary on no. 723.

205. Ibn Hajar, *Tahdhīb*, vii, pp. 267f.; cf. Ibn Ḥanbal, *'Iḥal*, I, no. 1500.

206. Cf. Ibn Hajar, *Tahdhīb*, iv, p. 234, line 2.

particular fashion; the public liked it but his fellow traditionists did not trust him especially since he used to substantiate his exegesis by merely attaching an *isnād* to it. As he was also called ignorant (*qad u'ṭiya ḥaẓẓan min jahlin* (and not *'ilmin*) *bi 'l-qur'ān*) it seems self-evident that he himself cannot be credited with this exegesis, but that he got it from someone else, either 'Ikrima or someone using this name.<sup>207</sup> Then there was the *mawlā* 'Amr b. Abī 'Amr (d. 144/761) who was censured for having forged a tradition of which he claimed that he had heard it from 'Ikrima.<sup>208</sup> The *mawlā* Dāwūd b. al-Ḥusayn (d. 135/752) transmitted suspect *munkar* traditions with the *isnād* 'Ikrima-Ibn 'Abbās-prophet.<sup>209</sup> 'Abbād b. Maṣṣūr (d. 152/769) committed *tadlīs* while transmitting from 'Ikrima.<sup>210</sup> Abū Yazīd al-Madanī transmitted from Ibn 'Abbās with or without mention of 'Ikrima as intermediary.<sup>211</sup> And then there are listed numerous totally untrustworthy alleged pupils of 'Ikrima of whom it is not said *expressis verbis* that they put forged material into 'Ikrima's mouth but who may be safely assumed to have done just that.

Since tradition collections centring on 'Ikrima are not (yet) available, an appropriate way to get acquainted with the *ḥadīth* he is alleged to have transmitted is to read through Ibn 'Abbās' *musnad* in Ibn Ḥanbal's *Musnad*, Cairo 1313, vol. 1, pp. 214-374, new edition by A. M. Shākir, vol. III, p. 252 to vol. V., p. 183. Here we read, for example, the controversial tradition about the prophet's age when he died with an indication of the number of years he was active in Mecca before the Hijra which is, as far as I know, nowhere else corroborated (cf. Shākir's ed., III, no. 2017; nos. 2110 and 2242, also with 'Ikrima in the *isnād*, give the generally accepted but different chronology). On the whole, these traditions in Ibn Ḥanbal are not as far-fetched in contents as some from the *qīṣaṣ al-anbiyā'* literature or early *tafsīr*, but some remain controversial such as the one about sodomy in which 'Ikrima is common link, cf. Shākir's edition, IV, nos. 2420, 2727, 2733; or the one about whether the prophet actually saw God, cf. *ibidem*, no. 2580, or the prophet's partaking of *nabīdh*, cf. *ibidem*, nos. 1963, 2143 and 2606; or the one describing a rich man's and a poor man's conversation in paradise, etc. By far the most extensive 'Ikrima material is found in al-Mizzī's *Tuḥfat al-ashrāf bi-ma'rifaṭ al-aṭrāf*, V, pp. 107-81, which covers the occurrences of 'Ikrima-Ibn 'Abbās *isnāds* in all the 'six books'. Here again we see that, on the whole, the traditions listed do not seem so controversial as 'Ikrima-supported reports in non-canonical collections.

207. Cf. *ibidem*, I, pp. 313, penult. and 314, lines 15f. 'Uthmān b. Ghiyāth was also a weak transmitter of *tafsīr* material, which he probably had - or claimed to have received - from 'Ikrima, cf. *ibidem*, VII, p. 147.

208. *Man atā bahimatan fa 'qtulūhu*, cf. Ibn Ḥajar, *Tahdhīb*, VIII, p. 83. Another transmitter blamed for the same thing was 'Abd Allāh b. 'Īsā b. 'Abd ar-Raḥmān (d. 135/752) (*man khabbaba 'mra'atan* etc.).

209. Ibn Ḥajar, *Tahdhīb*, III, pp. 181f. Cf. also II, p. 279 (al-Ḥasan b. Zayd b. al-Ḥasan (d. 168/784)) and X, p. 442 (an-Naḍr b. 'Abd ar-Raḥmān Abū 'Umar).

210. Ibn Ḥajar, *Tahdhīb*, V, p. 105. 211. *Ibidem*, XII, p. 280.

Another Successor of the stature of the aforementioned Baṣran transmitters is Qatāda b. Di'āma (d. 117/735). An analysis of his *tarjama* in the *Tahdhīb*, especially of his alleged pupils, yields results so similar to the ones obtained in the analysis of 'Ikrima's that we can dispense with it here.<sup>212</sup> On the whole, it is an astonishing feature of Baṣran Successors that, with the possible exception of Ibn Sirīn, they are almost all highly controversial figures as far as their *ḥadīth* transmission is concerned, something which has not prevented the great collectors of the second half of the second/eighth and the first half of the third/ninth centuries from relying heavily on materials supported by *isnāds* parading their names. If it is assumed that later tradition experts, in compiling their collections, set so much store by *rijāl* criticism, it is incomprehensible that they nevertheless incorporated *ḥadīths* allegedly transmitted by such people as Ḥasan, 'Ikrima or Qatāda in their collections at all.

*Ḥadīth* traffic between the two main Iraqi centres is attested in the activities of a few old Successors<sup>213</sup> but the majority of Successors remained as a rule in one centre.

### Kūfa

In Kūfa the activity in collecting traditions may have been the most lively in the entire Islamic empire judging by the number of people who allegedly engaged in it.<sup>214</sup> This is also true for the *ṭabaqa* of the Successors. As far as the names of Companions, who are immediately associated with Kūfa, are concerned, where Baṣra had one Companion, Anas, who died at such an advanced age that quite a few transmitters who flourished well into the second/eighth century could claim to belong to the Successors, Kūfa also boasted of a few long living Companions. Besides such famous ones as 'Abd Allāh b. Mas'ūd (d. 32-3/652-3), Abū Mūsā al-Ash'arī (d. 42-4/662-4), Ḥudhayfa b. al-Yamān (d. 36/657) and al-Mughīra b. Shu'ba (d. 49-50/669-70), we find a few minor Companions who 'conveniently' died at an advanced age about three quarters of a century after the prophet.<sup>215</sup>

212. For an appraisal of Qatāda as *muḥaddith*, see G. Vitestam, Qatāda b. Di'āma as-Sadūsī et la science du *ḥadīth*.

213. E.g. Abū 'Uthmān 'Abd ar-Raḥmān b. Mall an-Nahdī (d. 95-100/714-19 at the age of 130 or 140!), Ibn Ḥajar, *Tahdhīb*, vi, no. 546; Muwarriq b. al-Mushamrij (d. 103/721), *ibidem*, x, no. 581, and the unreliable *qāṣṣ* Abū Dāwūd al-A'mā, whose Kūfan traditions were said to be worthless, Ibn Ḥajar, *Lisān*, vi, p. 145 (cf. *Tahdhīb*, x, pp. 470ff.).

214. Information based upon extensive reading in the *rijāl* works and privately made statistics.

215. E.g. Abū Juḥayfa Wahb b. 'Abd Allāh (d. 74/693), 'Amr b. Hurayth (d. 85/704) and allegedly the last Companion to die in Kūfa in 86-7/705-6 was 'Abd Allāh b. Abī Awfā, cf. their respective *tarājim* in Ibn Ḥajar, *Tahdhīb*, xi, p. 164; viii, p. 18 and v, p. 152. This enabled, for example, the *mawlā* Ismā'il b. Abī Khālid, who died in 146/763, to claim the title of Successor, a feat not emulated by very many Baṣrans. Cf. also Ibn Qutayba, *Kiṭāb al-ma'ārif*, p. 341, for other *ṣaḥābīs* dying late.

Another striking characteristic of Kūfan Successors is the frequency with which three or even four of *al-khulafā' ar-rāshidūn* are mentioned as having been among those Companions from whom they allegedly heard traditions.<sup>216</sup> We may, perhaps, see in this an attempt to establish on the firmest possible basis certain claims to the legitimacy of power as centred in Kūfa, especially during 'Alī's caliphate from 35/656 until 40/661 and also in later years when Shī'ite claims resulted in innumerable pro-'Alī traditions. As pointed out earlier, whereas Bašra is the centre from which proliferated *qadar* traditions, Kūfa is the centre *par excellence* in which emerged ideas and ideals of *tashayyu'*. Thus we find the well-known Successor 'Adī b. Thābit (d. 116/734) holding the position of *imām* in the mosque of the Shī'ites, in which he also used to tell *qiṣaṣ*.<sup>217</sup> On an earlier occasion he was mentioned as one of the *raffā'ūn* (p. 31 above).

As was the case with famous experts in other centres (Sa'īd b. al-Musayyab in Medina or Ḥasan in Bašra), among the Successors of Kūfa there are a number who are noted for their juridical insight alluded to with the terms *ra'y* or *fiqh*. The early ones among them allegedly received most of their 'knowledge' from Ibn Mas'ūd, but since their opinions are also recorded as products of their own personal thinking, without mention of the fact that they had arrived at these with the help of older authorities, the same consideration as set forth in the case of Sa'īd and Ḥasan (cf. p. 15 above) applies here. Among these Successors are 'Alqama b. Qays (d. between 61 and 73/680-92),<sup>218</sup> Masrūq b. al-Ajda' (d. 63/682) and al-Ḥārith b. 'Abd Allāh al-A'war (d. 65/684).<sup>219</sup> A slightly younger Successor, a famous *faqīh* and allegedly one of Kūfa's most important *ḥadīth* transmitters, was 'Amir b. Sharāḥīl, usually called simply ash-Sha'bī (d. 103-10/721-8). Although Ibn Mas'ūd is listed among his masters, *samā'* from him was questioned; in view of the latter's date of death (32-3/652-3) and Sha'bī's alleged date of birth (20/641 or somewhat later as it says in the sources, or nearer 40/661 as perhaps demonstrated above on pp. 19f.) this is hardly surprising. In those early days boys did not yet collect traditions.<sup>220</sup> Besides, his *samā'* from 'Alī (d. 40/661) is doubted as well. Sha'bī's case is especially interesting since in

216. This is corroborated by the findings referred to above (pp. 23-30).

217. A well-known *qāṣṣ* who served the cause of the Khārijites was Shaqīq ad-Dabbī, cf. Ibn Hajar, *Lisān*, III, p. 151.

218. According to a report in Rāmahurmuzī, p. 238, 'Alqama's *fatwās* were even sought after by Companions.

219. Regrettably, their private statements are no longer traceable in the canonical collections barring a few, all having been provided with 'complete' *isnāds* via Ibn Mas'ūd, 'Alī, 'Ā'isha and others. But one maxim of Masrūq has survived, cf. Nasā'ī, *ashribā* 43 (= VIII, p. 315, first lines), which is also found in slightly different wording as a prophetic tradition in Ibn Māja, *ashribā* 4 (= II, p. 1120). And in Dārimī's *muqaddīma* 30 (= p. 51, lines 3ff.), we read two more private statements of Masrūq. The three *tarājim* devoted to them in Ibn Sa'd do not preserve any of their sayings either.

220. Cf. Rāmahurmuzī, pp. 186 and 189f.

the *tarjama* devoted to him in the *Tahdhīb* we find three remarks attributed to him (in Arabic: *kāna yaqūlu* . . .) which can be considered as **not yet fully developed** rules of good behaviour which, in due course, became exactly that supported by *isnāds* going back to the prophet:<sup>221</sup>

(1) *mā ḥalaltu ḥubwatī ilā shay'in mim mā yanẓuru 'n-nāsu ilayhi*, which may be summarized as: I have never done anything ostentatiously in order to attract people's attention; in the course of time this rule, foreshadowed in the Qur'ān (e.g. iv, 38 and 142), cropped up in numerous prophetic traditions forbidding ostentatiousness, cf. *Concordance*, s.v. the third stem of *ra'ā*;

(2) 'I never beat a slave of mine', which is reflected in a prophetic tradition forbidding this (cf. Tirmidhī, *birr* 30, = ed. I. 'A. 'Iwaḍ, vol. iv, p. 335; Muslim, *aymān* 34ff., = iii, pp. 128of.; Ibn Ḥanbal, *Musnad*, old ed. iv, p. 120, v, p. 274) in the various *isnāds* of which we find al-A'mash (d. 147/764), a younger contemporary of Sha'bī, as common link;

(3) 'Whenever a relative of mine died without having settled his debts, I did that for him'; there is a statement attributed to the prophet (e.g. Tirmidhī, *janā'iz* 69, = vol. iii, ed. M. F. 'Abd al-Bāqī, p. 382) in which he himself accepts responsibility for the debts left by a dead man. This statement is preserved under various *isnāds* which all seem to be Medinan, and in which Zuhri seems to be (one of) the common link(s).

A slightly younger man, who was in reality not a Successor in the technical sense of the term, Ibrāhīm b. Yazīd an-Nakha'ī (d. 96/715 at the relatively 'early' age of 49, according to others 58),<sup>222</sup> was also a *faqīh* whose statements were in the course of time provided with 'sound' *isnāds* going back to Muḥammad.<sup>223</sup>

Finally, in this enumeration of Kūfan Successors, one very important person cannot be left unmentioned, Abū Ishāq 'Amr b. 'Abd Allāh as-Sabī'ī (d. 126-9/743-6 when he was allegedly in his nineties). Elsewhere I have devoted a special study to him,<sup>224</sup> and in Chapter 4 the theory is ventured of how his *kunya* may have been made use of by other, anonymous transmitters and how, subsequently, very much material supported by unspecified Abū Ishāq *isnāds* has to be considered of doubtful historicity. He, allegedly together with the *mawlā* Sulaymān b. Mihrān al-A'mash (d. 147/764),<sup>225</sup> Maṣ'ūr b. al-Mu'tamir (d. 132/749) and Zubayd b. al-Ḥārith (d. 122-4/740-2), belonged to the 'leaders of Kūfa's transmitters' (in Arabic:

221. Cf. Ibn Ḥajar, *Tahdhīb*, v, p. 69.

222. This also struck Rāmahurmuzī (cf. p. 356) as exceptional.

223. Cf. Schacht, *Origins*, p. 33, and e.g. Bukhārī, *mawāqit* 37, = i, p. 157, for a ruling of Ibrāhīm which is also one of the prophet's; idem, ii, p. 116, *bāb* 4; see furthermore above p. 15, no. 3. Examples of Ibrāhīm's rulings and precepts abound in the 'six' and in Dārimī, but – as was to be expected – are lacking in the *Muwatta'*.

224. Cf. my *On the origins of Arabic prose*, pp. 170ff. To the sources cited there may be added Abū 'l-Qāsim al-Balkhī, *Qabūl al-akhbār*, p. 84, where Abū Ishāq and al-A'mash are blamed for having corrupted Kūfan *hadīth*.

225. Ibn Ma'in (cf. Ibn Ḥajar, *Tahdhīb*, iv, p. 225, lines 13f.) preferred him to Zuhri, because he did not work for the Umayyads.

*ru'ūs muhaddithī 'l-Kūfa*).<sup>226</sup> Does this mean that they wielded some sort of authority over their fellow transmitters? The sources leave us in the dark in this respect, but Abū Ishāq apparently had his own mosque so he had a locality at his disposal to gather the people around him.

In Ibn Ḥajar, *Lisān*, no. 803, we read that a certain Mu'tazilite, 'Umar b. Ibrāhīm al-'Alawī (d. 539/1144), used to be *imām* of the mosque of Abū Ishāq as-Sab'ī. Although this man lived some four hundred years later, I presume there must always have been this Abū Ishāq mosque. I do not think that this was a mosque founded after Abū Ishāq's death and named after him, for he was not the sort of person who, during his life, gathered so much fame that his followers sought in this way to keep his memory alive; the *tarājim* devoted to him in the various *rijāl* works are simply too negative for that. I rather think that Abū Ishāq had a kind of private *muṣallā* which he made into some sort of public meeting place in order to disseminate his ideas to as wide an audience as it could accommodate. His propaganda for the Shī'ite cause demanded this. I presume that Abū Ishāq's *muṣallā*, also after his death, remained a place where people gathered and, in the course of time, came to be called Abū Ishāq's mosque. It is inconceivable to me that this mosque was founded (long) after his death, in sum, I think it much more likely that it is indeed a first/seventh century institution. In Baṣra Thābit al-Bunānī had his own mosque and *mu'adhdhin*, Ibn Ḥajar, *Tahdhīb*, iv, p. 188. Cf. also Dhahabī, *Mizān*, iv, no. 9701, Ibn Ḥajar, *Lisān*, II, no. 1732. Ayyūb b. Abī Tamīma as-Sakhtiyānī is also reported to have had his own mosque with its own *imām*, Ibn Ḥajar, *Tahdhīb*, II, no. 218.

Abū Ishāq is, furthermore, a good example of a transmitter who may have resorted – or concerning whom other traditionists resorted – to the age trick. But he is by no means a far-fetched example. The following Successors, otherwise not such important transmitters, supposedly reached incredible ages: Qays b. Abī Ḥāzim (died 84–98/703–16 at the age of well over one hundred),<sup>227</sup> Ziyād b. 'Ilāqa (died 135/752 at the age of almost one hundred; another report has it that he was born in the Jāhiliyya),<sup>228</sup> Abū 'Amr Sa'd b. Iyās (died 95–8/714–17 at the age of 120),<sup>229</sup> al-Ma'rūr b. Suwayd (when al-A'mash saw him he believed him to be 120),<sup>230</sup> Suwayd b. Ghafala (died 80–2/699–701 at the age of 120 or 130; he claimed to be just as old as the prophet),<sup>231</sup> Zirr b. Ḥubaysh (died 81–3/700–2 at the age of 127),<sup>232</sup> etc.

226. Cf. Ibn Ḥajar, *Tahdhīb*, VIII, p. 66 (penult.).

227. His case constitutes the well-known *topos* describing those people who, during the lifetime of the prophet, set out to Medina to pay their allegiance but who were prevented from doing so by the news of the latter's untimely death, expressed, for instance, in the words *fa-qubīda* (sc. the prophet) *wa-huwa fi 'l-tariq* or similar, eminently recognizable expressions. He is, furthermore, one of those Iraqi transmitters preferred by Ibn Ma'in to Zuhri, cf. Ibn Ḥajar, *Tahdhīb*, VIII, pp. 387f.; cf. note 225 above.

228. Cf. Ibn Ḥajar, *Tahdhīb*, III, pp. 380f. 229. *Ibidem*, p. 468. 230. *Ibidem*, x, p. 230.

231. *Ibidem*, IV, pp. 278f.; he constitutes another case of the – what may be styled – 'conversion *topos*'; this time we read in his *tarjama*: *qadima 'l-Madinata hina nufiqati 'l-aydi min dafni rasūli 'llāh* (ṣ). Cf. also *ibidem*, VI, no. 465, and al-Khaṣīb, *Ar-riḥla*, pp. 166f.

232. Ibn Ḥajar, *Tahdhīb*, III, pp. 32 f. An allegedly very old Baṣran Successor was Abū 'r-Rajā' 'Imrān b. Milhān, who died at the age of 120 or even older in 107–9/725–7, cf. *ibidem*, VIII, pp. 140f.



The *tarājim* devoted to these centenarians in the *rijāl* works are on the whole very favourable without a shadow of a doubt being cast on the ages they claimed to have reached. This must have greatly facilitated the manipulation with *isnāds*, whether they did that themselves, or whether this occurred at the hands of other anonymous people. Furthermore, traditions supported by *isnāds* including their names occur, without exception, in all the canonical collections.

As far as the other *ḥadīth* centres are concerned such as the ones in Khurāsān, these came into being a little later, as was the case with Egypt. If we take the *awā'il* information regarding an-Naḍr b. Shumayl (d. 204/820), for example, as *terminus a quo*, it is only during his lifetime that *sunna* was introduced into all of Khurāsān (cf. p. 23 above). It is likely that, when we encounter an *isnād* with predominantly Khurāsānian transmitters, the material it supports hails from the time and/or environment of the *rāwī* mentioned at the Successor's level, or the tier above that, which, in the case of a Khurāsānian *isnād*, will most likely turn out to be from Baṣra or Kūfa. The same principle applies to the numerous *isnāds* with predominantly Bagdadi transmitters.

Another major city, which in the course of time developed into a *ḥadīth* centre of some importance, was Wāsiṭ, allegedly founded by al-Ḥajjāj in 83/702 or 84/703. There is evidence in the sources that it 'claimed' for itself certain illustrious *ḥadīth* transmitters. Thus various people asserted that they had 'seen' Anas b. Mālik there who, in the mid-eighties of the first century, must have been already a very old man, that is, if we give this report any credit at all.<sup>233</sup> And also Shu'ba, a key figure of Baṣran *ḥadīth* transmission, is 'claimed' by Wāsiṭ as one of theirs. There is a report that relates how, when Shu'ba arrived in Baṣra (for the first time?) and asked directions to Ḥasan's dwelling, people frowned, whereupon he excused himself on the ground that he came from Wāsiṭ.<sup>234</sup>

After this survey of the principal transmitters in the different *ḥadīth* centres, it seems appropriate to adduce here some more evidence pointing to the overall regional character of these centres.

There is a report describing a conversation the Caliph Abū Ja'far al-Manṣūr (reigned from 136/754 until 158/775) is alleged to have had during a visit to Medina with Mālik b. Anas.<sup>235</sup> This conversation neatly depicts the development leading to the situation obtaining at the time it supposedly took place, i.e. in 150/767.<sup>236</sup> Even if it cannot be proved that this conversation ever took place or that the dialogue took the form as reported – one

233. Baḥshal, *Ta'rikh Wāsiṭ*, pp. 47f.      234. Cf. *ibidem*, pp. 120f.

235. Cf. Ibn Abī Ḥātim, *Taqdima*, p. 29, cf. Abū Zur'a, *Ta'rikh*, p. 439.

236. This dating is substantiated by another account (or perhaps a fragment of the same account transmitted separately) of this meeting, cf. Ibn Abī Ḥātim, *Taqdima*, p. 30.

may doubt, for example, the unmistakable *faḍā'il* slant in favour of Medina – I see no cogent arguments against accepting this appraisal. Even if it is granted that the conversation in itself is probably apocryphal, the appraisal of the situation, it seems to me, is basically not incorrect. Here follows a paraphrase:

Al-Manṣūr asked Mālik: 'Is there anyone more learned [i.e. in matters concerning this our religion] than you?'

'Yes', Mālik replied.

'Name them.'

'I do not know their names.'

Al-Manṣūr went on: 'During the time of the Banū Umayya I investigated this matter and I know it now for what it is. The transmitters of Iraq are liars and forgers;<sup>237</sup> those of Syria are constantly at war (i.e. with Rūm),<sup>238</sup> they have no great scholar left; as for the transmitters of the Ḥijāz, they have preserved the last item there is to know (about the prophet) and you are the principal scholar of the Ḥijāz. Don't you dare contradict me! I should like to unify this *'ilm* so that I can have it recorded and sent to the army commanders and judges in order that they make themselves acquainted with it. He who later on acts contrary to it, I shall have him beheaded!'

'O Commander of the Faithful', Mālik answered, 'while the prophet was still alive, he sent his people forth on campaigns but not much land was conquered before he died. Then Abū Bakr ruled, but not much land was conquered under him either. After them, under 'Umar, so much territory was conquered that he felt obliged to send the Companions of the prophet out as teachers (of the new religion) and their knowledge never ceased to be transmitted from generation to generation until this very day. If you now try to divert them from what they know to what they do not know, they will consider that as *kufṛ*. Therefore, let the people of every region stick to that knowledge (sc. about the prophet and the origins and precepts of the religion) which they now possess, and select for yourself of this *'ilm* whatever you deem most appropriate.'

In another account (see note 236 on p. 62 above), which may very well be considered as describing another fragment of the conversation, al-Manṣūr is reported to have asked Mālik:

'Why do you rely so heavily on the words of 'Abd Allāh b. 'Umar among so many Companions?'

237. This may sound an unusually harsh statement especially coming from someone who had his domicile in Iraq, but it is not at all unlikely that al-Manṣūr was simply repeating an opinion commonly held in Iraq in those days. In Chapter 3 below I have tried to prove that mendacity in tradition transmitting was first countered by the *man kadhaba 'alayya dictum* in Iraq, and that this may have originated precisely during his reign or probably even a little later.

238. Cf. Abū 'l-Qāsim al-Balkhī, *Qabūl al-akhbār*, p. 168, where the people of Syria are called *jund banī Marwān*.

Mālik replied:

'Since he was the last Companion to stay alive (sc. he died in 74/693) and since the people needed his advice, they asked him and acted according to what he said.'

But no matter how fair all this may sound from Mālik's mouth, he decidedly had his doubts concerning even his most famous fellow transmitters. Thus he is reported to have said about Sufyān ath-Thawrī: 'I hope that he has been *ṣāliḥ*'.<sup>239</sup> In Chapter 5 it will appear that this term in many a context is almost identical with 'unreliable'. Surely that is not what Mālik may have meant in the statement reported here, but his words do not admit of an interpretation more favourable or positive than: I hope his traditions were harmless in the sense that they did not create too much confusion.

Another overall appraisal of *ḥadīth* collecting activities in the various centres, emphasizing the different approaches in each, is found in a statement Sufyān b. 'Uyayna is alleged to have made. Even if the ascription of these words to Sufyān cannot be proved, the words in themselves constitute, perhaps, a fair description of the situation obtaining in his days. He suggests that those who want to know more about pilgrimage rituals (*manāsik*) should consult the traditionists of Mecca,<sup>240</sup> those who want to collect information on the precise times *ṣalāts* are to be performed (*mawāqīt*) have to repair to Medina, those whose interests lie in details concerning the prophet's life and campaigns (*siyar*) should ask the people of Syria and finally, in a perhaps mocking way, those who want information in which true cannot be distinguished from false should go to Iraq.<sup>241</sup> Sufyān, if it was indeed he who made this statement, may be considered as having been perfectly aware of what was going on in three, perhaps four, centres: the first part of his life he lived in Kūfa, then in 163/780 he moved to the Ḥijāz and settled in Mecca.

Different points of view, sometimes resulting in rivalry, are, furthermore, attested in the following reports. The controversy Medina/Iraq is apparent in the suggestion that what Ma'mar b. Rāshid (d. 153/770) transmits from Baṣran or Kūfan transmitters should be rejected, whereas what he produces from Zuhri and other Medinans can be considered quite reliable.<sup>242</sup> Even common measures were different. So it is recorded that the

239. Cf. Ibn Abī Ḥātim, *Taqdīma*, p. 94 (ult). In Suyūṭī's *Is'āf al-mubatta'*, p. 878, we find a highly significant report supporting this issue; someone asked Mālik: 'How come, you do not transmit traditions from the Iraqis?' Mālik replied: 'Our predecessors did not transmit their predecessors' traditions, as our contemporaries leave present day Iraqi transmitters well alone.'

240. Cf. p. 40 above, especially note 146.

241. Cf. Ibn 'Asākir, *At-ta'rikh al-kabīr*, I, p. 70. The term *siyar* in this report admits, apart from the interpretation 'campaigns' (= *maghāzī*), also of the interpretation 'law of war and peace' (= *al-maqāsīm wa-amr al-ghazw*). Both interpretations are found in variant readings of this report listed in Ibn 'Asākir's *Ta'rikh madīnat Dimashq*, I, p. 316.

242. Cf. Ibn Ḥajar, *Tahdhīb*, X, p. 245.

*mudd* of the prophet according to the Iraqis amounted to two *raṭls*, while the people of the Ḥijāz thought it to be only one and one third.<sup>243</sup> More specifically, the vast differences in jurisdiction between Medina and Kūfa are attested in the dismay Yaḥyā b. Sa'īd al-Anṣārī (d. 144/761) allegedly displayed when he took up the function of *qāḍī* in the latter city.<sup>244</sup> Rivalry between Bagdad and Medina can be gleaned from the *tarjama* of Ibn Abī 'z-Zinād (d. 174/790). It is reported there that what he transmitted in Medina was sound, at least of passing quality, but what he transmitted in Bagdad was corrupted by the Bagdadis.<sup>245</sup>

Iraqis supposedly detested the *ḥadīth* transmitted via Ismā'īl b. 'Ayyāsh (d. 181/797), whereas his fellow Syrians could not find fault with it.<sup>246</sup> Iraqis are also reported to have called Syrian traditions mere fables (*khurāfāt*).<sup>247</sup> From this we discern Iraqi/Syrian rivalry.

The regional character is, furthermore, not only restricted to the different provinces of the empire but can also be distilled from reports concerning rivalries between centres in one province. The remark: *tafarrada bihi ahlu 'l-Kūfa . . . lam yushrikkhum fihi aḥadun*<sup>248</sup> can be contrasted with: *tafarrada bi-dhikri 'l-amri ahlu 'l-Baṣra*<sup>249</sup> (i.e. the Kūfans, c.q. the Baṣrans, were the only ones who spread a certain *ḥadīth*), although we also find the concept *isnād ahli 'l-'Iraq* mentioned.<sup>250</sup> The contrast between Baṣra and Kūfa is humorously depicted in the remark: When you see a Baṣran drinking *nabīdh*, hold him in suspicion, but when you see a Kūfan doing that, you need not suspect him, for the Kūfan drinks out of devotion, and the Baṣran leaves it out of devotion.<sup>251</sup> The extreme Shī'ite al-Ḥārith b. Ḥaṣira (fl. 140/757) transmitted mainly *faḍā'il ahli 'l-bayt* in Kūfa and traditions of various contents in Baṣra.<sup>252</sup>

In the course of the second half of the second/eighth century, also after the *ṭalab al-'ilm* – about which more will be said below – had gradually lost its purely local character and was on an ever increasing scale carried out in more than one centre, the sharp edges of the rivalries described in the above gradually disappeared. So it was Shāfi'ī (d. 204/820) who is reported to have said: 'I do not care where a tradition comes from, be it Kūfa, Baṣra or Syria, as long as it is sound.'<sup>253</sup> And the famous Baṣran traditionist, the *mawlā*

243. Cf. Ibn Shādhān, *Adab al-wuzarā'*, p. 68.

244. Cf. al-Khaṭīb, *Ta'riḫ Baghdad*, xiv, p. 104.

245. Cf. Ibn Ḥajar, *Tahdhīb*, vi, p. 172.

246. Cf. *ibidem*, i, p. 323.

247. Abū 'l-Qāsim al-Balkhī, *Qabūl al-akhbār*, p. 54.

248. Ḥākim an-Nisābūrī, *Kitāb ma'rifaṭ 'ulūm al-ḥadīth*, p. 97.

249. *Ibidem*; cf. also al-Khaṭīb, *Ta'riḫ Baghdad*, ix, p. 257, where Shu'ba is described as: born in Wāsiṭ, he lived in Baṣra, but his *'ilm* was that of Kūfa.

250. E.g. cf. Ṭabarī, *Ta'riḫ*, i, p. 1764. 251. Cf. Ibn Ḥajar, *Tahdhīb*, i, p. 278.

252. Cf. *ibidem*, ii, p. 140. Cf. also Abū 'l-Qāsim al-Balkhī, *Qabūl al-akhbār*, p. 169, where the Kūfans are said not to set store by the bulk of Baṣran traditions.

253. Cf. Ibn Ḥanbal, *'llal*, i, no. 974.

'Abd ar-Rahmān b. Mahdī (d. 198/814) upheld the views of various *ḥadīth* centres, while he preferred the *ra'y* of the Medinese.<sup>254</sup>

### *A tentative chronology of ṭalab al-'ilm*

In the foregoing section I have tried to demonstrate that the predominant characteristic of the various centres, in which in early Islam traditions were collected and recorded, was their regionalism. It is proposed here to adduce yet another argument in support of this view. This argument concerns the *ṭalab al-'ilm* journeys and the relatively late date when this activity became the general practice. If it can be proved, as will be attempted in the following pages, that the earliest data on *ṭalab al-'ilm* journeys cannot be traced back to a time earlier than the beginning of the second century/the 740s–750s, this constitutes, surely, additional evidence for the overall regional character maintained in the various *ḥadīth* centres during the first hundred years or so after the prophet's death.

The Arabic expression *ṭalab al-'ilm*, first of all, does not necessarily point to extensive traveling; only when traveling is *expressis verbis* referred to in context with *ṭalab al-'ilm* are we justified in interpreting the expression as collecting *ḥadīths* also in centres outside one's own. As we have seen above, various transmitters, who flourished during the latter half of the first century were sometimes claimed by more than one centre, e.g. Zuhri, but this did not entail that henceforth Syrian and Medinan traditions constituted the same material. There are also transmitters who, born in one centre and having heard traditions with the local *ḥadīth* masters, moved to another centre and disseminated the learned material there (cf. above p. 40, Abū Umayya 'Abd al-Karīm). Yet other transmitters moved away, with the *ḥadīths* learned in their city of birth, via one other centre, to settle definitively in a third. Ma'mar b. Rāshid is a good example of such a traditionist. Born in Baṣra, he allegedly started collecting traditions after Ḥasan al-Baṣrī had died in 110/728. Then he traveled to the Ḥijāz where he also collected *ḥadīth* to settle finally in the Yemen, where he died in 153/770.

I found one unambiguous *awā'il* report indicating who was the first traveling *ḥadīth* collector. It is this same Ma'mar. b. Rāshid.<sup>255</sup> Furthermore, Rāmāhurmuzī gives a concise list of *ṭabaqas* of *ḥadīth* travelers in

254. Cf. Ibn Hajar, *Tahdhīb*, vi, p. 279 (penult).

255. Cf. al-Khaṣīb al-Baghdādī, *Ar-riḥla fī ṭalab al-ḥadīth*, ed. Nūr ad-Dīn 'Itr, Damascus 1975, p. 94, a statement ascribed to Ibn Ḥanbal. Another early transmitter, who traveled around to contact Successors but who was otherwise universally mistrusted, was an almost exact contemporary of Ma'mar, al-Mughīra b. Ziyād (d. 152/769), cf. Ibn Hajar, *Tahdhīb*, x, p. 260. That Egypt is again lagging behind in comparison with the other *ḥadīth* centres, seems to be substantiated by the report that the first to travel from Egypt to Iraq in search of 'ilm was one Abū Sa'īd 'Uthmān b. 'Atīq al-Ḥuraqī (d. 180/796), cf. Ibn Bāṭish, I, p. 256.

which he mentions 'Abd Allāh b. al-Mubārak (d. 181/797) as the first traveler of the first *ṭabaqa*.<sup>256</sup> In his *tarjama* we read that he started collecting *ḥadīths* in the year 141/758.<sup>257</sup> But in 'Abd Allāh b. 'Awn (d. 151/768) we encounter a *ḥadīth* traveler who started his search for traditions allegedly ten years earlier in 131/750.<sup>258</sup> All these data point, as mentioned above, to a time well into the second century.

It is true that there is also a reference to the Syrian Successor Makhūl (d. between 112/730 and 118/736) as having made extensive journeys in search of knowledge, but perhaps Makhūl constitutes one more example of that class of Successors, who were at the same time well-known *fuqahā'*, whose personal opinions were in the course of time 'raised to the level' of prophetic traditions (see above p. 45, note 158), as is also substantiated by the numerous cases of *samā'* from Companions which are doubted.<sup>259</sup>

Besides, the term '*ilm*' in Makhūl's alleged statement (*tuftu 'l-arḍa kullahā fī ṭalab al-'ilm*)<sup>260</sup> (i.e. I roamed the world in search of knowledge) may, moreover, for a change very well be interpreted as referring to something other than *ḥadīths*. '*Ilm*' in this context should rather be identified with *fatwās*, *qaḍā'*s or, simply, *ra'y*. This can be substantiated with various quotations from the *tarjama* of an older *faqīh*, Masrūq b. al-Ajda' (d. 63/683) from Kūfa. In this *tarjama* Sha'bī is recorded as having said that he had never set eyes on someone who was *aṭlab li 'l-'ilm* (i.e. more widely traveled) than Masrūq.<sup>261</sup> Here '*ilm*' definitely must refer to something other than *ḥadīth*, if we want to harmonize that with Aḥmad b. 'Abd Allāh al-'Ijlī's statement<sup>262</sup> who reported that Masrūq was one of the *fatwā* givers and Ibn Sa'd's brief description of him (*lahu aḥādīth ṣāliḥa*) which is tantamount to saying that he allegedly transmitted a few traditions of passing quality mainly of religious – not legal – tenor.<sup>263</sup>

It is also true that we find quite a few references to slightly older transmitters who made one or more pilgrimages to Mecca and used the opportunity to hear traditions with Ḥijāzī masters. But this did not result, at least not during the first/seventh century, in the bulk of *ḥadīths* becoming 'common property' of more than one centre. And although Anas b. Mālik's alleged traditions from the prophet are 'claimed' by both Medina and Baṣra – he supposedly lived many years in each centre, although it is impossible to

256. Rāmahurmuzī, pp. 229–33. Other names in this list of the earliest major traveling *ḥadīth* collectors are Zayd b. al-Hubāb (d. 203/818), Abū Dāwūd Sulaymān b. Dāwūd aṭ-Ṭayālīsī (d. 203–4/818–19), Asad b. Mūsā (d. 212/827) etc.

257. Ibn Ḥajar, *Tahdhīb*, v, p. 384.

258. Ibidem, p. 347. This may be considered as more or less the period that Sufyān ath-Thawrī (d. 161/778) began his activities.

259. Cf. ibidem, x, pp. 290–3. 260. Ibidem, p. 291.

261. Ibidem, p. 110. 262. Ibidem, p. 111.

263. Ibidem. Extensive reading in Ibn Sa'd and other *rijāl* works has taught that this is the precise meaning of those words. See Chapter 5 for more nuances of the adjective *ṣāliḥ*.

ascertain exactly when he lived where (see also p. 46 and note 169 above) – it is a striking fact and a highly significant one, I think, that examination of Anas' traditions in the *Muwatta'* tells us<sup>264</sup> that Medina's 'claim' to Anas rests on various Medinese Successors in Anas *isnāds*, such as Zuhri, Sharik b. 'Abd Allāh b. Abī Namir, Ishāq b. 'Abd Allāh b. Abī Ṭalḥa and al-'Alā' b. 'Abd ar-Rahmān. However we also encounter in the *Muwatta'* various Iraqi Anas *isnāds* with Successors such as the Baṣran Ḥumayd aṭ-Ṭawīl and the Kūfan forger 'Amr b. Shamar (cf. Ibn Ḥajar, *Lisān*, iv, nos. 1075 and 1096). If, for the sake of argument, Anas is held responsible for all this diverse material, the simple – but nonetheless inevitable – question why he has not instructed his Baṣran pupils in the same traditions as his Medinan ones, or for that matter his Medinan pupils in the same material as his Baṣran ones, remains unanswered. Even if we accept Anas' traveling up and down between Baṣra and Medina as historical, his alleged activities in *ḥadīth* transmission are doubtful in the extreme, something for which Anas himself is not to blame, only those countless transmitters who falsely claimed to have heard traditions with him. In sum, the dichotomy between Iraqi material traced back via Anas to the prophet and Medinan/Syrian material traced back via Anas to the prophet cannot satisfactorily be explained, if the historicity of Anas as transmitter of prophetic traditions is maintained.

In connection with *ṭalab al-'ilm* traveling a few sayings inciting people to this meritorious activity came into existence. The sources have preserved indications of the persons who brought them into circulation. Piecing together these indications yields a result which can be adduced as an argument in favour of the chronology suggested in the beginning of this section.

The saying *Ṭalab al-'ilm farīḍa* (searching for knowledge is an obligation) was reputedly invented by one Ziyād b. Maymūn who probably flourished in the first half of the second/eighth century.<sup>265</sup> As a variant of this saying may be considered the slogan *Ṭalab al-ḥalāl farīḍa ba'da 'l-farīḍa* (searching for permissible [precepts] is a secondary duty) ascribed to the forger 'Abbād b. Kathīr ar-Ramlī (d. after 170/786).<sup>266</sup> Another hint of a date can be distilled from the alleged forger of the well-known saying *Uṭlubū 'l-'ilm wa-law bi 'ṣ-Ṣīn fa'inna ṭalab al-'ilm farīḍa 'alā kulli muslim* (search for knowledge even as far as China, for this is incumbent upon every Muslim) who is listed<sup>267</sup> as Ṭarīf b. Sulaymān (v.l. Salmān) Abū 'Ātika. It may be

264. With the exception of one (*tahāra* 44, = vol. 1, p. 37), with a complete *isnād*, one (*ṣiyām* 51, = vol. 1, p. 307) with a *munqatī' isnād* (which is his own saying) and four opinions ascribed to 'Umar b. al-Khaṭṭāb (*libs* 19, = II, p. 918; *ṣifat an-nabī* 30, = II, p. 933; *salām* 5, = II, p. 961, and *kalām* 24, = II, p. 992), all the other thirty *ḥadīths* are also listed in either Bukhārī or Muslim or both.

265. Cf. Dhahabī, *Mizān*, II, pp. 94f.; cf. also Ibn Ḥajar, *Lisān*, I, no. 353, in which one Ibrāhīm b. Mūsā is credited with this saying.

266. Cf. Ibn Ḥajar, *Tahdhīb*, v, pp. 102f.

267. Cf. Ibn al-Jawzī, *Kitāb al-mawḍū'āt*, I, p. 215; Dhahabī, *Mizān*, II, pp. 335f.; the first ha. is also ascribed to Aḥmad b. 'Abd Allāh b. Khālid, cf. Ibn Ḥajar, *Lisān*, I, no. 611.

assumed that he flourished ca. 160/777 or later, when we see that a pupil of his, one Ḥasan b. 'Aṭīyya, died in 211/826.<sup>268</sup> As a forger of the last half is also mentioned Ḥafṣ b. Sulaymān (d. 180/796), a notorious *kadhdhāb*.<sup>269</sup> It is worthy of note in this context that medieval commentators labeled the *ḥadīth* weak only as far as its *isnād* is concerned, and sound in *ma'nā*.<sup>270</sup> For example, Shams ad-Dīn Abū 'l-Khayr Muḥammad b. 'Abd ar-Raḥmān as-Sakhāwī (d. 902/1497), in his commentary on this *ḥadīth*, went to considerable trouble to point out that in spite of its numerous *isnāds* being all *ḍa'if*, the message contained in the saying was sound.<sup>271</sup>

Another *ṭalab al-'ilm* tradition runs as follows (after a lengthy preamble): *Man salaka ṭarīqan yaṭlubu fihī 'ilmān salaka bihī ṭarīqan min ṭuruq al-janna* (he who sets out searching for knowledge, sets out on a path that leads to paradise). The oldest common link (for this term see Chapter 5) in its various *isnāds* is 'Āṣim, supposedly the son of the famous Rajā' b. Ḥaywa, 'Umar II's chief advisor. The transmitter from whom this 'Āṣim allegedly received it is, as is so often the case with a cluster of *isnāds* branching out after the oldest common link, a *majhūl*, one Dāwūd b. Jamīl. He, in turn, transmitted it from another *majhūl*, one Kathīr b. Qays. In reverse order, here we have a saying with the *isnād*: prophet – Companion (sc. Abū 'd-Dardā') – *majhūl* – *majhūl* – 'Āṣim b. Rajā' – various different transmitters. The evidence to be gleaned from this *isnād* makes it a Syrian one which originated probably during 'Āṣim's lifetime, i.e. presumably in the 130s or 140s (750s or 760s) at the hands of 'Āṣim himself or (a) person(s) using his name.

This tradition has an Iraqi equivalent of similar wording with a common link, a man again called 'Āṣim, but this time it is allegedly the famous Qur'ān expert, the son of Bahdala. The two transmitters from this 'Āṣim b. Bahdala Abū 'n-Najjūd to the prophet are both from Kūfa, Zirr b. Ḥubaysh and the Companion Ṣafwān b. 'Assāl respectively. 'Āṣim b. Bahdala having allegedly died in 128/746, we may assume that this Kūfan fabrication came into existence a decade or so earlier than its Syrian counterpart. Interesting is a remark attributed to Ismā'īl b. Ibrāhīm b. Miqṣam, commonly known as Ibn 'Ulayya (d. 193/809), that everyone with the name 'Āṣim has a bad memory.<sup>272</sup> (Does he hint at the phenomenon described in Chapter 4 of

268. Cf. Ibn Ḥibban, *Kiṭāb al-majrūhīn*, I, p. 228.

269. Cf. Ibn Māja, *Sunan*, I, p. 81 and Ibn Ḥajar, *Tahdhīb*, II, pp. 400ff.; other candidates are Ibrāhīm b. Sallām, cf. *Lisān*, I, no. 159; Aḥmad b. Ibrāhīm, *ibidem*, no. 408, and, furthermore, al-Haythamī, *Majma' az-zawā'id*, I, pp. 119f., for a number of others featuring in Ṭabarānī's three collections; next we read this tradition supported by the highly doubtful *isnād*: Kudaymī-'Ubayd Allāh b. Mūsā-A'mash-Anas-prophet, in which it is not entirely clear which link may be held responsible, cf. Ibn Ḥajar, *Tahdhīb*, IV, p. 224.

270. Cf. the sources quoted in Ibn Māja, *Sunan*, I, p. 81.

271. Cf. his *Al-maqāṣid al-hasana fi bayān kathīr min al-aḥādīth al-mushtahira 'alā 'l-alsina*, pp. 275ff. 272. Cf. Ibn Ḥajar, *Tahdhīb*, V, p. 39.



clusters of names of probably fictitious namesakes around one historical person, sc. this 'Āṣim the Qur'ān expert?) Even if the editor, Nūr ad-Dīn 'Itr, of al-Khaṭīb al-Baghdādī's *Ar-riḥla fī ṭalab al-ḥadīth* does his utmost to cleanse all these *ṭalab al-'ilm* traditions from blemishes and, therefore, also tries to reason away any criticism leveled at this Kūfan one, he does quote Ibn 'Abd al-Barr who said that this tradition is extant as a *mawqūf* as well as a *marfū'*. As a *mawqūf* the saying is attributed to the Companion Ṣafwān b. 'Assāl<sup>273</sup> and the *marfū'* version is given in the *Jāmi'*.<sup>274</sup> The fact that both versions have survived seem to point unmistakably to the saying having originated in 'Āṣim's lifetime or shortly thereafter, being in the course of time 'raised to the level' of a prophetic saying.

Finally, the fact that traveling around in those early days was no sinecure is amply attested in an entertaining account of a journey of Abū Ḥātim (d. 277/890). In its simplicity and ingenuity this account has the ring of truth.<sup>275</sup>

### *Summary and conclusions*

In any study of an allegedly early Muslim *ḥadīth* there are, I think, three questions that should be asked before any other:

1. Where did the *ḥadīth* originate?
2. In what time did the *ḥadīth* originate?
3. Who may be held responsible for bringing it into circulation?

Through the ages Muslim scholars, who devoted their energy to the study of prophetic traditions, have asked – among others – these same questions and have found the following answers:

If a tradition is considered 'weak', because one or more of its *isnād*'s transmitters turn out to be 'weak' or unknown or notorious for mendacity or simply guilty of having brought this particular tradition into circulation, then therein lie the required answers.

But if a tradition is deemed 'sound', that is, if the *isnād* it is supported by is 'sound' by the generally accepted standards, because all its transmitters have impeccable reputations and each pair of consecutive transmitters are known to have met one another or are at least known to have been contemporaries at some point, and/or if this tradition is listed in one of the canonical collections, where it is labeled 'sound' by learned medieval commentators, then it is simply assumed to have originated there where its *matn* indicates it has, that is somewhere in the Ḥijāz, in Mecca, Medina or during a campaign, during the life of the prophet, whose activities and/or statements are reported by one or more of his ever reliable Companions.

We do not possess accurate figures, but one would not be far off the mark in saying that probably the vast majority of Muslims of today, scholars and

273. Cf. Ḥumaydī, II, pp. 388f.

274. *Jāmi' bayān al-'ilm*, I, p. 33.

275. Cf. Ibn Abī Ḥātim, *Taqdima*, pp. 363–6.

laymen alike, do not in any fundamental way disagree with the findings and theories of Muslim scholars concerning the *ḥadīth* as formulated in the early Middle Ages and henceforth transmitted down through the centuries until this very day with but a few minor and immaterial modifications added.

This study does not deny that in all probability the prophet's statements and/or activities may have, at least partially, been reported by one or more of his followers, but it may have become apparent from the foregoing pages that I am sceptical as to whether we will ever be able to prove beyond a shadow of a doubt that what we have in the way of 'sound prophetic traditions' is indeed just that what it purports to be.

Differently put, it seems likely that at least part of the prophetic traditions listed in one or more canonical – or even non-canonical – collections deserves to be considered as a fair representation of what the prophet of Islam did or said, or might have done or said, but surely it is unlikely that we will ever find even a moderately successful method of proving with incontrovertible certainty the historicity of the ascription of such to the prophet but in a few isolated instances.

The conclusions derived from the foregoing pages which underline and/or corroborate what has just been said can be summarized as follows, as centring in the three basic questions asked at the beginning of this summary.

1. Where did a specific *ḥadīth* originate?

Probably in the region where the traditionist mentioned at the Successor's level in its *isnād* operated. (This answer may apply to the majority of traditions listed as 'sound' in the so-called canonical collections; in later, not canonized, collections we encounter traditions which may not be so easy to identify as to region of origin since wholesale *isnād* fabrication had become sophisticated enough to disguise a *ḥadīth*'s provenance more or less successfully.) The chance that we are able to conclude that a certain *ḥadīth* originated in the region where the Companion of its *isnād* resided – if that is different from the Successor's region – is remote in view of the fact that the historicity of the link between Companion and Successor appeared the most difficult of all to establish.

Too many Companions, especially Anas, Abū Hurayra, Ibn 'Abbās and Jābir b. 'Abd Allāh to name but a few of the most important alleged *ḥadīth* transmitters among them, were 'credited' with such colossal numbers of obviously forged traditions that it is no longer feasible to conceive of a foolproof method to sift authentic from falsely ascribed material.

Moreover, the majority of Companions had already died when the necessity to name one's informant became generally felt. So if a Successor had indeed heard a report concerning the prophet from an older Companion – or, for that matter, that Companion's own personal opinion or judgement – it was not until, at the earliest, in the seventies of the first century (690s),

and probably later, that he was required to name that informant. And by that time the possibility to check his claim as to truthfulness was no longer there. Even if it is assumed that he actually correctly remembered that he had heard it from a specific Companion, that did not automatically mean that this Companion reported on a situation pertaining to the prophet's lifetime, describing the *sunnat an-nabi*. We have seen that the need for traditions traced all the way back to Muḥammad only began to be emphasized under 'Umar II (reigned 99–101/717–20) and that only as a consequence of this emphasis what was known as reports containing the personal opinions of Companions or Successors became 'raised to the level' of a prophetic saying, no doubt in order to lend them more prestige. It is therefore impossible to dismiss the assumption that any 'prophetic' tradition from a canonical collection may have started life as the personal opinion of a Companion or a later authority, especially if we find this same tradition also somewhere else with an *isnād* ending in that Companion or, for that matter, any other old authority other than the prophet himself.

Even if it is maintained that a 'prophetic' tradition, *because* it cannot be found also in the form of a personal opinion ascribed to another authority, has therefore to be accepted as being just that, the fact that there are so many examples of 'prophetic' sayings that *are* traceable to a Companion or a Successor, makes any 'prophetic' saying suspect as also belonging to that genre, but whose counterpart simply has not survived in the sources available at present.

Moreover, the Successors of *isnāds* are by no means automatically responsible for those *isnāds* having been 'raised to the level' of a prophetic tradition. This could have been achieved at the hands of a later generation. We also saw that not only did the four rightly-guided caliphs in the majority of cases bring forward their own solutions, but the *fuqahā*' of the different administrative centres of the young Islamic empire relied also mainly on their own proper judgements to solve problems presented to them by those who lacked their special insight. Their opinions, as far as they are still listed as such scattered over various sources, can be assumed to have originated in the regions where they resided.

## 2. When did a specific *ḥadīth* originate?

Part of the answer lies, I think, already in the answer given to question 1: at the earliest sometime during the lifetime of the Successor of the *isnād* or later, as was probably the case with Egyptian *ḥadīths*; or earlier, as can be proved in a few isolated cases with evidence from other sources. Historical sources can sometimes be called upon to date a certain precept more accurately as in the case of, for example, the fast of Ramaḍān which was for the first time made obligatory under 'Umar b. al-Khaṭṭāb's caliphate (13–23/634–44). This may mean that all other reports dealing with this same issue might have their historical origin in the same period. But the overall majority of allegedly the most ancient traditions is likely to have originated

at the earliest in the course of the last few decades of the first century (700s–720s), when for the first time the need for traditions became generally felt. The *isnād* as institution had just come into being and slowly but gradually the concept *sunnat an-nabī* began to eclipse the *sunna* of a region or of a (group of) person(s). That the number of traditions was still very small in the first century is proved by the total absence of them in certain authentic – or at least until now not yet conclusively proven as being unauthentic – early Islamic documents, where we would have expected them to be adduced in the first place, such as Ḥasan al-Baṣrī's epistle to 'Abd al-Malik, or the near-absence of them in, for example, 'Umar II's epistle addressed to the Qadariyya. It was in Iraq that the *ḥadīth* literature underwent its first major growth and this started probably not much earlier than the final years of the first century/710s.

3. Who may be held responsible for bringing a tradition into circulation? Again the answer to this question has already partially been given in the answers to questions one and two. If *isnāds* have any historical value at all – and those that were not fabricated in their entirety have that, but how shall we ever be able to prove in the case of every single *isnād* that it was *not* fabricated? – it is again in most cases the Successor who can be held responsible as the earliest likely candidate. But as the investigation into the growth of traditions may have shown, the first major growth of *ḥadīth* occurred several decades after the turn of the first century/750s and later, a time when most of the Successors were already dead, something which makes the following tier in the *isnāds*, the so-called class of 'Successors of Successors', into even more likely candidates. What is more, there is always the possibility, as the case of Ḥasan al-Baṣrī made abundantly clear, I think, that pupils, or anonymous persons using those pupils' names, contemporaneous or from a later period, simply inserted his name in otherwise fictitious *isnāds* in order to support those 'traditions' they sought to bring into circulation. This form of fraud, so widespread during the second/eighth century and known by the general term *tadlīs*, was hardly ever detected. Sometimes we are just fortunate in that the *rijāl* works have preserved the information that such and such was solely responsible for having invented a certain *ḥadīth*, information which makes the caution concerning *tadlīs* committed by (an) otherwise unknown person(s) rather less imperative. But in the case of numerous transmitters listed in *isnāds* supporting traditions from the canonical collections we are not so fortunate. There are still a great number of transmitters dealt with in the *rijāl* works whose reputations are described as being without any blemish, even if on the basis of data adduced from elsewhere it can be proven with undeniable evidence that the material in whose transmission they are said to have been instrumental bears sure signs of fabrication, a fabrication which in all likelihood dates from their lifetimes. In Chapters 4 and 5 more will be said regarding the on the whole limited success of Muslim *rijāl*

criticism which, as we saw above, came relatively late into being, in spite of the fact that the *isnād* as instrument of scrutiny had come into existence relatively early and that the beginnings of fabrication on the one hand, and the 'raising to the level' of prophetic traditions on the other hand, had been in process several decades before full-fledged *rijāl* criticism came into being.

After these three questions it seems appropriate to give a bird's eye view of how the earliest stages of *ḥadīth* transmission in Islam could be described.

During the prophet's lifetime most of his followers can be assumed to have talked about him. After his death the only people who continued to do so in a way that may be construed as foreshadowing the standardized and regulated *ḥadīth* transmission of, say, the last few decades of the first century/700s–720s, when, as was perhaps demonstrated above, the earliest *ḥadīths* provided with *isnāds* came into circulation, were the *quṣṣās*.

Parallel with this phenomenon we find *fuqahā'* and also '*ulamā'*', the former formulating their own ideas about how life should be approached in the light of the new religion, the latter mainly pointing to formulations of this sort arrived at by others. A few *quṣṣās* may be assumed to have entered the ranks of the '*ulamā'*' or even those of the *fuqahā'* by popular acclaim, whereas a few '*ulamā'*' or *fuqahā'*' may not have been able to maintain their position among their colleagues and were subsequently classified, or downgraded, as belonging to the *quṣṣās*. The activities of *fuqahā'* and '*ulamā'*' also developed into what later came to be called *ḥadīth* transmission.

The first stories (*qiṣaṣ*, *aḥādīth*) related by the *quṣṣās* probably contained *tarhīb wa-tarhīb* and *faḍā'il/mathālib* elements. The contents of the statements and opinions disseminated by the *fuqahā'* and to a certain extent also those spread by the '*ulamā'*' will probably have comprised facts and features, as well as enjoinders and prohibitions, pertaining to the new religion, in other words, materials of a legal/ethical nature with a sometimes strong religious flavouring, which was probably directly inspired by more or less successfully preserved memories of what the prophet had said and done, or derived from the spirit of the revelation which Muḥammad said that he had received from God.

Fabrication or forgery, that is the deliberately falsely ascribing of invented texts (*matns*), often taking the form of dicta, maxims or slogans, of distinctly anti-Islamic, or un-Islamic, or purely socio-political, or doctrinal, or otherwise objectionable – or, in many cases, perfectly unobjectionable – tenor to revered authorities, whose respectability was expected to guarantee these texts' acceptance, had begun probably almost immediately after the prophet's death, if not on a small scale even already during his lifetime.

In the course of the second half of the first century/700s and later, the bringing into circulation of suchlike materials, which were felt to have no

footing whatsoever in the new religion and its lofty ideals, instigated some people to start interrogating informants as to their sources. Also the all too rapid proliferation of less objectionable traditions, mainly the result of religious fervour and imagination of *quṣṣās* and other devout individuals, traditions in short that can be classified in the category of *tarhīb wa-targhīb* – generally considered harmless – prompted the more sceptical collectors to probe into the way traditions were obtained.

Scrutiny of informants gave way to the creation of the institution of the *isnād* probably at the earliest in the late seventies of the first century (the late 690s). The *isnād*, if found 'sound', was thought to guarantee the authenticity of the *matn* it supported. This scrutiny of *isnāds* resulted in an increasingly sophisticated criticism which developed in the course of time into a separate science, whose birth can be dated to at least half a century after the birth of the *isnād*.

But *ḥadīth* criticism, mainly confined to *isnād* criticism, came too late to become an adequate tool for sifting the material that could genuinely be ascribed to the oldest authority of its *isnād* from that which could not thus be ascribed. And apart from its having come too late to the rescue of the developing *ḥadīth* literature, it suffered from two serious, interrelated shortcomings both pointing to its naïveté:

(1) *isnāds*, even 'sound' ones, could have been fabricated in their entirety, something which in the case of especially the traditions in the canonical collections never seems to have been taken into consideration;

and directly related to this:

(2) the near-absence of the application of suitable criteria for probing *matns*.

Equally undetected in the science of *ḥadīth* criticism, but for a relatively small number of cases, was the phenomenon of traditions being 'raised to the level' of prophetic traditions concomitant with the narrowing down of the broader and largely unspecified concept *sunna* (of one person or a group of people, or a region) to the more limited concept *sunnat an-nabī*, something which required *isnāds* going back all the way to the prophet himself.

That the large-scale fabrication of 'proper and sound' *isnāds* with the prophet at the very end remained on the whole undetected is all the more astonishing when we realize that in the later compiled *tarājim* devoted to Islam's first and foremost *fuqahā*, practically no one was *not* noted for *irsāl* or various cases of doubtful *samā*. As examples of those *fuqahā* Sa'īd b. al-Musayyab and Ḥasan al-Baṣrī held a prominent position. The age trick proved, furthermore, an adequate and almost entirely undetected means to compose 'sound' *isnāds*.

Thus *ḥadīths* multiplied, and this in the Iraqi centres of the Islamic empire much more so than in the other centres. The proliferation, collection and codification of *ḥadīths* in the different centres occurred, at least during the first century, largely on a local scale. Until the middle of the first

half of the second century (about 740) the centres were characterized by – among various other individual features – an overall regionalism which, only with the onset of *ṭalab al-‘ilm* journeys, gradually disappeared.

This regionalism enables us, I think, finally to draw the conclusion that, for instance like in the case of Anas b. Mālik, the Companion of an *isnād* cannot possibly be held responsible for the material traced back through his name, when, although he is ‘claimed’ by two different centres, the traditions transmitted in these two centres in his name do not show a considerable overlap.

## CHAPTER TWO

# The role of *qādīs* in the spreading of traditions

*Al-quḍātu thalātha: qādiyāni fī 'n-nār wa-qāḍin fī 'l-janna: rajulun qaḍā bi-ghayri 'l-ḥaqqi fa-'alima dhāka fa-dhāka fī 'n-nār wa-qāḍin lā ya'lamu fa-ahlaka ḥuqūqa 'n-nās fa-huwa fī 'n-nār wa-qāḍin qaḍā bi 'l-ḥaqq fa-dhālika fī 'l-janna.*

A prophetic saying transmitted on the authority of Burayda b. al-Ḥuṣayb, from the *Jāmi'* of Tirmidhī, *kitāb al-aḥkām* 1.

### Introduction

In the previous chapter I have indicated on various occasions among the early Islamic transmitters of traditions certain distinct categories, such as the early *quṣṣās*, the '*ulamā'*', the *fuqahā'* and also those who sometimes combined more than only *qiṣaṣ*, or only '*ilm*', or only *fiqh* in their transmission.

In the present chapter it is proposed to scrutinize in more detail the *ḥadīth* output – if any – of another category of people, who seem to constitute excellent study material for drawing conclusions as to how the spreading of *ḥadīth* in early Islam fared at the hands of a certain group of officials, namely the *qādīs*. But what distinguishes the *qādīs* favourably as a group from the above-mentioned categories is the fact that, whereas the above-mentioned admit – besides the synchronic one – only partially of a diachronic historical approach, since common distinctive characteristics soon became blurred in the course of the first two centuries A.H., the *qādīs'* spreading of *ḥadīth* can be studied diachronically just as well as synchronically because the function was never abolished. This study also admits of drawing overall conclusions as to *qādīs'* procedures when the various centres of the early Islamic empire are compared with one another.

Furthermore, a special study of *qādīs* seems promising when it is realized that, with the exception of the *muḥaddithūn* proper, it was the *qādīs* who, eventually, could not even help coming into contact with *ḥadīths* through their office, even if they sometimes – as will be amply demonstrated below – seemed to have ignored or pretended to ignore their existence. It may appear that the findings of this chapter seem to corroborate fully the hypotheses and theories outlined in Chapter 1, as to chronology, authorship and provenance of Islam's earliest *ḥadīths*.

There is much difference of opinion as to who was the first to be appointed *qādī* in early Islam. One report says that it was 'Umar b. al-Khaṭṭāb. But another indicates that the prophet and Abū Bakr did not appoint *qādīs* and



that it was 'Umar who ordered one Yazīd<sup>1</sup> b. Sa'īd b. Thumāma (also called Ibn Ukht an-Namir) to take care of the minor cases. Among the other people mentioned as having been the first *qādīs* are Zayd b. Thābit, 'Alī, Ubayy b. Ka'b, Mu'ādh b. Jabal, Ibn Mas'ūd and others.<sup>2</sup>

Whatever the historical value of these contradictory reports may be, it is an established fact that when the ruler in early Islam was not able to settle disputes himself, this task was eventually undertaken by the *qādī*.<sup>3</sup> How did he apply himself to this task? There is a well-known, but most probably fabricated, report in which the prophet enjoined Mu'ādh b. Jabal to pass final judgement on the basis of the Qur'ān, the prophetic *sunna* and his own personal discernment in that order of preference.<sup>4</sup> The reason why this report is likely to be a forgery of a later date lies in the assumption that the concept 'prophetic *sunna*' as one of the possible roots of Islamic jurisprudence is a relatively late one and originated not earlier than toward the end of the first century of the Islamic era (cf. Chapter 1, pp. 30ff.). What, then, if we surmise that this report is not authentic, did the early *qādīs* of Islam have at their disposal to administer justice with?

It seems safe to assume that, wherever possible, certain Qur'anic verses will have been adduced to support certain verdicts, at least by those *qādīs* who knew these verses by heart. That these *qādīs* were by no means numerous may be evidenced by the fact that so many verdicts, which could have been based upon a Qur'anic passage, were in actual fact arrived at in a very different manner. Besides, the Qur'ān is not first and foremost a law book and the legal precepts contained in it are limited in number as well as scope. It is, therefore, self-evident that the *qādīs* of early Islam had to resort – and did resort – to other means. These means, apart from a few individual *ad hoc* measures applied once and never again made use of,<sup>5</sup> may be

1. Or as-Sā'ib b. Yazīd Ibn Ukht an-Namir, according to as-Suyūṭī, *Al-wasā'il ilā musāmarat al-awā'il*, p. 104.
2. Cf. Waki' Muhammad b. Khalaf b. Hayyān, *Akhbār al-quḍāt*, I, pp. 84ff., 97ff., 104f., 113f.; Suyūṭī, *Al-wasā'il*, pp. 104f. This list is strikingly similar to that of those Companions who knew all, or large parts, of the Qur'ān by heart, cf. Ibn Sa'd, II 2, pp. 112f. Cf. also Abū Hilāl al-'Askarī, *Kitāb al-awā'il*, pp. 285ff.
3. In early days the function of *qādī* was often combined with other functions, cf. Waki', I, pp. 100, 135 and 256 (*qādī* and *amīr*, cf. Abū Zur'a, *Ta'rikh*, pp. 198, 610), Waki', I, p. 118 and Ibn Hajar, *Tah.*, VI, p. 272 (*qādī* and chief of police), Ibn Hajar, *Tahdhīb*, X, 391 (*qādī* and *kharāj* collector), Ibn Hajar, *Tahdhīb*, VI, p. 160 (*qādī* and treasurer), *ibidem*, VIII, p. 268 (*qādī* and *al-bahr* = naval forces or islands in the east Mediterranean?).
4. E.g. Waki', I, p. 98; cf. also a letter from 'Umar to Abū Mūsā reproduced, translated and annotated by D. S. Margoliouth in *JRAS*, 1910, pp. 307–26. For the dichotomy between *'ilm* and *ra'y*, see above Chapter 1, *passim*, e.g. pp. 74.; Bravmann, pp. 184f.
5. Cf. Kindī, *The governors and judges of Egypt*, pp. 437f., where a *qādī*, 'Isā b. al-Munkadir (d. 215/830), allowed the person, in whose favour he had passed sentence, to make his opponent lie down on the ground and to place his foot on the man's cheek to humiliate him. On another occasion the judge suggested that the one person, whom he had put in the right, spit in the other person's face for similar reasons. The people did not care much for these methods and requested that the judge refrain from them, which he did.

classified under two general headings: (1) their own personal judgement, in Arabic *ra'y*, and (2) traditions going back to earlier authorities, traditions which, as from the end of the first/seventh century and especially in the course of the second/eighth century, were narrowed down to the prophetic *sunna* and which ash-Shāfi'ī (d. 204/820) for the first time incorporated in the roots of Islamic jurisprudence.

As mentioned above, this chapter tries to assess what role the *qāḍīs* of early Islam have played in transmitting traditions and introducing fabricated ones. It will also be noted to what extent they resorted to *ra'y* rather than to traditions. The overall picture presented here may perhaps be found useful as a representative cross section of *ḥadīth* transmitters in general.

With this aim in mind I collected data on all the *qāḍīs* I could find, in total some 400, arranged in chronological order up to the time of al-Mutawakkil (d. 247/861) and also by the regions in which they held office. These regions are Egypt, Syria, Medina, Mecca, Baṣra, Kūfa and Bagdad, but I have also made an extensive list comprising the earliest *qāḍīs* from other regions, which were added to this study as Appendix III.

Apart from the regional biographical lexica utilized in appendix III, I have used as source material Kindī's *Governors and judges of Egypt*, *Akhbār al-quḍāt* by Waki' Muḥammad b. Khalaf b. Ḥayyān, al-Khaṭīb al-Baghdādī's *Ta'riḫ Baghdād*, *Kitāb at-ṭabaqāt al-kabīr* by Ibn Sa'd, Bukhārī's *Kitāb at-ta'riḫ al-kabīr*, *Kitāb al-jarḥ wa 't-ta'dīl* by Ibn Abī Ḥātim ar-Rāzi and finally *Tahdhīb at-tahdhīb* by Ibn Ḥajar al-'Asqalānī and *Lisān al-mīzān* by the same author. Since the last two works are supposed to contain all the transmitters of traditions of all recognized *ḥadīth* compilations of at least the first three centuries of the Islamic era, it can safely be concluded that if a certain *qāḍī* is not listed in either one, he was generally, not even in the widest sense of the word, known as a traditionist, although it cannot be denied that he occasionally might have adduced a tradition.

It is probable that many a student of early Islamic history, who asks the question: 'what role have the *qāḍīs* played in the spreading of *ḥadīth*?', immediately comes forward with the provisional answer that they are likely to have participated whole-heartedly in fabricating as many traditions as suited their professional needs. My investigations have led me to the conviction that the answer to this question is not so self-evident and should be cautiously formulated with due consideration being given to certain subtle distinctions. There is discernible a great variety of attitudes with *qāḍīs* living at different times in different regions of the Islamic empire. I therefore propose to deal with each area separately. Let me begin with depicting the situation in Egypt.

### *The qāḍīs of Egypt*

Of the forty Egyptian *qāḍīs* I have examined, twenty-eight are not listed in either of Ibn Ḥajar's *riḡāl* works, the *Tahdhīb* or the *Lisān*. That means that

only thirty per cent are known as having occupied themselves with traditions in any way. The first to become well-known for his activities in transmitting traditions was the twenty-third *qāḍī*, 'Abd Allāh b. Lahī'a. However, he was generally recognized as a very poor traditionist whose traditions could not be adduced as arguments.<sup>6</sup> Ibn Lahī'a was appointed *qāḍī* in 155/772. Only five of his twenty-two predecessors are recorded as having transmitted one or a few traditions.<sup>7</sup> In other words, it took a whole century and a half after the prophet's lifetime before an Egyptian *qāḍī* was notably involved in the transmission of *ḥadīth*. Of the seventeen *qāḍīs* who held office after Ibn Lahī'a, twelve were in no way identified with *ḥadīth*, and of the remaining five only one<sup>8</sup> enjoyed a good reputation. The other four were all known for having transmitted weak traditions, or were otherwise discredited.<sup>9</sup>

Seven<sup>10</sup> of the forty Egyptian *qāḍīs* were described in the *rijāl* works as great *fuqahā'*. Not one of these distinguished himself in any way as a good traditionist. *Fiqh* and *ḥadīth* go together only rarely, as will also appear later on various occasions. During the brief reign of 'Umar b. 'Abd al-'Azīz, the Egyptian *qāḍīs* upheld close contacts with this ruler and reached many a decision based solely on their respective *ra'y*.<sup>11</sup> Fourteen years after the death of Abū Ḥanīfa, which occurred in 150/767, a *qāḍī*<sup>12</sup> introduced his *madhhab* in Egypt, much to the regret of the people who feared for their religious endowments. However, a few years later a *qāḍī*<sup>13</sup> was appointed who introduced the Malikite *madhhab* in Egypt. He had been a pupil of the leading *fuqahā'* of Medina, among whom 'Abd ar-Rahmān b. al-Qāsim, the first scholar who read Mālik's *Muwatta'* in Egypt.<sup>14</sup> The *qāḍī* in question devoted much time and energy to restoring the *waqfs* to their old splendour.

6. Cf. Ibn Abī Hātim, II 2, pp. 145-8; Ibn Sa'd, VII 2, p. 204; *Tahdhīb*, v, pp. 373-9. For a different view, see *Arabica*, xxii, 1975, pp. 6-14.

7. 'Abd ar-Rahmān b. Ḥujayra (d. 83/702), *Tahdhīb*, vi, p. 160; 'Abd ar-Rahmān b. Mu'āwiya b. Ḥudayj (d. 95/714), *Tahdhīb*, vi, pp. 271f.; 'Abd Allāh b. 'Abd ar-Rahmān b. Ḥujayra (fl. 90/709), *Tahdhīb*, v, pp. 292f.; Yahyā b. Ma'mūn al-Ḥaḍramī (d. 114/732), *Tahdhīb*, xi, pp. 291f., and Khayr b. Nu'aym al-Ḥaḍramī (fl. 135/752), *Tahdhīb*, iii, p. 179. It was, in fact, Yazīd b. Abī Ḥabīb (d. 128/746) who was the first to propagate 'knowledge' in Egypt and to discuss *ḥalāl wa-ḥarām* and other legal matters. He was *mufī* of Egypt and one of Ibn Lahī'a's masters. Cf. *Tahdhīb*, xi, pp. 318f.

8. Al-Ḥārith b. Miskīn (d. 255/869), *Tahdhīb*, ii, pp. 156ff.

9. Al-Mufaḍḍal b. Faḍāla (d. 182/798), Ibn Sa'd, VII, 2, p. 204; Muḥammad b. Masrūq al-Kindī (fl. 184/800), *Lisān*, v, p. 379; Ishāq b. al-Furāt (d. 204/819), *Tahdhīb*, i, pp. 246f., and Hārūn b. 'Abd Allāh (d. 249/863), *Lisān* vi, pp. 179f.

10. 'Abd ar-Rahmān b. Ḥujayra, Khayr b. Nu'aym al-Ḥaḍramī, cf. note 7 above; Ibn Lahī'a, cf. note 6 above; Ishāq b. al-Furāt, Hārūn b. 'Abd Allāh, cf. preceding note; al-Ḥārith b. Miskīn, cf. note 8, and Ismā'īl b. al-Yasa' al-Kindī (fl. 164/781), cf. Kindī, pp. 317ff. and Ibn 'Abd al-Ḥakam, *Futūḥ Miṣr*, p. 244. 11. Cf. Kindī, pp. 332-40.

12. Cf. note 10 above, the last *qāḍī* enumerated.

13. Abū 't-Tāhir 'Abd al-Malik b. Muḥammad (fl. 174/790), Kindī, pp. 383ff.

14. Cf. *Tahdhīb*, vi, p. 254.

The *madhhab* of Abū Ḥanīfa had a few more representatives among the *qāḍīs* of Egypt,<sup>15</sup> but there were also *qāḍīs* well-versed in either *madhhab*.<sup>16</sup> With the introduction of professional witnesses, mostly lower-class people of Medina who imported their own peculiar ways of life, the *qāḍī* and his entourage became, even more than hitherto, exposed to ridicule. The singing and dancing of these witnesses inspired many poets of the time to write poems satirizing them.<sup>17</sup>

It is probably a feature common to most human beings to dislike the people who are vested with power. This is also eloquently attested to by the lack of esteem in which the *qāḍīs* in Egypt were often held. Of one of the first *qāḍīs* it was said that when he was still the storyteller, the *qāṣṣ*, he was aided by two angels, but when he also had become *qāḍī* he was assisted by two demons.<sup>18</sup> One of the best-known depreciatory sayings about *qāḍīs* attributed to the prophet runs: *Man ju'ila qāḍiyan fa-qad dhubiha bi-ghayri sikkīn* – 'He who is appointed judge will be slaughtered without a knife'. This saying, which apparently also circulated in Egypt in the first half of the third century, is almost certainly a forgery which, probably, came into existence towards the middle of the second/eighth century.

The saying *Man ju'ila qāḍiyan fa-qad dhubiha bi-ghayri sikkīn* is a – what I might call – well-known anti-*qāḍī* slogan. Most of the various readings of this slogan have the Successor Sa'īd b. Abī Sa'īd al-Maqburī as common link in the *isnād*. This al-Maqburī, the son of a slave, is one of a category of transmitters belonging to the Successors about whom there is much difference of opinion. In his *tarjama* in the *Tahdhīb* (iv, pp. 38ff.) it says that there are fourteen (!) transmitters of that name. I venture the theory that, when *isnāds* were evaluated in which the name of a transmitter such as this appeared, the *rijāl* experts just could not figure out what to think. His name, Sa'īd, the son of the father of Sa'īd, is in itself an indication of the uncertainty about this man. The confusion becomes even greater when all the different *isnāds* supporting this saying, as enumerated in Wakī', I, pp. 5–13, are scrutinized. Al-Maqburī is not the only common link, neither is he the latest.

It appears that in the first fourteen *isnāds* the first three transmitters after the prophet are the same, namely Abū Hurayra – al-Maqburī (alternatively 'Abd ar-Raḥmān b. Hurmuz al-A'raj, cf. *Tahdhīb*, vi, pp. 290f.) – 'Uthmān b. Muḥammad al-Akhnaṣī, cf. *Tahdhīb*, vii, pp. 152f. Then the *isnāds* branch out. In four of them

15. E.g. Hāshim b. Abī Bakr al-Bakrī (d. 196/812), Kindī, pp. 411–17 and Ibrāhīm b. al-Jarrāh (d. 217/832), Kindī, pp. 427f.
16. Iṣḥāq b. al-Furāt, cf. note 9 above and Ibrāhīm b. al-Jarrāh, cf. the preceding note.
17. Cf. Kindī, pp. 395–402.
18. Cf. Kindī, p. 311. It was not uncommon that the functions of *qāṣṣ* and *qāḍī* were combined in one person. E.g. Kindī, pp. 315, 348, 427, but also in other parts of the Islamic empire, e.g. *Lisān*, iii, p. 151 and *Tahdhīb*, ii, pp. 265f. Cf. also Yousef Moukdad, *Richteramt und Rechtswesen in Bagdad von der Stadtgrundung bis zum Ende der Buyidenzeit*, p. 60 (I thank Stefan Wild for drawing my attention to this dissertation) and P. G. Dannhauer, *Untersuchungen zur frühen Geschichte des Qadi-Amtes*, pp. 36–9; cf. my review of this study in *JSS*, xxiii, 1978, pp. 232f. For a report comparing the *qāṣṣ* with the *qāḍī*, see Wakī', iii, p. 333.

the next transmitter is 'Abd Allāh b. Ja'far al-Makhrāmī, cf. *Tahdhīb*, v, pp. 171f., in two others 'Abd Allāh b. Sa'īd b. Abī Hind, cf. *Tahdhīb*, v, p. 239, in five others Ibn Abī Dhi'b, cf. *Tahdhīb*, ix, pp. 303-7, and the last three seem to have 'Uthmān b. aḍ-Ḍaḥḥāk, cf. *Tahdhīb*, vii, pp. 123f., in common.

All these transmitters are reasonably reliable according to their respective *tarājim*. It seems justified to assume that the slogan originated at the very earliest in a time contemporary with, or after, the lifetime of the latest common link al-Akhnaṣī. He must have died circa 150/767, if we assume that his death, which is not recorded, occurred approximately between that of al-Maqburī (d. 117 or 123 or 126/735-744) and that of, for instance, al-Makhrāmī (d. 170/787). In the *tarjama* of al-Makhrāmī we find a salient detail which might almost prompt us to ascribe the slogan to him. Ibn Sa'd reported that he was one of the learned people of Medina who was well-versed in *maghāzī* and *fatwā*. Consequently he was beseeched to accept the function of *qāḍī*, but he succeeded in turning it down until he died (cf. *Tahdhīb*, v, p. 172).

The mystery in which this cluster of *isnāds* is enveloped becomes even greater, when we see that, instead of Sa'īd al-Maqburī, sometimes Sa'īd b. al-Musayyab is mentioned. It does not seem difficult to guess how this confusion came about, if we realize that the transmitter, instead of with his full name Sa'īd al-Maqburī, is referred to sometimes only as Sa'īd. A later traditionist, who came across this *isnād*, may have mistaken this Sa'īd for the well-known Medinese Successor Ibn al-Musayyab (d. between 93 and 100/712-19). Subsequently we also encounter *isnāds* in which we find the full name Sa'īd b. al-Musayyab. These *isnāds* either go back to the prophet via Abū Hurayra (*marfū'*), or directly report the prophet's words (*mursal*) or stop at Ibn al-Musayyab, as if the saying constituted his own words (*mawqūf*). Even if this last *isnād* may seem to be the oldest, according to the well-known adage formulated by Schacht – the more defective an *isnād*, the likelier is its authenticity –, I think the saying should not be dated to Ibn al-Musayyab's lifetime. This Successor, as recorded by Ibn Sa'd, was not at all vigorously opposed to *qāḍīs*, as the saying presupposes. All his life he is reported to have issued *fatwās* and to have occupied himself with legal matters. Had the slogan been his, it would certainly have been recorded in the lengthy *tarjama* Ibn Sa'd devoted to him (v, pp. 88-106).

Another argument in favour of the hypothesis that the saying in question is of a later date, if we read for Sa'īd: Sa'īd b. al-Musayyab, is provided by the early *isnād* expert 'Alī b. 'Abd Allāh b. Ja'far al-Madīnī (d. 234/849). He is recorded to have said that al-Akhnaṣī's traditions from Sa'īd b. al-Musayyab via Abū Hurayra from the prophet are to be rejected (*munkar*), cf. *Tahdhīb*, vii, p. 152, and also his *Al-'ilal*, pp. 78ff.

Wakī' (I, pp. 11f.) mentions four more *isnāds* in which Sa'īd al-Maqburī is quoted by transmitters other than al-Akhnaṣī. All these four *isnāds* are weak because of one or a few transmitters being either unreliable or unknown. Finally, Wakī' (I, pp. 13f.) adduces the saying supported by the Companions Abū Mūsā al-Ash'arī and 'Abd Allāh b. 'Abbās. These two *isnāds* are also invalidated by weak transmitters.

On the whole, one may conclude that the *qāḍīs* of Egypt, more so than their colleagues in other parts of the Islamic empire to be dealt with later, formed an unassuming class of people. They did not participate in wholesale fabrication of traditions. Only two *qāḍīs* are mentioned in con-

nection with lying, *kadhīb*, together with the verb *wada'a* the most common technical term for forgery. One is reported to have been too God-fearing to lie,<sup>19</sup> and of Ibn Lahī'a it was said that he did not lie on purpose but rather out of carelessness.<sup>20</sup> The requirements for the office were not high, certainly not in the beginning. There are some anecdotes recorded in Kindī, which have a ring of truth and which clearly testify to the – what I might call – provincialism of Egypt at the time. When Marwān b. al-Ḥakam visited the country in 65/605, he asked who the local *qāḍī* was and sent for him. The *qāḍī*, 'Ābiṣ b. Sa'īd, was then interrogated as to his merits qualifying him for this office. Marwān said: 'Do you know the Qur'ān by heart?' 'No.' 'Can you apply the Qur'anic laws of inheritance [the *farā'id*]?' 'No.' 'Can you write?' 'No.' 'But how do you administer justice?' Said the judge: 'I pass judgment on the basis of what I do know and I ask about those things I do not know.' Then Marwān said: 'You shall be *qāḍī* [here].'<sup>21</sup> And another *qāḍī*, a simple and superstitious man, used to conceal an amulet in his beard on Fridays when he had to deliver the sermon. He was afraid of the evil eye of his predecessor whom he supposed to be in the congregation.<sup>22</sup>

### The qāḍīs of Syria

The *qāḍīs* with whom I should like to deal next all held office in Damascus. Of the twenty-three *qāḍīs* whose lives I studied, only eight are in any way associated with the transmitting of traditions. Of these eight not one was a great *muhaddith*. Whether trustworthy or untrustworthy, they were known for having transmitted a few, sometimes only one, tradition. One was *qāḍī* and *qāṣṣ* at the same time,<sup>23</sup> another was considered weak.<sup>24</sup> Only two of the twenty-eight were known as experts in *fiqh*.<sup>25</sup> Not one of these is identified with a certain *madhhab*. It seems that the conclusion is justified that, even more so than in Egypt, the *qāḍīs* in Syria relied on their skill at improvising.

### The qāḍīs of Medina

The *qāḍīs* of Medina to be discussed next present a picture different from those dealt with hitherto. I have examined a total number of thirty-five

19. Cf. Kindī, p. 338.

20. Cf. *Tahdhīb*, v, p. 378.

21. Kindī, p. 312 and also Wakī', III, p. 223.

22. Kindī, p. 420; for a few amusing anecdotes about simple-minded *qāḍīs*, see Ibn al-Jawzī, *Akhbār al-ḥamqā wa 'l-mughaffalīn*, pp. 64ff.

23. Abū Idrīs al-Khawlānī, Cf. *Tahdhīb*, v, p. 85 and also E.I. 2, s.v.

24. Suwayd b. 'Abd al-'Aziz, cf. *Tahdhīb*, pp. 276f.

25. Abū Idrīs al-Khawlānī (d. 80/679), *Tahdhīb*, v, p. 85 and Yazīd b. Abī Mālik (d. 130/748), *Tahdhīb*, XI, pp. 345f. Cf. also Shams ad-Dīn Ibn Ṭulūn, *Quḍāt Dimashq*, pp. 5 and 8f. On the whole one is struck by the scanty information on Syrian judges, on anything Syrian in fact.

*qādīs*. Twenty-six of them, that is almost eighty per cent, were known as transmitters of traditions. Of those twenty-six, eight were famous for the great number of *ḥadīths* they transmitted and fifteen passed on one or only a few. Whether or not this information is historically reliable remains to be seen. It was common practice to insert the names of great people of the past in fictitious *isnāds*. In any case, four of the twenty-six were notorious forgers.<sup>26</sup> They belong to the last few *qādīs* of the period under discussion. Twenty-six *qādīs* preceded them on whose character lay no blemish. Of the four allegedly notorious forgers, the two last ones were at one time also *qādī* in Bagdad. Traveling from the Ḥijāz to Iraq in order to collect traditions always changes someone's outlook, it says in a report. I read in this: always corrupt one's views.<sup>27</sup> One of these forgers fabricated traditions whenever it suited his *ra'y*. His judgeship was always mentioned in one breath with his being a liar. When, towards the end of the second century, he held office in Medina, the people were appalled at the unabashed way in which he forged *ḥadīths*.<sup>28</sup>

Only five out of the thirty-five *qādīs* were known as competent *fuqahā'*. That is one out of seven. Four of these five were also great traditionists,<sup>29</sup> one transmitted only a few traditions.<sup>30</sup> All in all, tradition occupies a much more important place among the tools of the trade of the *qādīs* of Medina than was the case with the *qādīs* of Egypt and Syria. And although Medina developed into a recognized centre of *fiqh*, not one of the seven famous *fuqahā'* of Medina is listed as ever having held the function of *qādī*. Furthermore, the concept *ra'y* hardly plays a role of importance in the sources that deal with the *qādīs* of Medina, in other words, less emphasis on improvization.

### *The qādīs of Mecca*

Let us turn next to the *qādīs* of Mecca. There is but little information about them. It appears, for example from Khalīfa b. Khayyāt's *Ta'rikh*, that

26. Muḥammad b. 'Abd al-'Azīz b. 'Umar az-Zuhri (fl. ± 100/719), *Lisān* v, pp. 259f., al-Khaṭīb, II, pp. 349f.; 'Abd Allāh b. Ziyād b. Sam'ān (fl. ± 120/738), *Tahdhīb*, v, pp. 219ff.; Abū Bakr b. 'Abd Allāh Ibn Abī Sabra (d. 162/779), *Tahdhīb*, XII, pp. 27f.; al-Khaṭīb, XIV, pp. 367-71; Wāḥb b. Wāḥb Abū 'l-Bakhtarī (d. 200/816), *Lisān*, VI, pp. 231-4, al-Khaṭīb, XIII, pp. 451-7.
27. Cf. *Tahdhīb*, XI, p. 223 and al-Khaṭīb, XIV, p. 104. There is also a report about a *qādī*, Sa'd b. Ibrāhīm b. 'Abd ar-Raḥmān b. 'Awf az-Zuhri (d. 127/745), who, though famous as a traditionist, never transmitted traditions in Medina, but only in other parts of the Islamic world, cf. Bukhārī, *Al-ta'rikh al-kabīr*, II 2, p. 52.
28. See the last *qādī* of note 26 above and also Wakī', I, pp. 243-54.
29. 'Abd Allāh b. Hārith b. Nawfal (d. 79-84/698-703), *Tahdhīb*, v, pp. 180f.; Abū Salama b. 'Abd ar-Raḥmān b. 'Awf (d. 94-104/713-23), *Tahdhīb*, XII, pp. 115-18; Abū Bakr b. Muḥammad b. 'Amr b. Ḥazm (d. 110-20/728-38), *Tahdhīb*, XII, pp. 38ff., Ibn Sa'd, v, p. 49; Yaḥyā b. Sa'īd al-Anṣārī (d. 143/760), *Tahdhīb*, XI, pp. 221-4.
30. Abān b. 'Uthmān b. 'Affān (d. 105/723), *Tahdhīb*, I, p. 97.

Mecca went without a *qāḍī* for certain periods of time. Eight of the fourteen *qāḍīs*, whose *tarājim* I scrutinized, are reported as having transmitted traditions. Three<sup>31</sup> of these eight were weak, and of the remaining five, three<sup>32</sup> transmitted a fair number of traditions, whereas two<sup>33</sup> only a few. In general, *ḥadīth* played a moderately important part. No mention at all is made of *fuqahā'* among the *qāḍīs* of Mecca.<sup>34</sup> The only salient feature that deserves our attention is the fact that quite a few *qāḍīs* hailed from the noble clan al-Makhzūm.

### The *qāḍīs* of Baṣra

After the Hijāz we must turn our attention to Iraq, and first of all to the *qāḍīs* of Baṣra.<sup>35</sup> I have collected the lives of forty-six. Thirty-two are reported as having transmitted traditions, that is two out of three. Of these thirty-two, nine were considered weak traditionists. But, on the other hand, only one of these was famous as a transmitter and that was Ḥasan al-Baṣrī, whose traditions are probably not even his but attributed to him at a later stage for the sake of prestige.<sup>36</sup>

Ten of Baṣra's *qāḍīs* were known as great *fuqahā'* who, unlike those of Medina, were on the whole very poor traditionists. Ḥasan al-Baṣrī, just mentioned, admitted that he preferred his *ra'y* to that of others.<sup>37</sup> Of another *faqīh* it is said that he was weak, although not belonging to the *ahl al-kadhib*, the people of falsehood.<sup>38</sup> And one *faqīh* was even branded a liar, who purchased tradition collections in Egypt, which he then transmitted under his own name, a procedure deemed equivalent to stealing.<sup>39</sup>

31. Ziyād b. Ism'īl al-Makhzūmī, *Tahdhīb*, III, p. 354; 'Abd al-'Azīz b. al-Muṭṭalib, *Tahdhīb*, VI, pp. 357f., and Muḥammad b. 'Abd ar-Raḥmān al-Makhzūmī al-Awqaṣ (d. 169/786), *Lisān*, V, pp. 252f.
32. Ibn Abī Mulayka 'Abd Allāh b. 'Ubayd Allāh (d. 117/735), *Tahdhīb*, V, pp. 306f.; as-Zubayr b. Bakkār, *Tahdhīb*, III, pp. 312f., and Sulaymān b. Ḥarb al-Wāshijī (d. 224/839), *Tahdhīb*, IV, pp. 178ff.
33. 'Ubayd b. Huṣayn (a *mawlā*, d. 105/723), *Tahdhīb*, VII, 63f., and 'Abd Allāh b. Sufyān Abū Salama al-Makhzūmī, *Tahdhīb*, V, pp. 240f.
34. This does not mean that there were no *faqlhs* in Mecca, cf. e.g. Ibn Ḥanbal, *'Ilal*, I, no. 802; Abū Bakr b. 'Abd Allāh as-Sabrī claimed that he had 70,000 *ḥalāl wa-ḥarām* traditions, *Tahdhīb*, XII, p. 27.
35. Cf. also D. Sourdrel, *Les cadis de Baṣra d'après Wakī'*.
36. It is a well-known fact, already observed by a few others also (e.g. cf. J. Schacht, *Origins*, p. 229), that the famous letter to 'Abd al-Malik ascribed to Ḥasan al-Baṣrī does not contain one single tradition, although in a text such as that it was to be expected that arguments were corroborated by *ḥadīths*. For an extensive study of Ḥasan as traditionist, see Chapter I, passim. 37. Ibn Sa'd, VII I, p. 120.
38. Al-Ḥajjāj b. Arjāt (d. 145/762), al-Khaṭīb, VIII, pp. 230-6. See also Ism'īl b. Ḥammād b. Abī Ḥanifa (d. 212/827) who was also *da'if* as well as a *faqīh* of even greater repute than Ḥasan al-Baṣrī, *Lisān*, I, pp. 398f. and al-Khaṭīb, VI, pp. 243ff.
39. Yahyā b. Aktham (d. 242/856), *Tahdhīb*, XI, pp. 179-83, al-Khaṭīb, XIV, pp. 191-204.



Among the *qādīs* of Baṣra there are a few who are famous – or notorious – for having done something for the first time and, therefore, rightfully would have deserved to be mentioned in the *awā'il* literature. Since *awā'il* information is often corroborated by evidence from different sources, I opt for not rejecting it out of hand as unhistorical. No matter how reasonable most early Islamic *awā'il* seem to be, however, sometimes the information contained in them is baffling (cf. Chapter I, pp. 10 and 12). When we read that it was already more than one hundred years after the death of the prophet, when the first *qādī* appeared on the scene who committed injustice (in Arabic: *jawr*), then that seems stretching our credulity a little too far.<sup>40</sup> And what are we to think of a judge, who died in 145/762, who is reported to have been the first *qādī* in Islam to accept bribes?<sup>41</sup> It seems difficult to believe that among all those dozens of *qādīs*, who prior to him held office all over the Islamic empire, there was no one who succumbed to palm-greasing! On the other hand, there is seemingly reliable information about the *qādī* Sawwār b. 'Abd Allāh (d. 156/773) who took his office very seriously. He was the first to take into his service reliable agents, whom he paid wages. Among other things, he also took charge of the *waqfs* which he placed under trustworthy custodians. In so doing, he considerably enhanced the prestige of his office.<sup>42</sup> It also says in another report that whenever he had to pass sentence he lifted his head to the sky and his eyes became moist.<sup>43</sup>

But apart from this upright *qādī* – and like his there are quite a few other stories about irreproachable judges – the office became gradually identified with fraudulent practices. The first *qādī* in whose *tarjama* I found the allegation that judgeship was considered to entail the deterioration of *ḥadīth* transmission died towards the end of the second/eighth century. It says in this *tarjama*: *Ma 'alimtu anna aḥadan qadima baghdāda illā wa-qad tu'ulliqā 'alayhi fī shay'in mina 'l-ḥadīthi illā Mu'ādh al-'Anbarī fa-innahum mā qadarū an yata'allaqū 'alayhi fī shay'in mina 'l-ḥadīthi ma'a shughlihi bi 'l-qadā'*. 'I did not know of anyone coming to Bagdad whose traditions did not in any way become open to criticism except Mu'ādh al-'Anbarī. Indeed, they were not able to expose any of his traditions to criticism *in spite of* his office of *qādī*.'<sup>44</sup> But whether reliable or not, even when this *qādī* was finally dismissed the people slaughtered a camel out of joy and gratitude.<sup>45</sup>

That a *qādī* who does not rely on traditions and/or his *fiqh* still may turn out to be a satisfactory official, is indicated in a *tarjama* of a judge who, in spite of his ignorance in *fiqh* matters, brought his judgeship to a successful

40. Bilāl b. Abī Burda, *qādī* from 109/727 until 125/743, *Tahdhīb*, I, pp. 500f.; Abū Hilāl al-'Askarī, *K. al-awā'il*, p. 288; Wakī', II, pp. 22–41. But cf. Wakī', I, p. 109, where Zayd b. Thābit is accused of *jawr*. 41. Wakī', II, pp. 50–4.

42. Wakī', II, p. 58. 43. Ibn Sa'd, VII 2, p. 24.

44. Al-Khaṭīb, XIII, p. 132, *Tahdhīb*, X, p. 195. For the usage of '*alaga* v, cf. also Wakī', II, p. 175 and Kindī, pp. 330, 390 and 391. 45. Wakī', II, p. 154.

end exclusively relying on his common sense, his '*aql*'.<sup>46</sup> From this information it can be inferred that, as was the case with *fiqh* and *ḥadīth*, *fiqh* and *qāḍā'* need not necessarily go hand in hand either.

### The *qāḍīs* of Kūfa

Of Kūfa I have examined thirty-eight *qāḍīs*. Just as in Baṣra, two out of three were in one way or another connected with the transmission of *ḥadīths*. Nine were known for a great number of traditions, eleven for a small number. Thirteen Kūfan *qāḍīs*, that is one out of three – the highest score so far – were good *fuqahā'*,<sup>47</sup> two of whom, both *mawlās*, were notorious forgers.<sup>48</sup>

There are two *qāḍīs* of Kūfa about whom the sources present an extraordinary incongruity. In the *rijāl* works they are described as having transmitted very little. Even so, in *Akḥbār al-quḍāt* they are listed as the authorities of hundreds of traditions and reports. Virtually all these can therefore, in my view, be considered as of a later date. Shurayḥ b. al-Ḥārith (d. sometime between 78/617 and 99/718) supposedly was *qāḍī* for sixty years. He is merely a legendary figure, according to Schacht.<sup>49</sup> His traditions, if there are more than one, are incorporated only in Nasā'ī's *Sunan* and in Bukhārī's *Al-adab al-mufrad*.<sup>50</sup> Even so, Wakī' lists countless traditions and reports on his authority covering more than two hundred pages. The other example is that of the famous judge 'Abd Allāh b. Shubruma (d. 144/761). He is not known as a prolific transmitter,<sup>51</sup> even so, in *Akḥbār al-quḍāt* there are ninety pages solely devoted to reports on his authority.<sup>52</sup>

46. 'Abd Allāh b. Sawwār (d. 228/901), Wakī', II, p. 155; Cf. Kindī, p. 357, where the same is said about an Egyptian *qāḍī*.
47. Kūfa's position regarding *fiqh* vs. the mere transmission of traditions without *fiqh* is eloquently attested in a saying attributed to Wakī' b. al-Jarrāḥ (d. 196/812) as recorded in Ḥākim's *Ma'rifa*, p. 11: . . . *wa-ḥadīthun yatadāwaluhu 'l-fuqahā' khayrun min an yatadāwalahu 'sh-shuyūkh*.
48. Nūḥ b. Darrāj (d. 182/798), *Tahdhīb*, x, pp. 482ff., al-Khaṭīb, XIII, pp. 315–18, and al-Ḥasan b. Ziyād al-Lu'lu'ī (d. 254/868), *Lisān*, II, pp. 208f., Wakī', III, pp. 188f., al-Khaṭīb, VII, pp. 314–17. About another *qāḍī* (also a *mawlā*, although he pretended not to be one, Wakī', III, p. 129, but see Wakī', III, p. 140, where it is implied that he was) it is reported that he did not lie deliberately, *Tahdhīb*, IX, p. 303.
49. Cf. *Origins*, pp. 228f.
50. Cf. *Tahdhīb*, IV, p. 326. I only found one *mursal* tradition in Nasā'ī *umra* 4 (= VI, p. 277). Circa twenty-five times Shurayḥ's personal decisions are recorded in the 'six books'.
51. Cf. Ibn Sa'd, VI, p. 244, and Wakī', III, p. 37: . . . *qalīl al-isnād qalīl ar-riwāya 'amman fawqahu* . . . Of his personal decisions we find six in Bukhārī and one each in Nasā'ī and Dārimī. Cf. Rāmāhurmuzī, p. 558, where the saying is attributed to him: *Aqilla 'r-riwāya tafqah*.
52. Thirty-one going back to the prophet, of which five *mursal* via Ḥasan al-Baṣrī, twenty-five going back to a Companion and forty-nine 'stopping' at a Successor or later authority apart from countless others, Wakī', III, pp. 37–129.

I think the conclusion is justified that, like those attributed to Shurayḥ, all these traditions and reports are someone else's and ascribed to him by later generations in order to lend them more prestige. I venture the theory that the names of these two judges may have been inserted for the first time in *isnāds* as late as the middle of the third/ninth century.

The theory that the names of Shurayḥ and Ibn Shubruma were for the first time inserted in *isnāds* only towards the middle of the third century may be tenable on the basis of the following arguments.

If we explain the virtual absence of traditions and reports with these *qādīs* in the *isnāds* from collections such as the *Musnad* of Ibn Ḥanbal (d. 241/856) and the *Ṣaḥīḥ* of Bukhārī (d. 256/870), whereas in the collection of Waki' (d. 306/918) they abound, the assumption seems feasible in my view that they came into existence roughly between 250 and 300/865 and 912. It could be argued that the absence is explained by these reports being considered weak, but in actual fact we can trace the majority of them in the 'six books' and other revered collections supported by *isnāds* in which our two judges are not mentioned. It may be interesting to sketch how a certain *isnād* with 'Abd Allāh b. Shubruma as transmitter developed.

In Ibn Shubruma's *tarjama* in the *Tahdhīb* (v, pp. 250f.) it says that his traditions can be found in *kh-t* (the abbreviation for the *ta'ālīq* of Bukhārī, as indicated by Ibn Ḥajar in vol. 1, pp. 5f.), *m* (=Muslim), *d* (=Abū Dāwūd), *s* (=Nasā'ī) and *q* (=Ibn Māja). Looking up the prophetic traditions with Ibn Shubruma in the *isnāds* (as recorded in Waki') in *Concordance et indices de la tradition musulmane*, we find, for instance, the *isnād*: . . . 'an 'Umāra b. al-Qa'qā' b. Shubruma 'an Abī Zur'a 'an Abī Hurayra . . . (Bukhārī, *adab* 2 = II, pp. 77). In a technical remark, which Bukhārī adds (= *ta'liq*) we read: . . . *wa-qāla Ibn Shubruma wa-Yahyā b. Ayyūb ḥaddathanā Abū Zur'a mithlahu*. The same sort of *ta'liq* we find in Muslim, for example *birr* 4 (=IV, p. 1974). In *birr* 3 we read the following *isnād*: . . . *Sharīk 'an 'Umāra wa-bni Shubruma 'an Abī Zur'a* (= Waki', III, p. 39). This seems to me an intermediate stage in the evolution of the *isnād* in question. And where Waki' (III, p. 40) has the *isnād*: . . . 'Umāra b. al-Qa'qā' wa-bni Shubruma, we find supporting the same tradition in Muslim, *imāra* 103 (= III, p. 1495): . . . 'an 'Umāra wa-huwa 'bnu 'l-Qa'qā' . . . Nasā'ī has this tradition also, supported by a different *isnād* (*jihād* 24 = VI, p. 25) as well as by the *isnād*: . . . 'an 'Umāra b. al-Qa'qā' 'an Abī Zur'a . . . (*imān* 24 = VIII, pp. 119f.). This last one we find also in Ibn Māja (*jihād* 1 = II, p. 920) and Ibn Ḥanbal, *Musnad* (ed. Cairo 1313, 6 vols), II, pp. 231, 384 and 494. Ibn Māja (*waṣāyā* 4 = II, p. 903) has: . . . 'an 'Umāra b. al-Qa'qā' b. Shubruma 'an Abī Zur'a . . . This we find again in Ibn Ḥanbal, II, p. 415, but on pp. 231 and 250 we read only: . . . 'an 'Umāra 'an . . .

In conclusion, it seems justified in my eyes to say that old *isnāds*, which had 'Umāra b. al-Qa'qā' b. Shubruma (cf. *Tahdhīb*, VII, p. 423, a nephew of 'Abd Allāh b. Shubruma but older than his uncle) as transmitter, got confused and, via the stage in which nephew and uncle are mentioned both, developed into *isnāds* in which the uncle appeared alone.

Besides, with the help of the *Concordance*, I checked a good number of Ibn Shubruma reports, as collected in Waki', in the canonical collections, but our judge never figured in the *isnāds*.

On the other hand, the phenomenon, various times described in Chapter

I, namely that sayings of later authorities became 'raised to the level' of prophetic sayings in the course of time, can also be witnessed with *qāḍīs'* sayings. An eloquent example of this is a saying of the Baṣran *qāḍī* 'Abd al-Malik b. Ya'lā who died a short time after 100/718. To him is traced the saying *Man taraka thalātha juma'in min ghayri 'udhrin lam tajuz shahādatuhu* (i.e. he who fails to attend three Friday congregational prayers, should not be permitted to testify).<sup>53</sup> The same saying, but with a slight variant (*man taraka 'l-jum'ata thalātha marrātin tahāwunan bihā ṭaba'a 'llāhu 'alā qalbihi*, i.e. he who fails to attend the congregational prayer three times out of indifference, will receive God's imprint on his heart) can be found attributed to the prophet with the wholly obscure Companion Abū 'l-Ja'd aḍ-Ḍamrī, whose only tradition this is said to be.<sup>54</sup>

In Wakī there is preserved a dialogue between a Kūfan *qāḍī* and a scholar from Medina. This dialogue, although it is difficult to establish its historicity, gives a fair picture of the different ways of approach in the two cities in gathering *ḥadīth*. The Kūfan, al-Ḥasan b. Ziyād,<sup>55</sup> asked his Medinese opponent, 'Abd ar-Raḥmān b. Abī 'z-Zinād: 'Why do you transmit so many traditions from the prophet and his Companions, while, even so, you do not live accordingly?' Said the Medinese: 'We transmit what is adhered to as well as that which is not adhered to in order to know the difference.' Then the Kūfan said: 'When you'll have filled your bag with useless matter, you will find that there is no place left for the truth.'<sup>56</sup> The Medinese opponent was, according to the *Tahdhīb*, also a *mawlā*, whose traditions transmitted in Medina were deemed more reliable than those he transmitted in Iraq.<sup>57</sup>

### The *qāḍīs* of Bagdad

In Bagdad we see that the *qāḍīs*, more so than anywhere else, are identified with transmitting traditions. This is not surprising, if we take into account that, when Bagdad was founded, the spreading of traditions had been well under way already for some time. Only two of the twenty-six *qāḍīs* of Bagdad, whose *tarājim* I have studied, seem not to have participated in it.<sup>58</sup> The *qāḍīs* who held office during the inquisition (218-34/833-48) are not listed in the *rijāl* works I consulted and have, therefore, not been incorporated in this survey. Their attitude versus *ḥadīth* was positively hostile and rooted in religio-political interests rather than in mere indifference.<sup>59</sup> This excluded them automatically from my investigations. But of those *qāḍīs*, who did not neglect *ḥadīth*, who were even prolific transmitters, twelve in all, nine were notorious forgers, two of whom were also known for

53. Cf. Wakī, II, p. 17.

54. Cf. Tirmidhī, ed. Shākir, II, pp. 373f.

55. No. 2 of note 48 above.

56. Wakī, III, pp. 188f.

57. *Tahdhīb*, VI, pp. 170-3.

58. 'Ubayd Allāh b. Muḥammad b. Ṣafwān al-Jumāhī, Wakī, III, p. 249, al-Khaṭīb, X, p. 306 and Qutayba b. Ziyād al-Khurāsānī, Wakī, III, pp. 269f., al-Khaṭīb, XII, p. 463f.

59. Cf. Nagel, *Rechtleitung*, pp. 430ff.

their knowledge of *fiqh*.<sup>60</sup> Of the twenty-four *qāḍīs* who were concerned with *ḥadīth*, seventeen were weak transmitters, that is two out of three. The *qāḍīs* in Bagdad, more so than in regions west of Iraq, seem to have participated in bringing into circulation great numbers of forged traditions. A sizable percentage of these were *mawlās*, and this in spite of the fact that *mawlās* were not normally eligible for the function of *qāḍī*.<sup>61</sup>

That these forgers did not go about their activities unheeded is attested in numerous anecdotes. For example, when a certain *mawlā*, who had been appointed *qāḍī*, related traditions which he claimed to have heard from Zuhri, the traditionist Ibn 'Uyayna (d. 198/814) used to stick his fingers in his ears.<sup>62</sup> And when Sufyān ath-Thawrī (d. 161/778) heard that an old friend of his had become *qāḍī*, he rebuked him for having accepted this office. 'It would even have been better for you, if you had been a peddler of salted fish in the streets of Kūfa, than to be judge.'<sup>63</sup> Another famous traditionist, Sulaymān b. Ḥarb (d. 224/839), is reported to have intimated that *qāḍīs* were usually forgers.<sup>64</sup> The same is implied in a sarcastic remark attributed to the well-known Bagdad *qāḍī*, Ḥafṣ b. Ghiyāth (d. 194/810). When someone kept asking him questions concerning legal matters, he suddenly said: 'Is it perhaps that you want to be appointed *qāḍī*? Verily, it is better for someone to stick his finger into his eye to pluck it out and throw it away then to become *qāḍī*!'<sup>65</sup>

On the whole, there have been quite a few people who resorted to tricks in order to avoid being installed as *qāḍīs*. When, on a certain occasion, Hārūn ar-Rashīd wanted to appoint a judge, three people were brought forward. The first one acted as if he was semi-paralysed and threw himself on the ground. Hārūn said: 'He won't do', and the man was ushered out. The second man pointed with his finger to his eye and said: 'O commander of the believers, I have not been able to see with this for a year now.' Naturally, Hārūn assumed that the man meant his eye, but in reality he meant his finger. The excuse was accepted and the third man, much to his dismay, got the nomination.<sup>66</sup>

### *The qāḍīs in other centres*

Finally, in this survey of the different centres of the Islamic empire, there remain the outer provinces with their urbanized settlements. The number

60. Also mentioned among the *qāḍīs* of Medina, see note 26 above, the third *qāḍī*. And see note 34 above, where he is mentioned among the *qāḍīs* of Baṣra.

61. Cf. Mubarrad, *Al-kāmil*, II, p. 96.

62. Waki', III, p. 246, al-Khaṭīb, VII, p. 348.

63. Al-Khaṭīb, V, p. 389.

64. *Tahdhib*, XI, p. 181. He was at one time *qāḍī* in Mecca, see the third *qāḍī* of note 32 above.

65. Al-Khaṭīb, VIII, p. 190. Cf. also Shammākhī, *Kitāb as-siyar*, p. 124, for the same dialogue between different people. Ḥafṣ's accepting of the office of judge cost him the friendship of a former associate, Waki' b. al-Jarrāh, cf. *Tahdhib*, XI, p. 125 (ult).

66. Waki', III, p. 184.

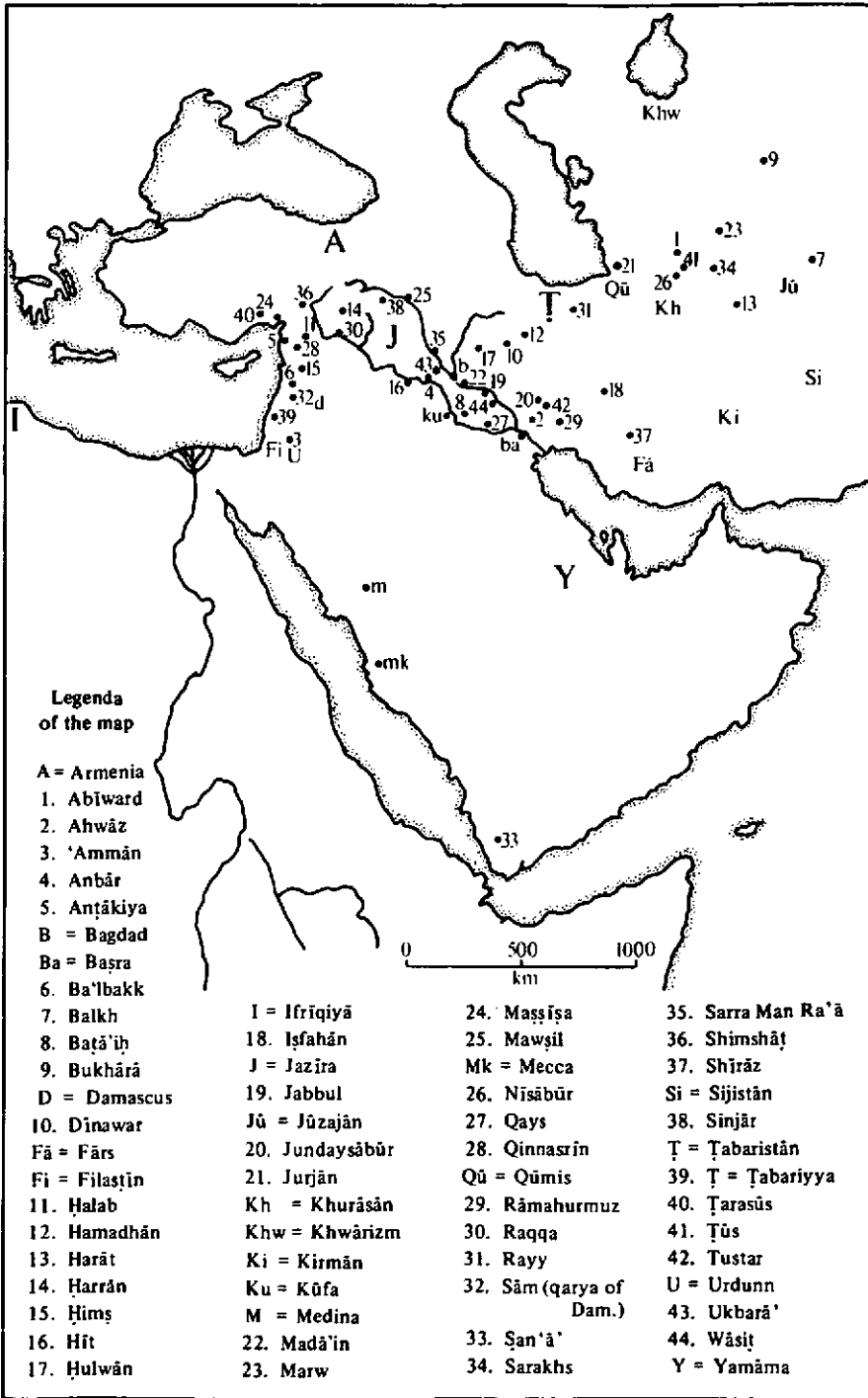
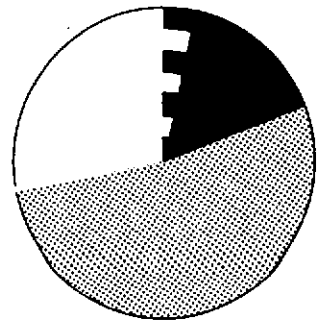
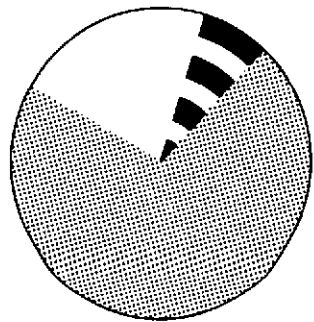


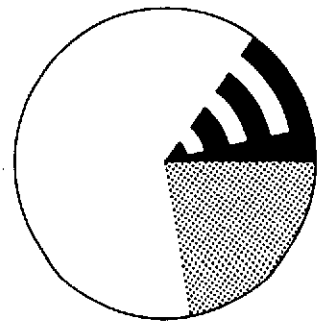
Figure 1



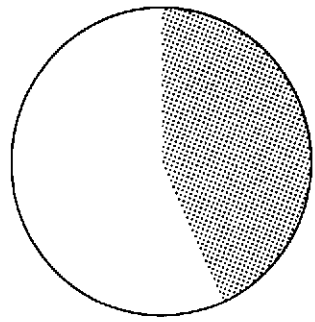
Egypt



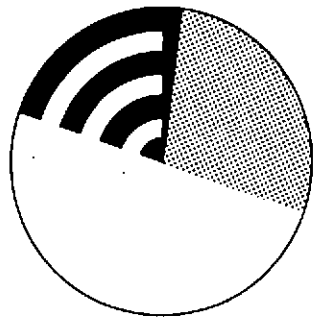
Syria



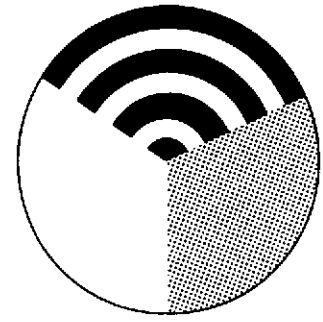
Medina



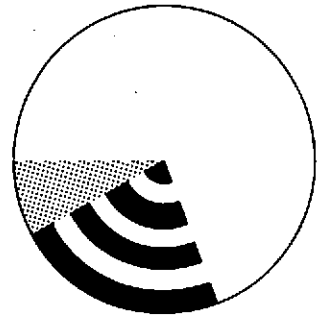
Mecca



Basra



Kufa



Bagdad

Figure 2



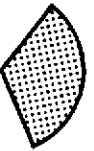
— The percentage of *qāḍīs* who were in one way or another involved in *ḥadīth* transmission.



— The percentage of *qāḍīs* who were considered good *faqīhs*.



— The percentage of *qāḍīs* who were known for *ḥadīth* transmission as well as for their expertise in *fiqh* matters.



— The percentage of *qāḍīs* about whom we do not (yet) have relevant information.

of *qāḍīs* whom I found in the sources is too small to say anything definite about each region or city in particular. I have the impression that the percentage of *mawālī* among those who were nominated as *qāḍīs* increases with the geographical distance from Bagdad. Only two judges were known to have been expert *fuqahā'*.<sup>67</sup> The majority were bad transmitters. It seems

67. Sharīk b. 'Abd Allāh (d. 177/793), a very poor transmitter who was also *qāḍī* of Wāsiṭ, *Tahdhīb*, iv, pp. 333-7 and the *mawlā* Muḥammad b. al-Ḥasan ash-Shaybānī (d. 189/805), *qāḍī* of Raqqā, who was also known as a forger of traditions, *Lisān*, v, pp. 121f.



that most *qādīs* in the outer provinces relied solely on their common sense. For an extensive list, see Appendix III, and figure 1.

### *Summary and conclusions*

Summing up, it seems justified to exonerate most judges in early Islam from the all too facile imputation that they simply fabricated traditions whenever they needed them. Wholesale fabrication of traditions started in Iraq (cf. Chapter 3), it is true, but only in the course of the second half of the second/eighth century and nowhere else did it attain to the dimensions of Iraq. Mendacity in traditions is, for instance, almost unheard of in Egypt and the limited extent to which it occurred in Syria and the Ḥijāz warns us that we should not conceive of it as something common to all Muslims. Furthermore, although only a few *mawālī* were appointed *qādī*, it was they, first and foremost, who were recorded in the *rijāl* works as forgers. This opinion – as are many of the following – is founded on many years of reading in Muslim *rijāl* works and privately made statistics.

The office of *qādī* was nowhere popular. Poems satirizing judges vastly outnumber those eulogizing them. But it is only occasionally that we find scorn expressed for *qādīs* because of their activities in transmitting traditions. It was in Iraq that *qādīs* in the end became associated with the fabrication of *ḥadīth*. Nowhere else is this the case. Another striking fact is that references to bad and unjust *qādīs*, who abused their office to enrich themselves, are rare. I have mentioned a few of these before. On the other hand, numerous are the references to *qādīs* who, in spite of the low esteem in which judgeship was held in general, were thought to have done a reasonably good job. Since *mathālib* defaming judges are just as easy to bring into circulation as *faḍā'il* glorifying them, it seems to me that the fact that *faḍā'il* do outnumber *mathālib* is significant.

This significance is, I think, in no way diminished by the observation that common 'anti-judgeship slogans' outnumber slogans praising the office in general. These slogans, such as: 'He who is appointed *qādī*, will be slaughtered without a knife' – as referred to before – and: 'Of every three judges, two will end up in Hell, and only one in Paradise',<sup>68</sup> on the basis of internal evidence gleaned from their *isnāds*, these slogans may all have come into being during the time when the *muḥaddithūn* were at their most fanatic in reviling their Mu'tazilite opponents. That *qādīs* in general formed a gratifying target may probably have been instigated by the role *qādīs* played during the *mihna* (218–34/833–48).

References to judges having been good *fuqahā'* are on the whole scarce. Only in Medina did *fiqh* and sound *ḥadīth* allegedly go hand in hand, in other places the transmission of many traditions seems to have been an

68. In Ḥākim, *Ma'rifa*, p. 99, it is implied that this slogan has its origin in Khurāsān.

impediment rather than a virtue in a *faqīh*. Cf. figure 2. References to *ra'y* abound, and often without any tie being indicated with one of the schools of law that gradually came into being. *Ra'y* may, therefore, in my opinion, also be considered equivalent to 'capacity for improvization', 'discretion', or 'common sense', connotations which seem lacking in the lofty standard translation 'individual judgement'.

The overall impression I gained from scrutinizing these 400 judges is one which can hardly be called unexpected. As far as the *tarājim* allowed it, they came forward as very human, in their sophistication as well as in their lack of it.

## CHAPTER THREE

# The *man kadhaba* tradition and the prohibition of lamenting the dead. An investigation into *mutawātir* traditions

*Kānat jāriyatu 'l-Haytham [b. 'Adī] taqūlu: kāna mawlāya yaqūmu 'āmmata 'l-layli yuṣalli fa-idhā aṣbaḥa jalasa yakdhibu.*

From al-Khaṭīb al-Baghḏādī, *Ta'riḫ Baghdād*, xiv, p. 53.

### Introduction

One of the customs from the Jāhiliyya generally felt to be incompatible with Islam was the *niyāḥa* i.e. the lamenting of the dead. Although this custom is still found in practically the entire Muslim world, in one form or another, there are many sayings attributed to the prophet and various important contemporaries in which it is officially forbidden.

Goldziher pointed to the *niyāḥa* as constituting one of the major pre-Islamic customs frowned upon by the Muslims of the first generations. He adduced much material from Arabic sources to prove this point and concluded: 'Es liegt wohl hier die Meinungsverschiedenheit *zeitgenössischer* Theologen vor, welche nach der in dieser Literatur herrschenden Methode *in die älteste Zeit zurückverlegt* wird. Was man vom Propheten anführt, ist allem Anscheine nach die im II. Jhd. im Ḥigāz herrschende rituelle Praxis, die man nicht im Unrechte belassen konnte . . .' (italics mine; Schacht's theory on *isnāds* growing backwards is already hinted at here).<sup>1</sup>

In its vagueness Goldziher's theory is a tenable one, but one may justly regret that he did not attempt to be a little more precise as to the chronology of the development of this prohibition in Islam. The ban came into being after all on the basis of a host of canonical prophetic sayings which, by his sweeping statement, are all more or less branded as forgeries spread in the name of the prophet to lend them more prestige. As intimated in the final pages of Chapter 1, where I dealt with the three questions one should always ask, I think that, whenever a 'canonical' tradition is a subject of research, the first and most important step to be taken is an attempt to date it. Furthermore, if the conclusion is inevitable that a tradition is a fabrication of a date later than the time of the prophet, it is also imperative that the geographical area in which it probably came into existence should

1. Cf. *Muhammedanische Studien*, 1, pp. 251–63, especially p. 258. So far the most extensive study on mourning practices in early Islam, as far as I know, is the dissertation of Irene Grütter entitled *Arabische Bestattungsbräuche in frühislamischer Zeit (nach Ibn Sa'd und Buhārī)*. Furthermore, see A. J. Wensinck, *Some Semitic rites of mourning and religion*.

be defined. Finally, if it is possible to give an account of how the forgery was made, this should be undertaken as well.

In Muslim terminology the *ḥadīths* containing a prohibition of *niyāḥa* can be considered *mutawātir*,<sup>2</sup> the most common reference to it being the maxim: 'The deceased will be punished<sup>3</sup> by the lamenting [or in a variant: *bukā* = weeping] of his relatives over him.' This dictum sounds like a slogan and is mentioned in a great many different contexts. Sometimes it occurs separately; at other times it is preceded by a preamble and/or followed by a sequel.

Another *mutawātir* tradition, even more famous and allegedly reported by a vast<sup>4</sup> number of Companions, runs: 'He who [deliberately] tells lies about me, will have to seek for himself a place in Hell.' This maxim, which is sometimes thought to be the most *mutawātir* tradition in the entire tradition literature,<sup>5</sup> is often found in connection with the *niyāḥa* prohibition. If one investigates the evolution of the one, one inevitably runs across the other on many occasions. Since the latter is also considered by various Western scholars as a fabrication which came into existence a considerable time after the prophet's death,<sup>6</sup> whereas in the Islamic world no one – as far as I know – has ever ventured to air an opinion such as this, two birds may be killed with one stone, if the examination of the one includes an examination of the other.

There is another incentive to study these two traditions in more depth. Since they are both held to be *mutawātir* traditions, the results of this study may, at the same time, constitute a valid assessment of the concept *tawātur* in general. An Oriental scholar who, otherwise, appears just as sceptical as Goldziher, where the ascription of the majority of Muslim traditions to the oldest authorities of their *isnāds* is concerned,<sup>7</sup> still seems to set store by a

2. For a survey of definitions given by Muslim scholars through the ages to the concept *mutawātir*, see Šubḥī 'ṣ-Šāliḥ, '*Ulūm al-ḥadīth wa-muṣṭalahuhu*', pp. 147–52. Since the textual variants in traditions prohibiting *niyāḥa* are rather numerous, it is perhaps better to speak of them as being *mutawātir ma'nawī* rather than *mutawātir lafẓī*. There was also some considerable difference of opinion regarding the legal implications of the prohibition of *niyāḥa*. Without going into details here, I might refer the reader to Nawawī's commentary on Muslim's *Šaḥīḥ*, vi, pp. 228ff.
3. In Arabic: *yu'adhhabu*, cf. Fritz Meier, Ein profetenwort gegen die totenbeweinung, in which the subtle differences between the nuances 'to torture' and 'to punish' are examined.
4. In his commentary on Muslim's *Šaḥīḥ* Nawawī mentioned (i, p. 68) that opinions as to the exact number of Companions who reported this saying from the prophet vary between 40, 60, 87 and 200. See note 18 of my translation of Muslim's Introduction to his *Šaḥīḥ* in *JSAI*, v.
5. Cf. the discussion about this among theologians of modern Egypt in Juynboll, *Authenticity*, pp. 34 and 57ff., and the literature quoted there. Cf. also Muḥammad b. Ja'far al-Kattānī, *Naẓm al-mutanāthir fi'l-ḥadīth al-mutawātir*, pp. 20ff.
6. E.g. cf. Goldziher, *Muh. Stud.*, II, pp. 132f.
7. M. Talbi, *Les bida'*, p. 48: *Les ḥadīths ne nous apprennent rien, on le sait, de bien sûr ni sur le Prophète, ni sur son enseignement, ni d'une manière générale sur tous les faits dont les muḥaddiṯs veulent nous convaincre.*

tradition being *mutawātir* as a possible guarantee for the historicity of its ascription to the prophet.<sup>8</sup> It is also because of this putative unimpeachability of *tawātur* – one can almost speak of an aura of holiness – that until today no one seems to have gone to the trouble of investigating *mutawātir* traditions in particular. My own attempt at unraveling the multitude of different *isnāds* of a ‘genuine’ *mutawātir* tradition resulted in the unforeseen, but in the final analysis inevitable, conclusion that *tawātur* as such is **no guarantee** for the historicity of a *ḥadīth*’s ascription to the prophet, as the following pages may show.

It will appear that the present study’s crucial arguments are practically all *argumenta e silentio*. This may, at first sight, seem unsatisfactory or, at least, inadequate to those who only adduce *argumenta e silentio* in support of other, ‘stronger’ arguments but never by virtue of their own strength. To this I can only reply that if there had been other, ‘stronger’ arguments, these would certainly have been adduced first, but there were none as far as I was able to ascertain. Furthermore, another consideration deserves mention here.

It is well-known that the compilatory activities of Muslim collectors in most cases boil down to collecting everything that older compilers have brought together to which one’s own data are simply added.<sup>9</sup> Differently put, since it is the **rule** to incorporate **all** the material one’s predecessors have compiled, the **absence** of certain material in certain collections may be considered as a relevant fact with significant implications for the chronology of that material or its provenance. Especially in the case of such famous dicta or slogans, which later became characterized thanks to the number of their *isnāds* as *mutawātir* traditions, the mere fact that in some collections they are not listed is significant, and this fact cannot, I think, be dismissed with the consideration that it ‘merely’ constitutes an *argumentum e silentio*. The importance of such sayings as came to be labeled *mutawātir* in the canonical collections is such that their non-occurrence in some other collections raises questions that want answering. In sum, the more famous the *ḥadīth*, the more significant is its absence where we would have expected it to be included and, consequently, the greater is the value of this non-occurrence being adduced as an *argumentum e silentio*.

8. Cf. *ibidem*, p. 49: *Parmis tous ces ḥadīths, il en est un (sc. the tradition man yahdīhi ‘llāhu fa-lā muḍilla lahu etc.) qui connut une immense fortune . . . Il nous est parvenu avec des isnāds multiples – qui rendent sa révocation en doute impossible en le classant dans la catégorie du ḥadīth mutawātir.*

9. An exception to this general rule can be found in, for example, Ibn Abī Ḥātim’s *Al-jarḥ wa ‘t-ta’dīl* as compared with Ibn Ḥajar’s *Tahdhīb* and *Lisān*. A close comparison of these biographical lexica shows that from the former work large numbers of unknown, probably fictitious, transmitters were left unmentioned in the latter two.

### NWH in sources other than ḥadīth

When the occurrence of the verb *nāḥa* – *yanūḥu* with its two verbal nouns *nawḥ* and *niyāḥa* is traced in all the earliest sources, certain remarkable facts come to light.

First of all, the Qur'ān is silent about this Jāhiliyya practice. The root *NWH* does not occur in it, nor does any other term associated with the practice, at least in a context unequivocally referring to it, e.g. *ranna* (to wail), *'awwala* (to bewail), *khamasha* (to scratch the face with the nails), *shaqqa jayban* (to tear the front of the garment as a sign of mourning), *nashara sha'ran* (to let the hair down), *laṭama* or *ḍaraba khaddan* (to strike the cheek in lamentation), *salaqa* (to lacerate the skin), *ḥalaqa* (to shave the head), *kharāqa* (to tear up the garments), not even derivatives of the roots *nadaba* (to bewail), *na'ā* (to announce the death of someone) or the term *ḥidād* in the connotation 'mourning'. Forms of the root *BKY* (to weep) do not occur in connection with a dead person either.

It is true, according to Muslim exegesis there is one verse in which a prohibition of *niyāḥa* is implied though not *expressis verbis*. In LX, 12 it says (translation Arberry): 'O Prophet, when believing women come to thee, swearing fealty to thee upon the terms that they will not associate with God anything, and will not steal, neither commit adultery, nor slay their children, nor bring a calumny they forge between their hands and their feet, nor disobey thee in aught honourable (in Arabic: *wa-lā ya'sīnaka fī ma'rūfin*), ask God's forgiveness for them; God is All-forgiving, All-compassionate (italics mine).' Although there are also other explanations offered concerning the words *ya'sīnaka fī ma'rūf*,<sup>10</sup> the generally accepted one is that *niyāḥa* is meant. The *isnāds* of the reports containing this explanation are for the greater part Iraqi, a few are Egyptian with or without transmitters who practised in Syria.<sup>11</sup> The relevance of these *isnāds* being Iraqi and Syrian/Egyptian will become apparent in the course of this investigation.

In the earliest historical sources we find the term mentioned for the first time in accounts dealing with the aftermath of the battle of Uḥud, when various (groups of) women are reported to have bewailed the death of Ḥamza b. 'Abd al-Muṭṭalib, the prophet's uncle. In Ibn Hishām's *Sīra* we read the words *fa-samī'a al-bukā' wa'n-nawā'ih* (i.e. then he heard weeping and wailing) in an utterance of Ibn Ishāq (d. 150/767) without *isnād* and a few lines down there occurs the term *nawḥ* in a remark which Ibn Hishām (d. 218/834) added to Ibn Ishāq's narrative.<sup>12</sup> It is only in this additional remark that the prohibition of lamenting is alluded to. Since Ibn Ishāq

10. E.g. *al-ma'rūfī'at Allāh ta'ālā* (Ibn Sa'd, VIII, p. 4 (20); . . . *an lā yataḥaddathna ma'a'r-rijāl* (ibidem, p. 5 (3f.)), cf. Ṭabarī, *Tafsīr*, xxviii, pp. 79ff.).

11. See for these *isnāds* Ṭabarī, *Tafsīr*, xxviii, pp. 78–81. 12. Ed. F. Wüstenfeld, pp. 586f.

spent most of his life outside Medina in Kūfa, Bagdad, Rayy and other places,<sup>13</sup> it is feasible that this may have been the reason why he did use the term *nawā'ih* which, as we shall see later, may not yet have come into use in Medina in connection with the forbidding of mourning practices, while he was still living there.

In the *Kitāb al-maghāzī* of Wāqidī (d. 207/823) derivatives of the root *NWH* used in context with Ḥamza's death occur twice.<sup>14</sup> Like Ibn Ishāq, Wāqidī mostly mentions a collective *isnād*<sup>15</sup> after which he gives one continuous narrative. It is therefore impossible to see at a glance on the basis of what sort of *isnād*(s) he inserts the term in his account. But a comparison of this account with the reports preserved in Ibn Sa'd's *Kitāb at-tabaqāt al-kabīr* enables us to try at least to reconstruct these *isnāds*, something which in the case of Ibn Hishām, as compared with those *Sīra* fragments preserved in Ṭabarī's *Tārīkh*, has not yielded any result. Again the main concern is whether the *isnāds* can be labeled Medinese, Iraqi, Syrian or from anywhere else.

In the first place there is the story in which the prophet hears women weeping and then says: 'But Ḥamza has no one to weep for him [in Arabic: *lākinna Ḥamzata lā bawākiya la-hu*], after which there does not follow a strong interdiction addressed to the women who hasten to weep over him. We find this report in Wāqidī (p. 315) and in several different versions in Ibn Sa'd one of which (III I, p. 5, line 15) gives Wāqidī as Ibn Sa'd's informant. Since the two reports bear distinct similarities, it is feasible that the *isnād* in Ibn Sa'd may be identified with the one Wāqidī used for his narrative. This *isnād* contains a wholly unidentifiable transmitter, one 'Umar b. 'Uthmān al-Jahshī, who reported this on the authority of his ancestors.<sup>16</sup> Whether this *isnād* is Iraqi or Medinese cannot be ascertained but, in any case, in the sequel in Ibn Sa'd there is no trace of a derivative of *NWH*. Wāqidī may have mentioned the term in his *Maghāzī* probably for the same reason as I ventured in the case of Ibn Ishāq: he came to hear this term in context with burial proceedings in his Iraqi environment where he settled after leaving Medina.

The second occurrence in Wāqidī (p. 317), in which the prophet forbids *niyāha* in the strongest of terms, could not be traced to an *isnād* in Ibn Sa'd with Wāqidī heading the chain of transmitters. But looking closely at the other reports in Ibn Sa'd concerning Ḥamza's death we find a number of different versions headed by Medinese *isnāds*.<sup>17</sup> In only one of them does a

13. Cf. Ibn Ḥajar, *Tahdhīb*, IX, p. 44. 14. Ed. J. M. B. Jones, pp. 315 and 317.

15. This is a technical term coined by Western scholars. It seems to be reminiscent of Ibn Ḥanbal's statement preserved in Ibn Ḥajar, *Tahdhīb*, IX, p. 43: *Innī ra'aytuhu yuḥaddithu 'an jamā'a bi'l-ḥadīth al-wāḥid wa-lā yufaṣṣilu kalām dhā min kalām dhā*.

16. The unspecific term 'ancestors' is probably a clumsy way of saying: 'an *abihi* - 'an *jaddihi*, which is the generally accepted way of indicating a family *isnād*.

17. III I, p. 10 *passim* and II (9-15).

derivative of *NWH* occur.<sup>18</sup> This *isnād*, it appears, is wholly defective and does not constitute decisive evidence that in Ibn Sa'd's time there circulated reliable Medinese *isnāds* supporting reports in which *niyāha* was banned, but, as noted above, there were a few in which only *bukā'* was frowned upon.

The *isnād* in question deserves, perhaps, the following short digression.

Muḥammad b. Ismā'īl Ibn Abī Fudayk—Muḥammad b. Abī Ḥamīd—Muḥammad b. al-Munkadir—prophet. Of the first transmitter Ibn Sa'd says that he reported many traditions but that these should not be adduced as arguments in legal discussions (*laysa bi-ḥujjatin*), cf. Ibn Ḥajar, *Tahdhīb*, ix, p. 61. The second transmitter who also counted Wāqidi among his pupils, who might have passed this tradition on to Ibn Sa'd, is considered a wholly unreliable transmitter. Critics from all over Syria and Iraq agree in this (e.g. al-Jūzajānī, Abū Zur'a, Ibn Ma'in, Ibn Ḥanbal a.o.). He also seems to have been confused with another person of the same name. Furthermore, although this is not a decisive argument, among his masters Ibn al-Munkadir is not listed (cf. Ibn Ḥajar, *Tahdhīb*, ix, pp. 132ff.). This Ibn al-Munkadir was a Medinese Successor who lived from 54/674 until 130/748. It is reported that he transmitted from various younger Companions such as 'Ā'isha, Abū Hurayra, Jābir b. 'Abd Allāh and others. Since 'Ā'isha and Abū Hurayra both died in or about 58/679, his traditions from them are generally considered *mursal*. An attempt at arguing this blemish away is found in a *faḍā'il* statement attributed to Ibn 'Uyayna who once said: 'I have never seen anyone who deserved more to relate statements from the prophet without being asked who his informants were than Ibn al-Munkadir' (cf. Ibn Ḥajar, *Tahdhīb*, ix, p. 475). Since Ibn 'Uyayna was born in 107/725 and allegedly died in 198/814, it is somewhat astonishing to note from someone living in the second century A.H. a statement making little of the *isnād* method at a time when this institution was considered to have been in full use for already approximately half a century or, in the view of certain Muslim scholars, for even more than a century. In any case, Ibn al-Munkadir does not even name his spokesman from among the Companions, something which makes this *isnād mursal*. As a general indication of a questionable *ḥadīth* the *isnād* Ibn al-Munkadir 'an Jābir became a household term among the Medinese, cf. Ibn Ḥajar, *Tahdhīb*, vi, p. 283. No matter what criteria one applies to this *isnād*, it is hazardous to adduce it as evidence in any argument.<sup>19</sup>

We find quite a few more reports in Ibn Sa'd in which *niyāha* in one form or another is forbidden.<sup>20</sup> All these reports concern mourning practices over persons other than Ḥamza and are supported by Iraqi and Syrian *isnāds*. There is only one *isnād* left to be discussed that, but for one wholly unknown transmitter,<sup>21</sup> might have been a Medinese one. Ibn Sa'd's informant is again Wāqidi. The report is probably a fragment of a work of Wāqidi otherwise not preserved, perhaps his *Kitāb ar-riḍda*. These two Wāqidi

18. III 1, p. 11 (2-9).

19. Cf. Ibn al-Munkadir's highly revealing *tarjama* in Ibn Ḥajar, *Tahdhīb*, ix, pp. 473ff.

20. Ibn Sa'd, I 1, p. 88 (10ff. and 19ff.); III 1, p. 25 (22ff.); p. 148 (18ff.); VI, p. 68 (26ff.); VIII, pp. 2ff. *passim*.

21. Mālik b. Abī 'r-Rijāl, cf. Ibn Ḥajar, *Tahdhīb*, ix, p. 295.



*isnāds* gleaned from Ibn Sa'd are the only ones supporting reports containing derivatives of *NWH* that cannot positively be identified as Iraqi or Syrian, but neither can they be labeled Medinese for lack of reliable information on one or more transmitters.

Summing up, it has become clear that neither *niyāha* nor concomitant phenomena are mentioned in the Qur'ān. There is one verse, however, in which a reference to it is implied. An investigation of the *isnāds* of the traditions supporting this *tafsir* yields the result that, apart from being predominantly weak (*mursal*, *munqaṭi'* or otherwise), not one of them is what can be called a Ḥijāzī (Medinan or Meccan) *isnād*.

In the earliest historical sources it is difficult to ascertain where Ibn Ishāq received the information containing derivatives of *NWH*. In view of his having left Medina at an early age he might have been exposed to the term in reports circulating in his new – Iraqi – surroundings. The same consideration applies to Wāqidī, who also made use of collective *isnāds*. The occurrences of the term in Ibn Sa'd, however, justify the conclusion that this collector mainly relied on chains of Iraqi or Syrian transmitters heading statements with *NWH* derivatives. The few Medinese or untraceable *isnāds* in Ibn Sa'd supporting reports that dealt with weeping at burials do not contain derivatives of *NWH* and the one and only that does – the one going back to Ibn al-Munkadir – is defective to the extent that it cannot possibly be considered to constitute conclusive evidence so as to undermine all the other evidence unequivocally pointing in the direction of Iraq, and also to a limited extent to Syria and Egypt, as the breeding ground of the concept *niyāha*.

This undoubtedly seems, on all counts, a hazardous theory. It is, therefore, with trepidation that one directs one's attention to the *ḥadīth* literature. This is indeed the literature in which one would expect references to *niyāha* to abound, and a theory such as the foregoing, if at all tenable, should be borne out by evidence provided by numerous *isnāds* in the *ḥadīth* literature. Only then is it to be taken seriously. One cursory glance, however, already reveals that all traditions in which derivatives of *NWH* occur are supported by Iraqi and Syrian/Egyptian *isnāds*.

### ***NWH* in ḥadīth literature**

Beginning with the oldest printed *ḥadīth* collections, we find a variety of traditions in which the occurrence of *niyāha* is referred to or in which it is explicitly forbidden.

Possibly the earliest<sup>22</sup> printed collection currently available to me is the

22. It is, however, difficult to decide which collection is oldest. Supposedly the earliest collection by far, which was edited some sixty years ago, is the *Majmū' al-fiqh* attributed to the Shī'ite *imām* Zayd b. 'Alī b. Ḥusayn b. 'Alī b. Abī Ṭālib (d. 122/740). Zayd's authorship has been disputed though and I will have to come back to this in due time, when I shall be dealing with the Shī'ite *ḥadīth* collections.

Ibādīte collection of ar-Rabī' b. Ḥabīb who flourished in the middle of the second century. Instead of *nawḥ* or *niyāḥa* he has the word *bukā'* where he gives the famous slogan.<sup>23</sup> Nothing can be said about the *isnād*, since the transmitters are nowhere listed in the biographical dictionaries. The only thing it is safe to say is that, since the Ibādītes originated in Baṣra, the *isnād* is most probably also Baṣran. Ar-Rabī' b. Ḥabīb, in any case, studied and acquired his knowledge in Baṣra. The same goes for the two other links in the *isnād*, Abū 'Ubayda Muslim b. Abī Karīma and Jābir b. Zayd al-Azdī.<sup>24</sup>

In the second oldest collection available to me there is not a trace of *NWH* either. I mean Mālik's *Muwatta'*. But more or less the same tradition as in the preceding collection is found here<sup>25</sup> with – of course – a Medinese *isnād* going back to 'Ā'isha. She, however, somewhat mitigates the prohibition of weeping over the dead by pointing out that the prophet made this statement when watching the funeral procession of a Jewish woman over whom relatives wept. The prophet is alleged to have said on that occasion: 'You may weep over her, but she will be punished in her grave.'<sup>26</sup> This tradition clearly belongs to the genre of *rukhaṣ* as described so extensively by Kister.<sup>27</sup> The other tradition in the *Muwatta'*<sup>28</sup> contains a mild injunction

In the tradition collection attributed to Abū Ḥanīfa (d. 150/767), whose dubious historicity will also be discussed below, no derivative of *NWH* occurs. There is only one allusion to pre-Islamic mourning customs: the *adhān* from the house of the deceased is forbidden, since this is reminiscent of the *na'y* as practised in the Jāhiliyya, cf. Muḥammad b. Maḥmūd al-Khwārizmī, *Jāmi' masānid al-imām al-a'zam*, I, p. 450; cf. also Abū Yūsuf, *Kitāb al-āthār*, p. 80, no. 396.

23. *Hāshiyat al-jāmi' as-ṣaḥīḥ musnad . . . ar-Rabī' b. Ḥabīb* by 'Abd Allāh b. Ḥumayd as-Sālimī, II, pp. 350f. For the authenticity of this collection, cf. Ibn Ḥanbal, *Iḥlāl*, I, no. 1455, where it appears that Ibn Ḥanbal was once confronted with a copy of a different work by ar-Rabī'.
24. Cf. the short biographical notices preceding the *Jāmi'* in vol. I, pp. 3–8; also Shammākhī, *Kitāb as-siyar*, pp. 76f., 83–6, 102–5. 25. *Janā'iz* 37 (I, p. 234).
26. Cf. the discussion of this tradition below on p. 124.
27. M. J. Kister, On 'concessions' and conduct. A study in early *ḥadīth*, in *Papers on Islamic history. Studies on the first century of Islamic society*, pp. 89–107, especially note 28. To the references listed there may be added Amālī 'l-Murtaḍā, I, pp. 108 and 340–3. Also a report in Wāqidi's *Maghāzī* (p. 766) may be considered as belonging to this genre. When the prophet announces the death of Ja'far b. Abī Ṭālib, he forbids his widow, Asmā' bint 'Umays, to beat her chest, but he allows Fāṭima to weep over him. Wāqidi's *isnād* contains one *majhūl*, Mālik b. Muḥammad b. 'Abd ar-Raḥmān, known as Mālik b. Abī 'r-Rijāl (Ibn Ḥajar, *Tahdhīb*, XII, p. 94) or Rajjāl (Jones), who is otherwise not dealt with in the biographical dictionaries. About another transmitter in this *isnād*, Umm 'Isā b. al-Jazzār (or bint al-Jazzār?), nothing specific is known although she is listed in Ibn Ḥajar, *Tahdhīb*, XII, p. 475. Ibn Sa'd mentions the same report from his master Wāqidi, cf. VIII, p. 206. Ibn Ishāq (p. 796), on the other hand, lists it with an *isnād* in which Mālik b. Abī 'r-Rijāl does not occur, since he received it, he says, directly from Mālik's informant, 'Abd Allāh b. Abī Bakr b. Muḥammad b. 'Amr b. Ḥazm. The interesting point is that in Ibn Ishāq's version there is no reference to Asmā' beating her breast. Is the conclusion justified that Mālik b. Abī 'r-Rijāl, or someone fabricating this *isnād* using his name, is to be held responsible for this *idrāj* in the Wāqidi/Ibn Sa'd version? 28. *Janā'iz* 36 (I, pp. 233f.)

that the women are not to weep over a dead person but that they are permitted to weep over him while he is still alive.

The next oldest collection at my disposal is that of the Egyptian traditionist 'Abd Allāh b. Wahb (d. 197/812). It is hardly likely that the printed edition<sup>29</sup> of his *Jāmi'* contains everything that was originally in it. In any case, the slogan with or without a derivative of *BKY* or *NWH* does not occur in it. If a complete edition had been available, it is likely that it would have contained the reports also found in the *Muwatta'* since Ibn Wahb was reputedly a devoted pupil of Mālik<sup>30</sup> until the latter's death.

The oldest Iraqi collection currently available in a printed edition is the *Musnad* of Abū Dāwūd aṭ-Ṭayālīsī (d. 203/818). Every *isnād* supporting a saying concerning weeping and bewailing appears to be Iraqi. Perhaps the most interesting is no. 1221<sup>31</sup> which runs: Abū Dāwūd aṭ-Ṭayālīsī – Shu'ba (b. al-Ḥajjāj) – Abū Ishāq ('Amr b. 'Abd Allāh as-Sabī'i) – 'Āmir b. Sa'd al-Bajalī (al-Kūfī): 'I saw Thābit b. Wadī'a and Qaraḥa b. Ka'b al-Anṣārī attend a wedding where there was singing. When I asked them about that they said: "He (sc. the prophet) permitted singing during weddings and also weeping (*bukā'*) over the dead but without lamenting (*niyāha*).'" In this tradition, on the authority of two Companions who settled in Kūfa, the distinction between *bukā'* and *niyāha* is for the first time made clear, while weeping seems not yet to be forbidden unequivocally.<sup>32</sup> That Qaraḥa b. Ka'b is mentioned in this context is especially relevant, since it is over his death, sometime in the late thirties or in the early forties,<sup>33</sup> that for the first time *niyāha* was practised in Kūfa, as all the sources assert.<sup>34</sup>

This is a first indication of a date. If, for the sake of argument, we consider *niyāha* traditions *mutawātir*, it is significant to say the least that the prophet should already have forbidden a practice in Medina which only several decades after his death was witnessed for the first time in Kūfa, and which, as we have seen so far, is not attested in traditions with Medinan or Meccan *isnāds*. In addition to that it can be said that this report, which clearly appears to be one from the *awā'il* genre,<sup>35</sup> may lay claim to a certain historical authenticity. Moreover, if the dating is not entirely acceptable, the event described can be construed as having taken place at a *later* date, but never at an earlier one. *Awā'il* reports may be interpreted as accounts

29. *Le djāmi' d'Ibn Wahb*, 2 vols. 30. Cf. Ibn Ḥajar, *Tahdhīb*, vi, p. 74 (bottom).

31. P. 169 of the Hyderabad 1321 edition.

32. Cf. also Ibn Sa'd, I, p. 88 (19ff.); Baghawī, *Sharḥ as-sunna*, v, p. 438.

33. Ibn al-Athīr, *Uṣd al-ghāba*, iv, p. 202, states that he died when 'Alī was still in power, but that others say that his death occurred when Mughīra had just been appointed governor, which was in 41/661 (cf. Ṭabarī, *Ta'rikh*, II, p. 16). Ibn al-Athīr adds that he is of the opinion that the first date is the more likely. Ibn Ḥajar (*Tahdhīb*, VIII, pp. 368f.) is less apodictical and carefully weighs one date against the other.

34. E.g. Ibn Sa'd, vi, p. 10; Ibn Ḥajar, *Iṣāba*, v, p. 432.

35. Strangely enough, it is lacking in perhaps the most prestigious *awā'il* collection, that of Abū Hilāl al-'Askarī (d. 295/908) which is now available in two editions.

exaggerating how *early* certain events are supposed to have occurred for the first time, but they are never purposeful attempts at dating an event at a date later than it is actually thought to have occurred. Differently put, a practice allegedly forbidden in the strongest of terms by the prophet in Medina – for which not a single Hijāzī *isnād* can be found – was, according to this *awā'il* report, for the first time witnessed far away from Medina, at least thirty years after the prophet's death, possibly even longer.

Let us now consult the other *ḥadīth* collections. In the *Muṣannaf* of Ibn Abī Shayba (d. 235/849)<sup>36</sup> we find an impressive series of traditions, with sound as well as defective *isnāds*, dealing with *NWH* as well as *BKY* derivatives, prohibitions of various grades of severity as well as other reports in which certain forms of weeping or wailing are found to be permissible. The vast majority of *isnāds* is Iraqi. One is Meccan,<sup>37</sup> one is Medinan/Syrian,<sup>38</sup> in which we encounter Muḥammad b. Ishāq – no derivative in either of *NWH!* – and one is purely Medinan<sup>39</sup> again without a derivative of *NWH*.

The list of traditions is even longer in the *Musnad* of Ibn Ḥanbal (d. 241/855). Again all traditions in which derivatives of *NWH* occur have Iraqi *isnāds* and there is one particularly defective Syrian *isnād* with the word *nawḥ*.<sup>40</sup> One very striking feature, however, in the traditions of Ibn Ḥanbal's *Musnad* that leaps to the eye is the emergence of the famous *man kadhaba* tradition in context with the prohibition of *niyāḥa*. Ibn Abī Shayba and Aḥmad were practically contemporaries, both spent long periods of their lives in Bagdad but, even so, in the collection of the former there is no trace of *kadhib* in relation to *niyāḥa* traditions, whereas in the latter's collection we find the *man kadhaba* tradition inserted – I may say by way of *idrāj* – in a tradition with an Iraqi *isnād*. It goes back to al-Mughīra b. Shu'ba, the then governor of Kūfa, who is alleged to have said: 'I heard the Messenger of God say: Verily, lying about me is not like lying about anyone else; he who deliberately puts lies into my mouth, will have to occupy a seat in Hell! I heard the prophet say: He who is bewailed will be punished to the extent that he is bewailed [i.e. he will be punished accordingly].'<sup>41</sup>

This tradition follows as a sequel the account of the death of Qaraḥa b. Ka'b, the occasion when *niyāḥa* was for the first time heard in Kūfa. In Ibn Abī Shayba's *Muṣannaf* the same tradition is found, however without any allusion to *kadhib*, but with the same *isnād*.<sup>42</sup> Even more significant is the fact that this particular *isnād* does not occur in the *Musnad* of Ṭayālīsī, although the *man kadhaba* tradition is listed in it several times.<sup>43</sup> In the introduction to his *Ṣaḥīḥ* Muslim gives the *man kadhaba* part under the

36. III, pp. 389–94. 37. P. 391 (ult.) See also the last sentence of note 52 below.

38. P. 392 (first lines).

39. P. 392, the second tradition. A scrutiny of *bukā'niyāḥa* traditions in 'Abd ar-Razzāq's *Muṣannaf*, III, nos. 6667–92 yields *exactly* the same results!

40. IV, p. 101. 41. *Musnad*, IV, pp. 245 and 252.

42. III, p. 398. 43. Nos. 342, 362, 2421, etc.

same *isnād* without the prohibition of *nawh*,<sup>44</sup> and the prohibition without the *man kadhaba* preamble but with the same *isnād* is listed in his *kitāb al-janā'iz* no. 28 (= II p. 643), whereas in Bukhārī's *Ṣaḥīḥ* the two parts can be found still moulded into one tradition<sup>45</sup> as in Ibn Ḥanbal. It is clear from this preliminary survey that *NWH* traditions with, as well as without, the *man kadhaba* preamble – added for extra emphasis, no doubt – circulated in the Iraqi centres of *ḥadīth* during the first half of the third century. It is equally clear that the *man kadhaba* preamble was a later addition which made its first appearance sometime in the first half of the third century, in other words, *NWH* traditions without the preamble are the older ones. Before I embark on a more thorough investigation of the *man kadhaba* tradition, I should like to round off first the examination of the occurrences of *NWH* traditions in the collections so far not yet referred to. Perhaps we can draw up a provisional conclusion which eventually may help us also to throw new light on the *man kadhaba* tradition.

A thorough study of the six canonical and various other collections yields the following final results. All the traditions from the sunnite collections in which a derivative of *NWH* occurs have Iraqi *isnāds* with the exception of a few Syrian and Egyptian ones. In the Shī'ite *ḥadīth* collections we find a mild prohibition of screaming (*ṣiyāḥ*) over a dead person attributed to the sixth *imām*, Ja'far aṣ-Ṣādiq<sup>46</sup> and only four traditions with *NWH* in the *Majmū' al-fiḥ* of Zayd b. 'Alī.<sup>47</sup> As I have said before, Zayd's authorship is disputed on the ground, among others, that his traditions strongly reflect the Ḥanafite *madhhab*.<sup>48</sup> Strictly speaking, if his *Majmū'* is proven to be authentic, we have here the only Medinese *isnād* supporting a tradition with a derivative of *NWH*, but R. Strothmann has brought together sufficiently convincing arguments for rejecting Zayd's authorship altogether.<sup>49</sup> F. Sezgin's counterarguments<sup>50</sup> seem unconvincing and, although he refers to Madelung, he does not pay heed to that author's well substantiated view that the *Majmū' al-fiḥ* originated in a time at least half a century after Zayd b. 'Alī and represents, on the whole, a Kūfan point of view.<sup>51</sup>

I think the overall conclusion is justified at this stage that *niyāḥa* in all its forms is an Iraqi concept and, therefore, cannot be attributed to the

44. No. 8 of my translation, cf. *JSAI*, v.

45. *Janā'iz* 34 (= I, p. 325).

46. Kulaynī (d. 328/939), *Al-kāfi fi'ilm ad-dīn*, III, p. 225, no. 8 and p. 226, no. 12.

47. Pp. 77 and 296f.

48. Cf. G. Bergsträsser in *OLZ*, xxv, pp. 114–24.

49. In *Der Islam*, XIII, pp. 1–52.

50. Cf. *GAS*, I, pp. 557ff.

51. Cf. W. Madelung, *Der Imam al-Qāsim ibn Ibrāhīm und die Glaubenslehre der Zaiditen*, pp. 54–7. I may add that the man who allegedly transmitted Zayd's 'traditions' to later generations, 'Amr b. Khālid Abū Khālid al-Wāsiṭi, was universally decried a *kadhhab* by all the *rijāl* experts, who did not even allude to his possibly having harboured Shī'ite sympathies.

prophet.<sup>52</sup> If it was practised at all in Medina – and I see no reason why not<sup>53</sup> – it was at any rate never referred to in Medinese traditions. Everybody will surely agree that, if *niyāḥa*, and not merely *bukā'*, had been a generally practised mourning ritual in Medina, which was, already during the prophet's lifetime, felt to be incompatible with the dignity of Islam, it might have been alluded to in the Qur'ān or at least have given rise to sayings eventually emerging in Mālik's *Muwatta'*. I do not believe that – apart from a few Syrian<sup>54</sup> and Egyptian *isnāds* – all the *isnāds* heading *niyāḥa* traditions being Iraqi is a mere coincidence. The only practice referred to in Medinese traditions was weeping (*bukā'*). This was felt to be something definitely different from bewailing (*niyāḥa*), as appears explicitly from a few traditions and as is implied in the numerous *rukḥaṣ* traditions (see note 27 above). These different customs were perhaps something typical of the mourning practices of the conquered people. It is likely that the Arab women, who accompanied their husbands to the conquered territories, were heavily influenced by the indigenous women who must have formed the overall majority. It was they who set the fashion and their mourning practices, gradually adopted by everyone, may have roused the anger or the irritation of the conquering Arabs. If we lend credence to *awā'il* information, we can even fix a date for *niyāḥa* to have come so much into vogue as to be recorded, namely the abovementioned report about Qaraza b. Ka'b. Unfortunately, the year of his death is not certain. It is safe to say, however, that it is not unreasonable to set as *terminus post quem* 40 A.H., that is two decades or so after the founding of the city of Kūfa and some thirty years after the death of the prophet.

52. One additional argument in favour of my thesis are two succinct statements about a certain woman found in Ibn Sa'd, III, 2, p. 8. The report *kullu nā'ihatin tukadhdhabu illā Umm Sa'd* is headed by an Iraqi *isnād*, whereas the report *kullu bākiyatin mukadhdhabatun illā Umm Sa'd* is headed by a Medinan *isnād*. Furthermore, when we consult the index of Humaydī's *Musnad*, we find the editor, Ḥabīb ar-Raḥmān al-A'zamī, listing a *janā'iz* tradition under the heading *karāhiyatu 'n-nawḥ wa'l-is'ād 'alayhi*. Considering that this *Musnad* originated in Mecca and is predominantly supported by Hijāzī *isnāds*, one might expect the concept *niyāḥa* to have finally emerged (i.e. the end of the second century) in the Hijāz. However, no derivative of *NWH* is used, but (still) the word *bukā'* (tradition no. 291).
53. In pseudo-Ibn Qutayba, *Al-imāma wa' s-siyāsa*, I, p. 347, there is a report on the authority of al-A'raj (d. 117/735) which states that *nawḥ* was heard for a long time in the houses of those who had lost family members in the battle of al-Ḥarra (63/683). I thank I. Hasson for this reference. In later times it is reported that even men resorted to *nawḥ*, cf. Aḥmad b. al-Ḥusayn in *Lisān*, I, no. 512.
54. It is significant that in Ibn 'Abd al-Ḥakam's *Sirat 'Umar b. 'Abd al-'Azīz*, p. 108, in a letter which 'Umar (d. 101/720) supposedly wrote to emphasize the reprehensibility of *niyāḥa*, he does not refer to a single tradition containing the slogan or any other reference to *nawḥ*, whereas he does refer to verses from the Qur'ān (II, 156f.) in which the concept as such is not mentioned. We may perhaps conclude from this, given 'Umar's alleged predilection for *ḥadīth*, that he did not (yet) know of the slogan, otherwise he would probably have adduced it here, where it aptly underlined his enjoyment. Cf. also Ibn Sa'd, V, p. 290.

But even this *awā'il* evidence does not guarantee us that we have an irrefutable *terminus post quem*. There is a statement attributed to one al-Mundhir b. Ya'lā ath-Thawrī (fl. 125/743) which runs:

*Waylun li 'l-'Arab min sharrin qadi 'qtaraba . . . waylun li 'l-'Arab ba' da 'l-khamsi wa'l-'ishrīna wa 'l-mi'a . . . wa-'inda dhālika taqūmu 'n-nā'ihātu 'l-bākiyāt . . .* (cf. 'Abd ar-Razzāq, *Al-muṣannaf*, XI, no. 20730) i.e. Woe to the Arabs for evil is near . . . woe to the Arabs after [the year] 125 [A.H. = 743] when keening and weeping women will emerge . . . But it is, of course, uncertain whether this al-Mundhir hinted at those women's emergence as something which was to happen for the first time. It is equally feasible, if not more so, that all he was hinting at was the upheaval of the Islamic empire ensuing from the *fitna* after the death of the Umayyad Walīd b. Yazīd. In any case, this *vaticinatio post eventum* of circa 125 A.H. describes mourning practices as also comprising the activities of wailing women.

### **Man kadhaba etc. in non-Iraqi collections**

Returning to the *man kadhaba* tradition, it is necessary to investigate first whether a form of falsehood similar to that in the dictum is already alluded to in the Qur'ān and, perhaps, likewise condemned. In other words, the question should be asked: Is there a verse, or are there verses, that can be construed as foreshadowing the *man kadhaba* dictum? My perusal of the numerous occurrences of derivatives of the roots *KDhB* and *FRY* lead me to the overall conclusion that wherever in the Qur'ān the concept of lying is used in the connotation 'falsely ascribing something to someone', this only pertains to situations in which the unbelievers or the *munāfiqūn* falsely ascribe certain sayings to God. The prophet, as far as his own private statements are concerned, is never the object of these false allegations. Secondly, the roots for lying are used in various derivatives connoting 'accusing of mendacity', 'calling someone (mostly a prophet) a liar'. It is therefore safe to say that the *man kadhaba* dictum is exclusively linked to the tradition literature in that it has no connections with, or roots in, the Qur'ān. Thus, it is in the *ḥadīth* literature that we have to search for the origin(s) of the dictum. It seems, therefore, appropriate to examine first in what early collections available in printed editions it is not found and those in which it is found with its various readings and in its different contexts. (Regrettably, I have never been able to acquire a microfilm of Ṭabarānī's treatise on the different *ṭarīqas* of the saying, cf. *GAS*, I, p. 197, no. 11.)

The earliest source in which this tradition occurs is Ṭayālīsī's *Musnad*. It is true, there are other, older sources in which it is found, also of Iraqi origin – to which I will come back later – but first I should like to deal with those non-Iraqi collections in which we would expect to find it but search in vain. The non-Iraqi collections in which it does occur will be discussed below (pp. 116ff.)

In sources such as the *Jāmi'* of 'Abd Allāh b. Wahb and in Mālik's *Muwatta'* it cannot be traced, although allusions to *kadhīb* are numerous in both.<sup>55</sup> With the help of Wensinck's *Handbook of early Muhammadan tradition* and the *Concordance* it can be established that the *man kadhaba* tradition does not occur in Hījāzī or in Egyptian collections from before the 180s/800s. Indeed, in the *Sunan* of Nasā'ī (d. 303/915), who lived – and gathered *ḥadīth* – for most of his life in Egypt,<sup>56</sup> we do not find it.<sup>57</sup> This is all the more astonishing if we take the following considerations into account.

It is reported that as a young man Nasā'ī went to study *ḥadīth* with various masters in Khurāsān but that he, already early in life, settled definitively in Egypt. It is self-evident that collecting all the names of those who reputedly were his masters from vague allusions all over the *Tahdhīb at-tahdhīb* of Ibn Ḥajar would take far too much time,<sup>58</sup> but it seems fit to name here three from Khurāsān and one from Iraq, Qutayba b. Sa'īd from Balkh,<sup>59</sup> Aḥmad b. Naṣr and Ishāq b. Ibrāhīm Ibn Rāhawayh both from Nisābūr, and Abū Shu'ayb Ṣālih b. Ziyād from Sūs. This last *shaykh* was born in Khūzistān<sup>60</sup> and settled later in Raqqa. Among his masters there are two<sup>61</sup> who also emerge in *isnāds* supporting the *man kadhaba* tradition. About Qutayba b. Sa'īd (d. 240/854) and Ishāq Ibn Rāhawayh (d. 238/852) we know that they allegedly transmitted traditions from several<sup>62</sup> transmitters who appear in *isnāds* of *man kadhaba* traditions, and the same goes for three masters<sup>63</sup> of

55. The second part of the maxim, which is the *jawāb: falyatabawwa'* . . . does occur with a different *sharḥ* and a slight variant in Mālik, *aqḍiya* 15 (II, p. 727).

56. Cf. Ibn Ḥajar, *Tahdhīb*, I, pp. 38f.

57. The statement of al-Mundhirī recorded in Shākir's commentary of Ibn Ḥanbal's *Musnad* (no. 1413) that Nasā'ī did have it ought to be considered erroneous. There is, however, the possibility that what we have in a printed edition does not constitute Nasā'ī's complete *Sunan*, but is merely a selection thereof. Suyūṭī seems to have been convinced that the *man kadhaba* tradition was also listed in Nasā'ī, cf. Munāwī, *Fayḍ al-qadīr sharḥ al-jāmi' as-ṣaghir* (li 's-Suyūṭī), VI, p. 214, no. 8993, where it is purported that Nasā'ī mentioned the tradition with *isnāds* going back to Anas and az-Zubayr. Of these there is no trace in the printed editions of the *Sunan*. Cf. also GAS, I, pp. 167f. The first volume of the new edition of 'Abd aṣ-Ṣamad Sharaf ad-Dīn (*Kitāb as-sunan al-kubrā*, Bhiwandī (Bombay) 1972) is the only one currently available to me. Only when this edition will be completed shall we have definite proof. Frankly, I would not be surprised if *man kadhaba* does turn up here.

58. Extensive reading in the *Tahdhīb* has confirmed that those lists of names of masters and pupils given in each *tarjama* represent, on the whole, but a fraction of the true numbers of masters and pupils that can be culled from the *isnāds* in all the collections. Whether or not all these masters and pupils are, indeed, historical figures is then, again, a question which is difficult to answer and which requires a great deal of special research.

59. Cf. J. Robson in *JSS*, I, p. 38.

60. Sam'ānī, *Kitāb al-ansāb*, f. 317 v; Ibn Ḥajar, *Tahdhīb*, IV, p. 392.

61. Muḥammad b. 'Ubayd al-Ghubarī and Abū Usāma Ḥammād b. Usāma b. Yazīd.

62. For Qutayba we find al-Layth, Ibn Lahī'a, Sharīk, Abū 'Awāna, Marwān b. Mu'āwiya and Muḥammad b. Fuḍayl, and for Ibn Rāhawayh we find Mu'tamar b. Sulaymān.

63. Shu'ba, al-A'mash and al-Awzā'ī.



the masters<sup>64</sup> of Aḥmad b. Naṣr (d. 245/860). Even so, through these feasible channels the *man kadhaba* tradition did not reach Nasā'ī in spite of the fact that in the *Jāmi'* of Tirmidhī, who died some twenty-three years before him in 279/892, the whole *isnād* Qutayba b. Sa'īd – al-Layth b. Sa'd – Zuhri<sup>65</sup> – Anas – prophet, with the *man kadhaba* saying, is listed.<sup>66</sup> Differently put, at least thirty years before Nasā'ī died, and probably much longer, as we shall see, there circulated an *isnād* headed by his master Qutayba b. Sa'īd, supporting the *man kadhaba* tradition, which Nasā'ī either never received from his master, because it was falsely attributed to the latter after the former had left for Egypt, or which the pupil rejected because he did not trust it. In actual fact, as we saw above, the *man kadhaba* tradition, together with its probably older<sup>67</sup> variant *man qāla 'alayya mā lam aqul* etc., is already attested in an Iraqi collection compiled by someone who died almost *one hundred* years before Nasā'ī, namely Ṭayālīsī (d. 203/818). Six of the eight *isnāds*<sup>68</sup> in his *Musnad* heading the tradition in its different readings have Shu'ba b. al-Ḥajjāj (d. 160) in common. This traditionist is also a link in traditions Nasā'ī might have received through his master Aḥmad b. Naṣr (see notes 63 and 64 above). On top of all this there are *isnāds* with 'Abd Allāh b. Lahī'a, a key figure in the development of *ḥadīth* in Egypt. He claimed to have heard it from an Iraqi master (see note 62 above; for a discussion of Ibn Lahī'a in Egyptian *isnāds*, see pp. 117f.). But it is also true, on the other hand, that Nasā'ī spurned Ibn Lahī'a's traditions because he did not trust him.<sup>69</sup>

### Man kadhaba in the Muwaṭṭa'

Returning now to some other non-Iraqi collections, as I have said above, references to *kadhib* in a general sense are numerous in Mālik and Ibn Wahb's *Jāmi'*. First of all, let us examine how the concept *kadhib* is dealt with in the *Muwaṭṭa'*. There is mention of mendacious bedouins who report falsely on the prophet's customs in taking the *ihrām*.<sup>70</sup> However, mendacity

64. Ja'far b. 'Awn, Rawḥ b. 'Ubāda, Yazīd b. Hārūn and 'Abd Allāh b. Numayr.

65. The occurrence of Zuhri in this *isnād* may suggest that it is a Ḥijāzī one. Zuhri constitutes one of the most far-reaching problems in the development of the *ḥadīth* literature. In Chapter IV a special study will be devoted to him exclusively. Suffice it to say here that if Zuhri is assumed to have been a transmitter of the *man kadhaba* saying, it is incomprehensible that Mālik, who was credited with having been Zuhri's best pupil (cf. Ibn Ḥajar, *Tahdhīb*, x, p. 7 penult) does not list it in his *Muwaṭṭa'*. A. Arazi kindly drew my attention to the *Kitāb al-kāmil fī du'afā' ar-rijāl* of Ibn 'Adī (d. 365/976, cf. *GAS*, I, p. 198: ms. Ahmet III, 2943/1) p. 154, where we read a very late *man kadhaba* saying with an *isnād* labeled *da'if* featuring Zuhri.

66. *Ilm* 8 (v, p. 35f.). 67. Cf. below p. 112.

68. Nos. 107, 191, 342, 690, 2084 and 2421. 69. Ibn Ḥajar, *Tahdhīb*, I, p. 38.

70. *Hajj* 30 (I, p. 332). Cf. Nawawī's commentary on Muslim, *hajj* 23 (II, p. 843).

is generally interpreted in three different ways. According to the *ahl as-sunna*, *kadhib* is reporting something contrary to what it is in reality, irrespective of whether this occurred on purpose (*ta'ammudan*), by mistake (*ghalatan*), or out of inattentiveness (*sahwan*).<sup>71</sup> On the whole, the concept *kadhib* became a very delicate issue. The bedouins' 'mendacity' belonged to categories two and three rather than to one, according to the commentators.<sup>72</sup>

Since these bedouins were most probably Muslims, the following saying attributed to the prophet is of some relevance. On the authority of 'Umar Muḥammad once said allegedly: 'I recommend to you my Companions, then the generation following them, then the generation following them. After that, falsehood (*kadhib*) will spread.' I think we can justly assume in the case of this obvious *vaticinatio post eventum* that it was fabricated sometime when the third generation of Muslims after the prophet was living or perhaps a little later. A scrutiny of the different *isnāds* does not indicate, however, one likely forger. Probably the saying was brought into circulation by a person – or persons – using the names of the transmitters mentioned as the fourth links of the six *isnāds* available to me at present.<sup>73</sup> It is well-known that the spreading of falsehood described in this saying does not represent the official historical viewpoint of medieval Muslim scholars of a century or so later. Eventually it was only the generation of the Companions which was deemed collectively incapable of putting false statements in the mouth of the prophet, the generations of the Successors and the one following those, contrary to the saying just quoted, were not considered to be collectively free from mendacity. A cursory glance at Ibn Ḥajar's *Tahdhib* provides us with evidence of this, sc. the names of many transmitters from these two generations who were unequivocally thought to have been liars.

Thus, after the adage of the collective reliability of the prophet's Companions was formulated,<sup>74</sup> every reference to mendacity on the part of persons who had embraced Islam at the hands of the prophet seems to have been avoided. It is likely that practically all such references were in the course of time deleted from the canonical *ḥadīth* collections. But in an early collection like the *Muwatta'* this unmistakable reference to lying contemporaries of Muḥammad was not duly removed and even copied in its

71. Cf. Nawawī's commentary of Muslim, I, pp. 68f. and VIII, p. 92.

72. Ibidem, VIII, pp. 91f.

73. These are 'Abd Allāh b. Dīnār (d. 127/745) in Bukhārī, *At-ta'rikh al-kabīr*, II, p. 102 and Tirmidhī, *fitan* 7 (IV, pp. 465f.), on whom there is no blemish; 'Abd al-Malik b. 'Umayr (d. 136/753 at the age of 103!) deemed unreliable by Ibn Ḥanbal (Ibn Ḥajar, *Tahdhib*, VI, p. 412) in *Musnad*, I, p. 18, Ṭayālīsī, p. 7 (no. 31) and Ibn Māja, *aḥkām* 27 (= II, p. 791); 'Abd Allāh b. Sulaymān b. Yasār, a *majhūl*, in Shāfi'ī, *Risāla*, p. 474, no. 1315.

74. Cf. Juynboll, *Authenticity*, pp. 13 (note 1) and 79, to which may be added Ibn Abī Ḥatīm, *Taqdima*, p. 7. Cf. also Chapter 5.

entirety in Muslim's *Ṣaḥīḥ*.<sup>75</sup> It is understandable, as we saw (note 72 above), that medieval commentators as a last resort opted for equating *kadhib* with *ghalaṭ* or *sahw* rather than 'amd in this case, as in all cases where it is mentioned in connection with Companions.

*Kadhib* as a major sin is, furthermore, referred to in the *Muwaṭṭa'* in the following traditions:

1. (*Mursal*) A man came to the prophet and asked: 'Am I allowed to lie to my wife?' The prophet answered: 'There is no good in lying.'<sup>76</sup>
2. (Defective *isnād*; Mālik directly from 'Abd Allāh b. Mas'ūd, which makes the *isnād* Iraqi) 'Speak the truth for this leads to piety (*birr*) and piety leads to Paradise. But beware of mendacity, for this leads to sinning (*fujūr*) and sinning leads to Hell.'<sup>77</sup>
3. Finally, there is one tradition in which 'Umar b. al-Khaṭṭāb alludes to people who might put false words in the mouth of the prophet. The word used is *taqawwala*, frequently emerging also in variant readings of the *man kadhaba* report. The *isnād* is Medinan and defective. But defective or not, the abovementioned traditions are the only ones which at least point in the direction of the *man kadhaba* tradition proper. They may, therefore, be considered as *forerunners* of the numerous *man kadhaba* traditions in the Iraqi collections.<sup>78</sup>

### Man kadhaba with *Shāfi'i* and *Ḥumaydi*

Before leaving Mālik and turning our attention to Ibn Wahb, it seems appropriate to deal with what is probably the first recording of the *man kadhaba* saying in a work of a scholar who was active in the Ḥijāz, I mean Shāfi'i (d. 204/820), some 25 years after Mālik. Ibn Abī Ḥātim relates that Shāfi'i at one time expressed the opinion that putting false words into the mouth of the prophet should be considered as a grave offence (in Arabic:

75. *Ḥajj* 23 (ii, p. 84): cf. also *īmān* 181 (=i, p. 107) and *jihād* 49 (=iii, pp. 1377ff.). Even in the twentieth century there are Muslim scholars who are concerned with invalidating every possible reference to *kadhib* among the *ṣaḥāba*, cf. Muṣṭafā 's-Sibā'i, *As-sunna wa-makānātuhā fi 't-tashrī' al-islāmī*, pp. 216-18.

76. Lying to one's wife to appease her is in other sources listed among *rukhaṣ* traditions in which lying is permitted under certain circumstances, cf. Yūsuf b. Mūsā al-Ḥanafī, *Al-mu'taṣar min 'l-mukhtaṣar min mushkil al-āthār*, pp. 377f. For the permissibility of lying for military purposes, see Ibn Ḥajar, *Tahdhīb*, x, p. 330.

77. *Kalām* 15 and 16 (ii, p. 989). With full Iraqi *isnād* also in e.g. Bukhārī, *adab* 69 (=iv, p. 135) and Muslim, *birr* 103-6 (iv, pp. 2012ff.).

78. *Kadhib* was something that also Sa'īd b. al-Musayyab, according to the sources one of Medina's foremost tradition scholars (but cf. Chapter 1), was afraid of. In Ibn Sa'd, v, p. 100, we find a report in which he warns a *mawla* of his not to act like Ibn 'Abbās' *mawla* ('Ikrima?), who put false statements in the mouth of the former. And we do find Mālik referring to mendacious transmitters, e.g. in a saying attributed to him in Ibn Abī Ḥātim's *Taqdīm*, p. 21; Ibn Ḥajar, *Tahdhīb*, v, p. 219; *Lisān*, ii, pp. 289f.; *Muwaṭṭa'*, i, p. 373; Al-Khaṭīb, *Kifāya*, p. 160; Suyūṭī, *Is'āf al-mubaṭṭa' bi-rijāl al-Muwaṭṭa'*, p. 874.

*wa-qāla 'bnu abī Ḥātim arāda 'sh-Shāfi'ī 't-taghlīz 'alā man yakdhibu 'alā'n-nabī ṣ*).<sup>79</sup> In his *Risāla* we find the dictum in various forms.<sup>80</sup> A quick look at the respective *isnāds* indicates who can theoretically be held responsible for bringing the saying into circulation in the Ḥijāz. The *isnād* of no. 1090 has Shāfi'ī – 'Abd al-'Azīz b. Muḥammad ad-Darāwardī (d. 186/802) – Muḥammad b. 'Ajlān (d. 148/765) etc. Judging by his name ad-Darāwardī seems of Persian descent, and this is also mentioned in his *tarjama* (Ibn Ḥajar, *Tahdhīb*, vi, p. 353), but Ibn Sa'd (ibidem, p. 354) is recorded as having said that he was born, and lived all his life, in Medina. Whether it is he or someone using his name who is to be held responsible for introducing the dictum in the Ḥijāz cannot be established, but a fact is that the *shaykh* from whom he allegedly transmitted it, had also been a master of Mālik. In view of the importance and the ensuing fame of the saying it is incomprehensible that Mālik, who was after all also aware of the widespread forgery of *ḥadīth*, would not have included it in his *Muwatta'*, if he had indeed heard it from Muḥammad b. 'Ajlān. In the *isnād* of no. 1091 we find also ad-Darāwardī but this time his master is named as Muḥammad b. 'Amr b. 'Alqama, who reputedly also transmitted traditions to Mālik (Ibn Ḥajar, *Tahdhīb*, ix, p. 376, 4th line from bottom). The *isnad* of 1092 lists after Shāfi'ī Yaḥyā b. Sulaym who allegedly had it from 'Ubayd Allāh b. 'Umar (d. 147/764). Not only is material that Yaḥyā transmitted from 'Ubayd Allāh supposedly *munkar*, 'Ubayd Allāh, one of Medina's seven *fuqahā'*, had also been a revered master of Mālik, so the same consideration as in the previous two *isnāds* applies here. In the *isnād* of 1093 we not only find ad-Darāwardī again, it also contains a *majhūl*. On the whole, Shāfi'ī's list of these *man kadhaba* variants resembles the evolution of the dictum in its earliest stages.

Another Ḥijāzī collector, 'Abd Allāh b. az-Zubayr al-Ḥumaydī (d. 219/834), lists the *man kadhaba* saying only once with the following defective but highly relevant *isnād*: Ḥumaydī – Sufyān b. 'Uyayna – *man lā uḥṣī 'an Abī Hurayra* – prophet (ii, no. 1166). Ḥumaydī had been Ibn 'Uyayna's best pupil and had reputedly attended his *ḥadīth* sessions for seventeen years.<sup>81</sup> It is, indeed, astonishing that Ḥumaydī does not list a more perfect *isnād* for the *man kadhaba* saying, if we realize that he had also been a pupil of Shāfi'ī and 'Abd al-'Azīz b. Muḥammad ad-Darāwardī. Through these channels he apparently did not receive it. Besides, Ibn 'Uyayna's remark on how he allegedly learned of the saying also deserves to be commented on. In the time of Bukhārī (d. 256/870) only four *isnāds* going back to Abū Hurayra were in circulation, via the Successors Abū Ṣāliḥ Dhakwān, Kulayb b. Shihāb, Muslim b. Yasār and Abū Salama.

79. Cf. Ibn Ḥajar, *Lisān*, v, p. 245.

80. *Risāla*, pp. 394–7, nos. 1090–93; *Tartīb musnad ash-Shāfi'ī*, i, p. 17.

81. Ibn Ḥajar, *Tahdhīb*, v, p. 215 ult.

Although all these emerge repeatedly in *isnāds* of Ibn 'Uyayna, and although he only left Kūfa, where he was born, in order to settle definitively in Mecca in 163/780 (Ibn Ḥajar, *Tahdhīb*, iv, p. 122), the *man kadhaba* saying had apparently not yet reached him via a 'sound', Iraqi or Medinese, *isnād*. His words *man lā uḥṣī* seem to convey the opposite of what they say and may well be interpreted as indicating that Ibn 'Uyayna was at the time still unable to substantiate the saying with a less 'defective' *isnād*. It is as if he had caught a rumour that a saying of this content had recently been brought into circulation and that it was deemed imperative that every self-respecting *muḥaddith* should participate in its transmission. Sufyān was indeed very much concerned with falsehood in traditions as appears unmistakably from his contempt for Jābir b. Yazīd al-Ju'fī (d. ±130/748), who had been actively spreading forged traditions in Kūfa several decades before Sufyān moved to Mecca (cf. Ibn Ḥajar, *Tahdhīb*, ii, p. 49).

What is a preamble of *man kadhaba* in other collections, the well-known saying *ḥaddithū 'an banī Isrā'īl wa-lā ḥaraja, ḥaddithū 'annī wa-lā takdhībū 'alayya*<sup>82</sup> (i.e. transmit from the Jews what you want, there is no objection; transmit [also] from me but do not put false words into my mouth) precedes *man kadhaba* in Ḥumaydī, but is not yet part of it. Preamble and dictum can also be found moulded together, headed by a defective Syrian *isnād* (listing the dubious Abū Kabsha<sup>83</sup>) in other collections.<sup>84</sup> It is interesting, finally, to note that this *isnād* does not yet occur in Ṭayālīsī.

### **Man kadhaba with 'Abd Allāh b. Wahb**

'Abd Allāh b. Wahb (d. 197/813) devotes a lengthy chapter in his *Jāmi'* to *kadhib* traditions.<sup>85</sup> Again we observe the peculiarity that the *man kadhaba* tradition is not listed among the circa forty(!) traditions of this chapter, although a few Companions who, according to Iraqi collections, are reported as having transmitted the saying also occur in Ibn Wahb's *isnāds* of this chapter.<sup>86</sup> A brief count yields the result that twenty transmitters from *man kadhaba* reports listed elsewhere also appear in this *kadhib* chapter. Another conspicuous feature of Ibn Wahb's *isnāds* is that they are for the greatest part very defective with one, sometimes more, links simply left unmentioned. One gains the impression that one has here – that is in Egypt

82. Cf. M. J. Kister's study of this *ḥadīth* in *IOS*, 1972, ii, pp. 215–39.

83. Cf. Ibn Ḥajar, *Tahdhīb*, xii, p. 210.

84. E.g. Bukhārī, *anbiyā'* 50 (= ii, pp. 372f.); Tirmidhī, *'ilm* 13 (= v, p. 40); Dārimī, *muqaddīma* 46 (= p. 72); Ibn Ḥanbal, *Musnad*, ii, pp. 159, 202 and 214; 'Abd ar-Razzāq, *Muṣannaf*, x, no. 19210; Abū Khaythama, *Kitāb al-'ilm*, p. 119.

85. Pp. 66–73 of the page numbering of the papyrus. All further references likewise refer to this numbering.

86. Such as Abū Hurayra, 'Abd Allāh b. Mas'ūd and 'Abd Allāh b. 'Amr.

during the second half of the second century – the *isnād* in an as yet very primitive stage of its evolution, whereas Ibn Wahb lists also quite a few *kadhib* traditions that appear in later collections with perfectly ‘sound’ *isnāds*. The idea that *isnāds* have a tendency to grow with time in soundness<sup>87</sup> can very well be substantiated with abundant material from Ibn Wahb’s *Jāmi’* in comparison with that very same material in later Iraqi collections.<sup>88</sup> Perhaps the most astonishing feature of the *Jāmi’* is that it is literally riddled with Iraqi *isnāds*, again mostly very defective. If the *man kadhaba* tradition had circulated in Iraq during the time that Ibn Wahb practised his profession as traditionist in Egypt, and compiled this *kadhib* chapter, roughly during the latter half of the second century – and let us not forget that it does occur various times in Ṭayālīsī’s *Musnad*, probably compiled at about the same time – it is all the more astounding that it is not included in the *Jāmi’*. Since the number of traditions with *kadhib* regarding the transmission of traditions in this chapter is considerable, we might even venture to conclude that, if Ibn Wahb had started putting it together a few years later, this, what I am almost inclined to call, *dernier cri* in vilifying mendacious transmitters would have reached him, and would subsequently have headed the list of similar, but as yet less harsh, traditions in this chapter. On the other hand, we have to take into account also – albeit with reservations (see p. 109, note 57 above) – that Nasā’ī, who died more than one hundred years later, does not have it either.

It seems appropriate to give here a short selection of these traditions from the *Jāmi’* with their *isnāds*, defective or otherwise, to corroborate the above thesis:

1. (*Mursal* from Ḥasan al-Baṣrī) ‘One of the characteristics of the *munāfiq* is that . . . when he transmits traditions [or tells a story?], he lies’ (p. 66). This is also found e.g. with a seemingly sound *isnād* in Bukhārī, *imān* 24 = 1, pp. 16f.) and Muslim, *imān* 107–8 (1, p. 78).

2. (*Mursal* from Zuhrī) ‘Lying, whether in jest or seriousness, is never condoned’ (p. 67). Cf. Ibn Māja, *muqaddima* 7, (= 1, p. 18), Dārimī, *riqāq* 7 (p. 364) and Ibn Ḥanbal, 1, p. 410, with seemingly sound *isnāds* on the authority of ‘Abd Allāh b. Mas’ūd.

3. (*Mursal* from Zayd b. Aslam) ‘God will not look . . . at a mendacious *imām* (on the Day of Judgement)’ (p. 72). Cf. Ibn Ḥanbal, II, p. 433, and Nasā’ī, *zakāt* 77 (v, p. 86) with seemingly sound *isnāds* on the authority of Abū Hurayra.

4. (*Mursal* from Muḥammad b. ‘Ajlān) The prophet used to be aware of

87. This information is an attempt at putting in a different light and rewording Schacht’s thesis ‘. . . that *isnāds* have a tendency to grow backwards’, cf. *JRAS*, 1949, p. 147.

88. One *isnād* from two Iraqi collections compared with one another must suffice here. The *isnād* in Ibn Abī Shayba, III, p. 389: Aswad b. ‘Āmir – Shu’ba – Qatāda – Sa’īd b. al-Musayyab – Ibn ‘Umar – prophet also occurs in Ibn Ḥanbal, 1, p. 50, with ‘Umar b. al-Khaṭṭāb inserted between Ibn ‘Umar and the prophet.

mendacity in some of his Companions and he continuously confronted them with it until they repented (p. 73). As is to be expected, this tradition can no longer be traced in the canonical collections.

5. (*Munqaṭi'*, Shabīb b. Sa'īd – Shu'ba b. al-Ḥajjāj – unknown – Samura b. Jundab – prophet) 'He who relates from me a tradition of which he thinks (variant: of which it is thought) that it is a lie, that man is one of the liars<sup>89</sup> (p. 73).' In Tirmidhī, *'ilm* 9 (v, pp. 36f.) we find, interestingly enough, the same tradition with a seemingly sound *isnād* going back to al-Mughīra b. Shu'ba. Then Tirmidhī adds the following:

. . . this tradition is also transmitted by Shu'ba from al-Ḥakam b. 'Uṭayba from 'Abd ar-Raḥmān b. Abī Laylā from Samura from the prophet, as well as with the *isnād*: al-A'mash and Ibn Abī Laylā – al-Ḥakam – 'Abd ar-Raḥmān b. Abī Laylā – 'Alī – prophet. The first *isnād* [i.e. the one on the authority of Samura] is the sounder of the two in the eyes of the tradition scholars.

Then, after a while, Tirmidhī goes on:

I asked Dārimī: 'Does this tradition pertain to him who relates a tradition the *isnād* of which he knows to be faulty? Or when someone relates a *mursal* tradition, and someone else makes it *musnad* (i.e. fills in a Companion), or when someone transmutes the *isnād* (into something else), would the abovementioned tradition pertain to these too?' 'No', said Dārimī, 'this only pertains to him who relates a tradition of which it is not known whether it can be traced to the prophet at all. I am afraid that a man who relates a tradition like that is meant in the abovementioned prophetic saying.'

It is not difficult to guess what happened eventually to the *isnād* as found in Ibn Wahb, and Tirmidhī's words may well be considered as reflecting the hesitation on the part of those traditionists responsible for making this *isnād* 'sounder' by inserting between Shu'ba and Samura the names of al-Ḥakam and 'Abd ar-Raḥmān b. Abī Laylā.<sup>90</sup>

One more noteworthy fact deserves to be mentioned. 'Abd Allāh b. Wahb, in whose *Jāmi'*, as we saw, the *man kadhaba* dictum is not listed, does occur *himself* in two *isnāds* of such a tradition; the first is found in Ibn Ḥanbal<sup>91</sup> with preamble and sequel concerning the prohibition of wearing silk and the second in a MS. to be discussed below. The first *isnād* runs: Ibn Ḥanbal – Hārūn b. Ma'rūf – Ibn Wahb – 'Amr b. al-Ḥārith – Hishām b. Abī Ruqayya – Maslama b. Mukhallad – 'Uqba b. 'Āmir al-Juhānī – prophet.

89. I.e. the man who fabricated it as well as he who transmits it are both considered liars. Therefore, the last word is either read as a plural or as a dual, cf. Nawawī's commentary on *Muslim*, I, p. 64.

90. Ibn 'Adī (d. 365/976) is quoted in Ibn Ḥajar, *Tahdhīb*, IV, p. 307, as saying that Ibn Wahb wrote traditions down from his informant, Shabīb b. Sa'īd, when the latter traveled to Egypt with his merchandise and that on that occasion mistakes were made. The foregoing tradition probably constitutes one of these mistakes.

91. IV, p. 156.

This *isnād* also supporting the *man kadhaba* tradition but without preamble or sequel is once more found in the *Kitāb al-mawḏū'āt* of Ibn al-Jawzī (d. 597/1200)<sup>92</sup> with, instead of Hārūn b. Ma'rūf, Baḥr b. Naṣr b. Sābiq. These *isnāds* are purely Egyptian. The Companion 'Uqba settled in Egypt and became Mu'āwiya's governor. In this function he was succeeded by the other Companion of this *isnād* (incidentally lacking in Ibn al-Jawzī), Maslama b. Mukhallad (d. 62/682). Among the transmitters who heard traditions with him we do find Hishām b. Abī Ruqayya,<sup>93</sup> but this man is nowhere else dealt with, in other words: he is a *majhūl*.<sup>94</sup> 'Amr b. al-Ḥārith, the next transmitter, was held in high esteem by Ibn Wahb who credited him with the best memory of all the 370(!) *shaykhs* of whom he had been a pupil.<sup>95</sup> It is, therefore, all the more astonishing that the whole *isnād* does not occur in the *Jāmi'*. This *isnād* with, instead of Hishām and Maslama, Abū 'Ushshāna as master of Ibn Wahb is also listed in Ibn al-Jawzī.<sup>96</sup> It is hard to say when and how these *isnāds* came into existence. If they predate 197/813, the year of his death, we must conclude that Ibn Wahb's *Jāmi'* in the edition we have was compiled before the *man kadhaba* tradition reached him. If they do not – and we still have the non-occurrence of the tradition in Nasā'ī to account for! – they are probably the handiwork of Hārūn b. Ma'rūf and/or Baḥr b. Naṣr or of one or more persons using their names.

The second *isnād* heading *man kadhaba* and featuring Ibn Wahb is one from a manuscript containing a fragment of a *Muwatta'* work (?) attributed to Ibn Wahb.<sup>97</sup> Whether this manuscript is as old as its anonymous compiler, as Arberry seems to suggest,<sup>98</sup> namely from the 3rd century, is hard to say. The *isnāds* are in any case much more 'perfect' than in the old papyrus of the *Jāmi'*. From Ibn Wahb down they all seem to be *muttaṣil* (with or without mention being made of all the transmitters' names). The pupil mentioned all through the first half of the manuscript, who recorded the traditions from Ibn Wahb, was Muḥammad b. 'Abd Allāh b. 'Abd al-Ḥakam (182–268/798–882). Ibn Wahb's pupil all through the second half of the manuscript was Baḥr b. Naṣr al-Khawlānī (180–267/796–881), who was mentioned above. The unknown compiler of this collection can be dated therefore to the middle of the third century. In this collection the *man kadhaba* dictum precedes a prohibition to drink wine. The *matn* is identical with a tradition in Ibn Ḥanbal (III, p. 422), and the *isnāds* also, that is, for

92. I, p. 68. 93. Ibn Ḥajar, *Tahdhīb*, x, p. 148.

94. He could be the son of Abū Ruqayya 'Amr b. Qays al-Lakhmī, cf. Kindī, p. 38.

95. Ibn Ḥajar, *Tahdhīb*, VIII, p. 15.

96. I, p. 68. Two *isnāds* supporting the *man kadhaba* dictum, both with Abū 'Ushshāna, the one with Ibn Lahī'a, the other with Ibn Wahb, are found in Ibn Ḥanbal, IV, pp. 159 and 201.

97. I thank M. J. Kister for drawing my attention to this manuscript, which is no. 3497 of the Chester Beatty collection.

98. *A handlist of the Arabic manuscripts*, Vol. II, p. 111.



the five oldest links including Ibn Wahb's master, Ibn Lahī'a, who in the *Musnad* has Ḥasan b. Mūsā as pupil. The third oldest link is a *majhūl*, one *shaykh* from Ḥimyar. The most striking feature is that, but for Ibn Lahī'a, no transmitter of this *isnād* figures in the *Jāmi'*. This may be construed as furnishing additional evidence for my surmise that Baḥr, referred to above, is to be held responsible for bringing this *isnād* into circulation or someone using his name. If, however, Ibn Wahb did hear of the dictum after having compiled his *Jāmi'*, we have in the birth dates of Baḥr and Muḥammad b. 'Abd Allāh b. 'Abd al-Ḥakam an indication of a *terminus post quem* for the dictum to have come into circulation in Egypt, namely not earlier than circa 190/806.

Summing up, it seems safe to say that the saying began to circulate in Egypt not earlier than towards the end of the second century A.H. in any case, and possibly not earlier than towards the end of the third century A.H. In spite of the alleged activities in transmitting traditions of people who settled in Egypt as described above, it took one of the most famous sayings ascribed to the prophet two, maybe three, centuries to reach a province conquered less than half a century after his death.

### **Man kadhaba in Iraqi collections**

As pointed out above, among the earliest Iraqi *ḥadīth* collections, that of Ṭayālīsī (d. 203/818) lists the *man kadhaba* tradition several times. But Ṭayālīsī's is not the oldest collection available in print. Without having to raise the problem of Zayd's authorship again,<sup>99</sup> we can pass over his *Majmū' al-fiqh*, since the tradition does not occur in it. I shall deal with the other Shī'ite collections below. There are, however, sunnite collections that supposedly predate Ṭayālīsī's. They have as yet not been under scrutiny, because it is dubious whether they should be considered authentic. I am alluding, of course, to the *Musnad* of Abū Ḥanīfa (d. 150/767).<sup>100</sup>

Abū Ḥanīfa is the champion of *ra'y*, which in this context I should like to render 'personal decision-taking based upon common sense'. Abū Ḥanīfa was not so much concerned with precedent – from whatever source – as with making *ad hoc* decisions. Whether or not his influence was already very much felt during his lifetime, or became a heated subject of discussion only after his death, is difficult to establish. At any rate, his stance in legal matters formed the starting point for an ever increasing polarization. On the one hand, there were the adherents to his doctrine, who were not daunted by the lack of precedents, no, who were hardly on the lookout for them, or were even scornful of them; on the other hand, there were the

99. See p. 106 above.

100. *Kitāb musnad ḥibr al-umma wa-imām al-a'imma al-imām al-a'zam Abī Ḥanīfa an-Nu'mān . . .*; Muḥammad b. Maḥmūd b. Muḥammad al-Khwārizmī, *Jāmi' masānid al-imām al-a'zam* etc.

*ḥadīth* people, who simply could not do without precedents, who were constantly aware of their religion – together with the legal system derived from it – having its roots in the past, a past that was gradually projected even further back, until no precedent was acceptable unless ascribed to the prophet himself. This polarization led to dire mutual criticism as well as ridicule on both sides.<sup>101</sup>

In the following excursus I would like to examine to what extent – if any – Abū Ḥanīfa's attitude towards the search for *ḥadīth* in order to use it as precedent material and transmitting it to other generations of jurists, can be assessed as to its historicity.

### *Abū Ḥanīfa and the transmission of ḥadīth*

The most extensive collections of sayings about Abū Ḥanīfa and of opinions attributed to him are found in al-Khaṭīb al-Baghdādī's *Ta'rikh Baghdād*<sup>102</sup> and in Ibn 'Abd al-Barr's *Al-intiqā' fī faḍā'il ath-thalātha al-a'imma al-fuqahā'*.<sup>103</sup> There is one story of how Abū Ḥanīfa came to select *fiqh* as the subject to which he was going to devote all his life. Even if it is apocryphal, it shows clearly the overall impression he made on his biographers. Abū Ḥanīfa is reported to have said:

When I wanted to acquire knowledge, I started to choose from all branches of knowledge and I asked about the consequences which the study of the different subjects would have for me. So I was told: Study the Qur'ān. But I said: When I have studied the Qur'ān and committed it to memory, what will be the outcome? I was told: You will sit in the mosque and children and adolescents will recite it to you. Then it won't be long before one of them comes to the fore who will excel you – or at least emulate you – and so your leading position will come to an end. I asked: And if I listen to *ḥadīth* and write it all down until there is no one in the world who has memorized more than I have? I was told: When you are old and weak, it will come to pass that you relate traditions to which adolescents and children come and gather to listen. You cannot help making mistakes, so they will accuse you of mendacity and this will be a disgrace for the rest of your life. So I said: I have no need for this.

(Next he examines *naḥw*, *shī'r* and *kalām*, which he feels he has to discard also for similar reasons)

. . . I said: Suppose I study *fiqh*? I was told: You will be asked for legal advice, and even as a young man a judgeship will be offered you.<sup>104</sup> I said: there is among the

101. A particularly severe attitude is demonstrated in the (fabricated) tradition ascribed to the prophet: *Man qāla fī dininā bi-ra'yihī fa'qtulūhu*, Ibn al-Jawzī, *Kitāb al-mawḍū'āt*, III, pp. 94f.

102. XIII, pp. 323–432. 103. Pp. 122–71.

104. This is an unexpected turn in the story. According to various reports Abū Ḥanīfa was asked to accept the function of judge several times, but he always refused. Even flogging could not persuade him. It is also related that he died in jail where Maṣṣūr had incarcerated him for his stubbornness, cf. al-Khaṭīb, XIII, pp. 326ff.

branches of knowledge nothing more beneficial than this, so I stuck to *fiqh* and studied it.<sup>105</sup>

It is hard to say whether or not a story such as this is historical, but it aptly illustrates the attitude of someone devoted to *fiqh* rather than to tradition. All the other reports describing his views are equally difficult to gauge as to historical authenticity but they allow of several general observations.

The concept that emerges time and again in reports concerning Abū Ḥanīfa is *mas'ala*, pl. *masā'il*, which I render 'case' or 'problem'. The one master in whose circle he used to sit about whom all the sources are unanimous is Ḥammād b. Abī Sulaymān (d. 120/738).<sup>106</sup> From this man Abū Ḥanīfa apparently did not transmit traditions but only learned how a variety of *masā'il* were solved. It is, indeed, worthy of note that traditions never played a role of importance in reports describing the sessions at which these *masā'il* were dealt with. If on some occasions it so happened that a tradition was readily at hand to be adduced, it was not discarded altogether but it never seemed to play a crucial part in the decision making. Abū Ḥanīfa's counterpart in Kūfa, who was the undisputed master in *ḥadīth*, was Sufyān ath-Thawrī. Their respective attitudes are eloquently summed up in a report which runs: 'If you want *āthār* or *ḥadīth*, go to Sufyān, but if you want legal niceties (in Arabic: *daqā'iq*), you have to go to Abū Ḥanīfa.'<sup>107</sup>

The reports vilifying Abū Ḥanīfa vastly outnumber those singing his praises, at least in the *Ta'rikh Baghdād*. Practically every (younger) contemporary of Abū Ḥanīfa is recorded as having said something denigrating or disparaging about him and if this same contemporary is also quoted as having extolled one or more merits of Abū Ḥanīfa, this eulogy never concerns the latter's activities in the transmitting of traditions. For example, one *ḥadīth* transmitter, 'Abd Allāh b. al-Mubārak, who is said to have admired Abū Ḥanīfa's *fiqh* especially, was nevertheless suspicious of his *ḥadīth*.<sup>108</sup>

It is true, there are reports in which there appears a certain respect on the part of Abū Ḥanīfa for *ḥadīths*, but it is noteworthy that a cursory glance at some of these reports right away reveals inconsistencies,<sup>109</sup> unreliable

105. Al-Khaṭīb, xiii, pp. 331f.

106. Just like Abū Ḥanīfa, he adhered to the doctrine of *irjā'*. He was better known for his *fiqh* than for his tradition. Ibn Sa'd called him *qa'if* as well as *kathīr al-ḥadīth* mainly from Ibrāhīm an-Nakha'ī. And to 'Uthmān al-Battī is ascribed the saying: 'When Ḥammād used his *ra'y*, he came up with the right solution, but when he transmitted opinions from persons other than Ibrāhīm, he made errors.' Cf. Ibn Sa'd, vi, pp. 232f., and Ibn Ḥajar, *Tahdhīb*, iii, pp. 16ff.

107. Al-Khaṭīb, xiii, p. 344. Abū Ḥanīfa's preference for *ra'y* is also clearly reflected in his annihilating assessment of Jābir al-Ju'fī: *Mā laqītu fī-man laqītu akdhaba min Jābir, mā atayuhu bi-shay'in min ra'yi illā jā'anī fīhi bi-athar*, cf. Ibn Ḥajar, *Tahdhīb*, ii, p. 48, Dhahabī, *Mizān*, i, p. 380.

108. Cf. Ibn 'Abd al-Barr, *Intiqā'*, pp. 132f.; al-Khaṭīb, xiii, p. 338, cf. also pp. 414-20.

109. It says, for instance, in a report in which his memory for traditions with *fiqh* contents is praised that Caliphs, princes and ministers honoured him for this. This information is not

*isnāds*<sup>110</sup> and/or arguments to the contrary from other sources.<sup>111</sup> I think that it would be going too far to try and find fault with every report in which something favourable is said about Abū Ḥanīfa and his alleged handling of traditions. In the same manner practically every other report presenting something unfavourable about this issue could with a little effort be invalidated too. All these reports are after all of the *faḍā'il* or the *mathālib* genre and it is well known that reports belonging to either genre were not so elaborately fabricated as to escape detection. But, as I have said, the fact remains that the *mathālib* easily outnumber the *faḍā'il* and this may be construed, I think, as historically relevant. A special group of data belonging to the *mathālib* genre deserves to be dealt with separately.

There are several reports in which Abū Ḥanīfa appears to *ridicule* prophetic sayings, especially those which have taken the form of legal maxims or slogans. Thus, when his attention was drawn to the saying: *Al-bayyi' āni bi 'l-khiyār mā lam yatafarraqā*<sup>112</sup> he said: 'That is mere *rajaz*.'<sup>113</sup> And when the maxim *Aftara 'l-ḥājim wa 'l-mahjūm*<sup>114</sup> was mentioned to him, he said: 'That is (merely) *saj*!'<sup>115</sup> On another occasion the prophetic saying was cited: '*Al-wuḍū' niṣf al-īmān*', which prompted Abū Ḥanīfa to sneer: 'So why don't you perform this ablution twice in order that you perfect your faith!'<sup>116</sup> In this vein there are quite a few more to be found.<sup>117</sup>

borne out in the sources and is inconsistent with his conflict with Maṣūf – whether or not historical – as depicted above. Cf. al-Khaṣīb, xiii, p. 339, and note 104 above.

110. In a sequel to an otherwise noncommittal report, a certain Muḥammad b. Ḥamdān b. aṣ-Ṣabāḥ says that when a *mas'ala* reached Abū Ḥanīfa, in which there was a sound *ḥadīth*, he followed that. This same transmitter is branded *majhūl* by al-Khaṣīb as recorded in Ibn Ḥajar, *Lisān*, v, p. 147.
111. Al-Ḥasan b. Ṣāliḥ b. Ḥayy is reported (Ibn 'Abd al-Barr, *Intiqā'*, p. 128) to have said something favourable about Abū Ḥanīfa's handling of prophetic traditions. It says: When Abū Ḥanīfa had a prophetic tradition which he considered sound, he would not pass by it for anything else. This assessment does not seem to tally with the fact, however, that this same man, al-Ḥasan b. Ṣāliḥ, is reported in Ibn Ḥajar, *Tahdhīb*, II, p. 289, as having led away someone from his position as *imām* in the mosque, when this *imām*, one 'Abd Allāh b. Dāwūd al-Khuraybī – who was inclined to favour Abū Ḥanīfa's *ra'y* (cf. *Tahdhīb*, v, p. 200) – praised Abū Ḥanīfa in public.
112. Passim in the canonical collections, cf. *Concordance* s.v. *yatafarraqā*. Translation: The seller and the buyer have the right to rescind a transaction as long as they have not separated. This practice was not observed everywhere, cf. Ibn Ḥanbal, *'Ilal*, I, no. 1193. Cf. Wakīf, *Akhbār al-quḍāt*, II, p. 260, where Shurayḥ is credited with this maxim.
113. Al-Khaṣīb, xiii, p. 388. Abū Ḥanīfa was right – at least in the first half – in labeling this iambic metre *rajaz*.
114. 'Cupping or being cupped break the fast', passim, cf. *Concordance* s.v. *aftara*.
115. Al-Khaṣīb, xiii, p. 388. The word *saj* admits here of a pejorative interpretation.
116. Ibidem.
117. Al-Khaṣīb, xiii, pp. 388–93 and also 401; Ibn 'Abd al-Barr, *Intiqā'*, pp. 147ff. 'Isā b. Abī Bakr b. Ayyūb (d. 624/1227) has taken the trouble to refute every argument adduced by al-Khaṣīb in disparaging Abū Ḥanīfa in a book called *Ar-radd 'alā Abī Bakr al-Khaṣīb al-Baghḍādī fīma dhakara fī ta'rikhihi fī tarjamat al-imām* etc. The irony or humour in the above reports seems to have escaped this author completely, cf. pp. 66 ff. Cf. also Khwārizmi, I, pp. 38–53.

All the arguments which I have brought together here seem to me to point in one direction: Abū Ḥanīfa may be considered as hardly having been concerned with *ḥadīth*. The fact that there emerged collections allegedly containing all the traditions he received from masters and passed on to pupils<sup>118</sup> may, in my opinion, be explained as the result of the efforts of later adherents to the Ḥanafite *madhhab*, who, with these collections, sought to mitigate the harsh judgements on the part of especially those critics who were contemporaries of Abū Ḥanīfa such as Shu'ba b. al-Ḥajjāj (d. 160/777),<sup>119</sup> 'Abd Allāh b. al-Mubārak (d. 181/797), already mentioned above as an admirer in spite of himself,<sup>120</sup> or later ones such as Yahyā b. Sa'īd al-Qaṭṭān (d. 198/814),<sup>121</sup> Yahyā b. Ma'in (d. 233/848)<sup>122</sup> or Ibn Ḥanbal (d. 241/856).<sup>123</sup> Even about one century later this negative opinion about Abū Ḥanīfa is still clearly discernible in an important study of *ḥadīth* by Ibn Ḥibbān who died in 354/965.<sup>124</sup> In other words, if we finally look for the *man kadhaba* tradition in the collections ascribed to Abū Ḥanīfa, we should not draw the inference that the *isnāds* supporting the tradition circulated in the time of Abū Ḥanīfa himself, but rather that they were most probably put together a considerable time after Abū Ḥanīfa's death by those responsible for the abovementioned *Musnads* having come into existence.

The *man kadhaba* dictum does occur in these *Musnads*. The *isnāds* seem sufficiently interesting for a brief analysis. The first *isnād* runs: Abū Ḥanīfa – al-Qāsim b. 'Abd ar-Raḥmān b. 'Abd Allāh b. Mas'ūd – father – grandfather – prophet.<sup>125</sup> Although many of Abū Ḥanīfa's *ra'y* decisions are eventually ascribed to Ibn Mas'ūd, al-Qāsim is not listed among Abū Ḥanīfa's masters.<sup>126</sup> The second *isnād* runs: Abū Ḥanīfa – 'Aṭīyya b. Sa'd al-'Awfī – Abū Sa'īd – prophet.<sup>127</sup> 'Aṭīyya, a weak transmitter, often mentioned Abū Sa'īd without specifying which Abū Sa'īd he meant. He attempted to create the impression that he alluded to Abū Sa'īd al-Khudrī instead of Abū Sa'īd

118. Suffice it to mention just two of those 'pupils', Abān b. Ja'far, who is reported to have brought more than 300 traditions into circulation which he falsely attributed to Abū Ḥanīfa, cf. Ibn al-Jawzī, *Kitāb al-mawḍū'āt*, II, p. 101, Ibn Ḥajar, *Lisān*, I, pp. 21 and 27; furthermore, Ibn Ḥanbal is recorded to have said about one Ishāq b. Najīḥ al-Malaṭī that he was one of the most mendacious people in that he transmitted traditions from 'Uthmān al-Battī on the authority of no one less than Ibn Sīrīn containing the *ra'y* of Abū Ḥanīfa, cf. Ibn Ḥajar, *Tahdhīb*, I, p. 252; examples are legion.

119. Al-Khaṣīb, XIII, p. 417. 120. *Ibidem*, pp. 414f.

121. *Ibidem*, p. 416. 122. *Ibidem*, p. 419.

123. *Ibidem*, pp. 416 and 418. Cf. also Ibn Ḥanbal's *ʿIlal*, I, nos. 1372, 1486, 2566. A much older contemporary, Raḡaba b. Maṣqala (d. 129/747) is also reported to have commented on Abū Ḥanīfa's *ra'y*: he is the most learned of all people concerning that which never was (i.e. *ra'y*) and the most ignorant concerning that which was (i.e. precedent), cf. Ibn 'Abd al-Barr, *Jāmi'*, II, p. 145 (penult).

124. Cf. his *Kitāb al-majrūḥīn*, I, p. 62. 125. *Musnad*, *kitāb al-'ilm*, no. 7 on p. 7.

126. Ibn Ḥajar, *Tahdhīb*, VIII, p. 321. 127. *Musnad*, p. 7, no. 8a.

al-Kalbī from whom he had it.<sup>128</sup> The third *isnād* runs: Abū Ḥanīfa – Abū Ru'ba Shaddād b. 'Abd ar-Raḥmān – Abū Sa'īd – prophet.<sup>129</sup> Abū Ru'ba is nowhere listed in the biographical dictionaries, and it is perhaps permissible to see this name as a misreading of the name Abū Dhūba or Dhawba which occurs in a comparable *isnād* in Abū Yūsuf's *Kitāb al-āthār*.<sup>130</sup> In that *isnād* Abū Sa'īd is called in full: al-Khudrī. The editor of the *Āthār* mentions in a note<sup>131</sup> that Abū Dhūba is perhaps one and the same as Abū Rawq, which is the *kunya* of one 'Aṭīyya b. al-Ḥārith, who, in turn, is then again confused with 'Aṭīyya b. Sa'd of the second *isnād* dealt with above. The fourth *isnād* runs: Abū Ḥanīfa – Sa'īd b. Masrūq – Ibrāhīm b. Yazīd at-Taymī – Anas – prophet.<sup>132</sup> Just as in the fifth *isnād* (Abū Ḥanīfa – Zuhri – Anas – prophet)<sup>133</sup> the saying was allegedly transmitted by Anas on the authority of whom many *isnāds* supporting the *man kadhaba* tradition occur in all the canonical collections,<sup>134</sup> while these two, different from all the others, only occur in this *Musnad*. Indeed, the same is true for all the other *isnāds* analysed here. The last one is particularly defective, because Zuhri and Abū Ḥanīfa are nowhere listed as having had a master–pupil relationship.

This analysis may have shown how clumsily these *isnāds* were put together. They seem to form a class apart, which I would like to call the Abū Ḥanīfa *isnāds*. They are nowhere found in the canonical collections of *ḥadīth* and were probably fabricated long after Abū Ḥanīfa's death to lend this *imām* more prestige in the matter of *ḥadīth* transmission and also, perhaps, to bridge the gap somewhat between the *ahl ar-ra'y* and the *ahl al-ḥadīth*.<sup>135</sup> Besides, why would he who, as we have seen on more than one occasion, allegedly ridiculed traditions in the form of maxims be the transmitter of the best-known slogan tradition of all?

Moreover, in a text that does lay claim to having been composed by Abū Ḥanīfa but was probably written a short time after his death and which, in any case, is generally thought to be a faithful rendering of his politico-religious ideas, the dictum does not occur in a context in which one would have expected it most. I refer, of course, to the treatise entitled *Al-'ālim wa*

128. Cf. Ibn Ḥanbal, *'Iḥāḥ*, 1, nos. 1224f. Ibn Ḥajar, *Tahdhīb*, vii, p. 226. In a sequel (*Musnad*, p. 8, no. 9) the following (revealing!) words are ascribed to him: 'I testify that I have never put false words in the mouth of Abū Sa'īd, and that Abū Sa'īd never put false words in the mouth of the prophet!'

129. *Musnad*, p. 7, no. 8b.

130. P. 207, no. 922. Abū Ḥanīfa's position as transmitter of 'traditions' in this book requires, perhaps, a separate study; I shall not deal with that here, since the *man kadhaba* saying does not occur in it anyhow. For the confusion in the names, see Ibn Mākilā, *Al-ikmāl*, iv, p. 102. 131. *Ibidem*.

132. *Musnad*, p. 8, no. 10. 133. *Musnad*, p. 8, no. 11.

134. Cf. the list given in Ibn al-Jawzī, *Kitāb al-mawqū'āt*, 1, pp. 77–80.

135. A good example of such a late forger who did everything in his power to promote Abū Ḥanīfa as a scholar of *fiqh* as well as of *ḥadīth* is Aḥmad b. Muḥammad al-Ḥimmānī (d. 302/914), cf. Ibn Ḥajar, *Lisān*, 1, no. 829.

'*l-muta'allim* in which the '*ālim* is identified with Abū Ḥanīfa but which was written in all likelihood by the *muta'allim*, a pupil of his, Abū Muqātil Ḥafṣ b. Salm.<sup>136</sup> This context runs:

. . . *wa-lā yanbaghī an yakūna 'lladhī yakdhibu 'alā 'llāhi wa-'alā rasūlihi ka' lladhī yakdhibu 'alayya li-anna 'lladhī yakdhibu 'alā 'llāhi wa-'alā rasūlihi dhanbuhu a'zamu min an law kadhaba 'alā jamī'i 'n-nās fa' lladhī shahida 'alayya bi 'l-kufr fa-huwa 'indi kādhib etc . . .* (follows a quotation from Qur'ān v, 8 (p. 27) (i.e. It is improper [to see] the one who ascribes falsehood to God or His Messenger as [anything] like someone who puts lies into my mouth. For the former's sin is greater than if he had spread falsehood about all of mankind. He who testifies against me that I am an unbeliever is in my opinion [merely] a liar).

Also in another passage quotation of the *man kadhaba* saying would have fitted eminently (p. 24) but it is conspicuously lacking. From a third passage (p. 11) there appears the '*ālim*'s scorn for prophetic traditions in general. Finally, just as was the case with *al-'ālim wa 'l-muta'allim*, in a letter to 'Uthmān al-Battī, which even Schacht considers genuine,<sup>137</sup> Abū Ḥanīfa does not resort a single time to quoting one *ḥadīth* whereas his references to the Qur'ān are numerous.

On the basis of the foregoing I venture to discard all the *man kadhaba* traditions with Abū Ḥanīfa in the *isnād* as fabrications that began to circulate perhaps as long as two hundred years after his death. Let us, therefore, return to the other Iraqi compilations and see whether an examination of those enables us to date the *man kadhaba* traditions in a satisfactory way.

### **Man kadhaba in Iraqi collections (continued): ar-Rabī' b. Ḥabīb**

In the *Jāmi'* of ar-Rabī' b. Ḥabīb there is no trace of the dictum but in the *bukā'* tradition cited above (p. 103) we do find the verb *kadhaba*.<sup>138</sup> It bears distinct similarities to the *ḥadīth* from the *Muwaṭṭa'* scrutinized above (p. 103) and runs: 'When 'Ā'isha was informed that 'Abd Allāh b. 'Umar had said: "The dead will be punished with the weeping of his fellow tribesmen", she said: "May God forgive 'Abd Allāh, *he did not lie* but he must have forgotten or he must have made a mistake. Perhaps he heard what the Messenger of God said when he passed [the funeral of] a Jewish woman whose relatives wept over her . . . etc.' (Italics mine). Perhaps we are justified in considering this report, just like its counterpart – though with different *isnād* – in the *Muwaṭṭa'*, as foreshadowing or reflecting the harsh tone of later versions in which injunctions and prohibitions are emphasized with threats of Hell. Differently put, the evolution of the term *kadhaba*

136. J. Schacht, An early murcī'ite treatise: the Kitāb al-'ālim wal-muta'allim.

137. P. 100, note 4. This *riṣāla* was edited (pp. 34–8) in one volume with *Al-'ālim wa'l-muta'allim* and *Al-fiqh al-absaṭ*. 138. II, pp. 350f.

from 'inadvertently not telling the truth' to 'lying intentionally' is witnessed in its initial stages in this *bukā'* tradition into which, as is so often the case in the somewhat later collections, the concept of 'lying' is introduced for additional accentuation of the sinfulness of this behaviour. And I think we are also justified in determining, with the non-occurrence of the complete dictum in this collection in mind, a *terminus post quem* for its emergence in Iraq. Unfortunately, we do not know exactly when ar-Rabī' died, but it must have been in the course of the second half of the second century. And another regrettable circumstance is that his collection does not seem to have come down to us complete. At the end of the two volume edition (p. 394) a third volume is announced. It is not verifiable what that might have contained.<sup>139</sup>

### Man kadhaba in Ṭayālīsī

The next oldest Iraqi collection, that of Ṭayālīsī, presents us with an altogether very gratifying field of further research into the origins of the *man kadhaba* dictum. Here we find again a tradition which we have already encountered in Ibn Wahb's *Jāmi'*, which can be considered as a forerunner (He who relates from me a tradition of which he thinks that it is a lie, that man is himself one of the liars). Whereas it has a defective *isnād* in Ibn Wahb, in Ṭayālīsī it has a seemingly sound one.<sup>140</sup> His informant is Shu'ba, who also occurs in *isnāds* of this tradition in other collections going back to two different Companions.<sup>141</sup> Shu'ba b. al-Ḥajjāj (d. 160/777) is, for that matter, Ṭayālīsī's most important informant for *man kadhaba* traditions. No less than five of the seven *isnāds* supporting the tradition with various preambles, sequels and, sometimes, in different versions bear his name. On the basis of the occurrence of the verb *taqawwala* already in the *Muwatta'* (see above p. 112), I contend that versions with *qāla* are older than those with *kadhaba*. A frequently occurring version reads: *Man qāla* (or: *taqawwala*) *'alayya mā lam aqul falyatabawwa'* . . . etc. We find this version with the following *isnād*: Ṭayālīsī – 'Abd ar-Raḥmān b. Abī 'z-Zinād – Abū 'z-Zinād – 'Āmir b. Sa'd – 'Uthmān – prophet.<sup>142</sup> Ibn Abī 'z-Zinād (d. 174/790) is a controversial figure. It is alleged that he used to transmit traditions in Medina and that he was respected for that. However, when he came to Bagdad, the traditionists there disapproved of what he transmitted.<sup>143</sup> All Iraqi critics stamped him a weak transmitter. And Ibn Sa'd

139. J. C. Wilkinson (The early development of the Ibāḍī movement in Baṣra, p. 142) claims that ar-Rabī' died in 170/786, but he does not refer to a source where he found this. For a description of the *Musnad*, see note 30 of the same paper.

140. Pp. 94f., no. 690.

141. Ibn Ḥanbal, *Musnad*, v, pp. 14 and 20; Ibn Māja, *muqaddima* 5 (= 1, p. 15); Muslim, *muqaddima* 1 (ed. M. F. 'Abd al-Bāqī, 1, p. 9).

142. P. 14, no. 80. 143. Ibn Ḥajar, *Tahdhīb*, vi, p. 172.



states that this was especially on the basis of what he claimed that he had received from his father, as is the case with the *isnād* here.<sup>144</sup> Mālik, who used to admire him generally, is also recorded as having expressed his suspicion of the material he allegedly received from his father.<sup>145</sup> Since the father died in 130/748, the *man qāla 'alayya mā lam aqul* tradition was probably introduced by his son, or attributed by someone else to his son, after that date, and this probably not in Medina, where he spent the first part of his life, but in Bagdad, where he eventually died at the age of 74. The fact that Ṭayālīsī and Ibn Ḥanbal are the only collectors who list this tradition, and the fact that it does not occur in later, 'sunder' collections, seems to be additional proof for its being deemed spurious.

Another variant reading in the tradition under discussion is the occurrence of the adverbially used participle *muta'ammidan*, 'deliberately'. In Ṭayālīsī we find a tradition,<sup>146</sup> again with an interesting *isnād*, in which this word is still lacking, while in certain other collections it is added. The *isnād* and the *matn* are as follows: Ṭayālīsī – Shu'ba – Jāmi' b. Shaddād – 'Amir b. 'Abd Allāh b. az-Zubayr – 'Abd Allāh b. az-Zubayr: 'I said to my father: "What prevents you from relating traditions from the Messenger of God as Ibn Mas'ūd and various others do?" Said az-Zubayr: "By God, ever since I embraced Islam I have been in his vicinity. But I heard him make the following statement: *man qāla 'alayya mā lam aqul falyatabawwa' maq'adahū min an-nār.*"' Instead of *man qāla* we also read *man kadhaba* without *muta'ammidan*<sup>147</sup> and with *muta'ammidan*.<sup>148</sup> There are even reports in which the addition of the word is a matter of dispute.<sup>149</sup> The editor of Ibn Ḥanbal is probably too apodictical when he states that solely one of Shu'ba's pupils, who transmitted this tradition from him,<sup>150</sup> is to be held responsible for this addition. It might be interesting to find out to what extent this statement needs revision, and whether we can pin this *idrāj* on one such pupil.

Persons recorded as having been pupils of Shu'ba and featuring in *man qālakadhaba isnāds* are the following:

Ṭayālīsī; apart from the tradition just mentioned without *muta'ammidan*, he lists various others, also from Shu'ba, in which the word is inserted.<sup>151</sup> So he could have been the one. But likewise could everybody else listed in this survey. For example:

144. Ibn Sa'd, vii, 2, p. 69. The tradition occurs also with the same *isnād* in Ibn Ḥanbal, i, p. 65. Aḥmad Shākīr in his edition stamps the *isnād* sound (no. 469), not paying heed to what is said in the sources.

145. Al-Khaṭīb, *Ta'riḫ Baghdad*, x, pp. 229f. It must have been painful for this man, in view of this unfavourable reputation, never to have been referred to by name, 'Abd ar-Raḥmān, or by *kunya* Abū Muḥammad, but always as the son of Abū Zinād.

146. P. 27, no. 191. 147. Bukhārī, 'ilm 38 (= i, pp. 39f.); Ibn Ḥanbal, i, p. 167.

148. Ibn Māja, *muqaddima* 4 (= i, p. 14); Ibn Ḥanbal, i, p. 165. 149. Ibn Sa'd, iii 1, p. 75.

150. Aḥmad Shākīr in his commentary on no. 1413.

151. E.g. p. 45, no. 342 and p. 277, no. 2084.

Wahb b. Jarīr b. Ḥāzīm (d. 206/821), whose traditions from Shu'ba are under suspicion;<sup>152</sup>

'Affān b. Muslim (d. 220/835), on the whole a distinguished transmitter but whose traditions from Shu'ba have once or twice been subject to doubt, in jest<sup>153</sup> or in earnest;<sup>154</sup>

Abū 'l-Walīd Hishām b. 'Abd al-Malik (d. 227/842), who appears not to have written down his traditions from Shu'ba but solely to have relied on his memory.<sup>155</sup>

But there are other transmitters not listed among Shu'ba's pupils who occur in *isnāds* of traditions with the additional words: *Ḥasibtu annahu qāla muta'ammidan* (i.e. I thought he said: deliberately) – who added this is not certain –, such as Qutayba b. Sa'īd and al-Layth b. Sa'd,<sup>156</sup> and Hammām b. Yaḥyā (d. 163/780) is reported to have said himself: *Aḥsibuhu* (sc. the prophet) *qāla muta'ammidan*.<sup>157</sup>

Finally, for the sake of completeness, there is still another *isnād* going back to az-Zubayr with *kadhaba* instead of *qāla* and with the word *muta'ammidan*. This *isnād* is seemingly perfect and nothing in the *tarājim* of the transmitters can be construed as constituting signs of fabrication.<sup>158</sup> From the above it may have become apparent that it is sometimes impossible to determine who is to be held responsible for an *idrāj* such as the one referred to here. It is safer to say that this *idrāj* gradually became en vogue among a generation of transmitters who began to attach to the concept *kadhaba* not merely inattentiveness or forgetfulness, but rather deliberate falsification. Paradoxically, the last *isnād* mentioned above demonstrates that constructing a seemingly impeccable *isnād* was indeed possible. But the fact that it supports a *main* with an insertion of unquestionably later origin gives it away as one which was brought into circulation later than those supporting the dictum as yet free from this insertion. Additional proof for this contention is provided by the fact that Mālik (d. 179/795), who transmitted from the third link in this *isnād*, az-Zubayr's grandson

152. Ibn Hajar, *Tahdhīb*, xi, p. 162.

153. Al-Khaṭīb, *Ta'riḫ Baghdad*, xii, p. 272.

154. Ibidem, p. 273. 'Affān was the first to be tried during the *miḥna*, according to reports in the *Ta'riḫ Baghdad*. It should, therefore, not astonish us that we also encounter his name in an *isnād* in Ibn Ḥanbal, i, p. 327, supporting among others the text: 'He who tells lies about the Qur'ān without knowing what he is talking about, he will have to seek himself a place in Hell.' This saying, with or without a combination with *man kadhaba (qāla) 'alayya* etc., with different *isnāds*, is also found in Tirmidhī's introduction to his chapter on *tafsīr* i = v, p. 199; Ibn Ḥanbal, *Musnad*, i, pp. 233 and 323. Shākir considers the *isnāds* in Ibn Ḥanbal *ḡa'if* because of 'Abd al-A'lā ath-Tha'labī, but they have another, later link in common, Abū 'Awāna, who, like Shu'ba, emerges time and again in *man kadhaba* traditions.

155. Ibn Hajar, *Tahdhīb*, xi, p. 46.

156. Cf. Tirmidhī, *'ilm* 8 (v, p. 36); Ibn Ḥanbal, iii, p. 223; Ibn Māja, *muqaddima* 4 (= i, p. 13).

157. Cf. Muslim, *zuḥd* 72 (ed. 'Abd al-Bāqī, iv, pp. 2298f.); Ibn Ḥanbal, iii, p. 56.

158. Abū Dāwūd, *'ilm* 4 (iii, pp. 319f.).

‘Āmir, and allegedly knew of his piety,<sup>159</sup> did not list the saying at all, as we have established above. So the *isnād* probably came into existence sometime during the last few decades of the second century. Furthermore, it is likely that its region of origin was Iraq, since all the transmitters coming after ‘Āmir were Iraqi.

If we scrutinize the various *man kadhaba* traditions in Ṭayālīsī somewhat further, another salient feature becomes apparent. Three versions, all three with Shu‘ba in the *isnāds* that go back to Abū Hurayra, Anas and Ibn Mas‘ūd,<sup>160</sup> are mentioned in Ṭayālīsī without the preambles they have in other, later collections. But two of these preambles still figure in Ṭayālīsī as separate traditions<sup>161</sup> and one does not yet occur in it.<sup>162</sup> Since Ṭayālīsī heard this last one going back to Ibn Mas‘ūd directly from Shu‘ba, his fellow pupils of that master figuring in the *isnāds* in later collections have, therefore, to be held responsible for the preambles and no one else. Another rule can be distilled from the above: the more composite a tradition, the later its redaction. Another example of such a later redaction is the saying: ‘Do not put false words in my mouth, for he who does so goes (*yali*) to Hell.’ This simple, and therefore probably older, version is found with the same *isnād* in Tirmidhī provided with a lengthy preamble in which ‘Alī is preferred to Abū Bakr and ‘Umar, clearly a tradition of the *faḍā’il* genre, while the dictum itself is given in the classical, later version with *muta‘ammidan* and a form of the verb *tabawwa‘a*.<sup>163</sup>

Summing up, what conclusions can we attach to the foregoing survey of *man kadhaba* traditions in Ṭayālīsī? First of all, the more elaborate or composite a tradition, the later it came into circulation. This holds also true for *isnāds*; on one occasion Ṭayālīsī records Shu‘ba as saying: ‘I think that this tradition is a saying Abū Hurayra received from the prophet’<sup>164</sup> (italics mine). The same tradition with the same *isnād* is listed simply *marfū‘* in later collections, without the additional expression of doubt on the part of Shu‘ba.<sup>165</sup>

Secondly, the *man kadhaba* dictum must have come into circulation in Iraq sometime between the two death dates of ar-Rabi‘ b. Ḥabīb (see above p. 125) and Ṭayālīsī, in other words, sometime in the course of the second half of the second century A.H. Responsible for the dictum are probably the

159. Cf. Ibn Ḥajar, *Tahdhib*, v, p. 74.

160. Respectively p. 318 (no. 2421), p. 277 (no. 2084) and p. 45 (no. 342).

161. What is one single *man kadhaba* tradition in Bukhārī, ‘ilm 38 (= 1, pp. 39f.), and *adab* 109 (= iv, p. 158), is two separate traditions in Ibn Ḥanbal, ii, p. 519, and Ṭayālīsī, nos. 2419, 2420 and 2421. Cf. also Tirmidhī, *fitan* 70 (iv, p. 524) with Ṭayālīsī, nos. 342 and 337.

162. Cf. Dārimi, *muqaddima* 25 (pp. 32f.) and Ibn Ḥanbal, iii, p. 172, with Ṭayālīsī, no. 2084.

163. Compare on the one hand Ṭayālīsī, p. 17, no. 107, Bukhārī, ‘ilm 38 (= 1, pp. 39f.), Tirmidhī, ‘ilm 8 (v, p. 35), Ibn Māja, *muqaddima* 4 (= 1, p. 13), Ibn Ḥanbal, i, pp. 83, 123 and 150, with, on the other hand, Tirmidhī, *manāqib* 19 (v, pp. 632ff.), and the lengthy, but hopelessly unconvincing authentication Tirmidhī devotes to this version.

164. P. 318, no. 2421.

165. Cf. the sources listed, note 161 (first part) above.

various pupils – or people using their names – of the key figures, or ‘common links’ (cf. Introduction and Ch. 5), in the *man kadhaba isnāds*, such as Shu‘ba b. al-Ḥajjāj (d. 160/777), active in Baṣra and Kūfa, Abū ‘Awāna al-Waḍḍāh b. ‘Abd Allāh (d. 176/792), active in Wāsiṭ and Baṣra, and ‘Abd Allāh b. Lahī‘a (d. 174/790), active in Egypt although the majority of his masters and many of his pupils were Iraqi.

Thirdly, the actual wording of the dictum evolved from *qāla*, *qawwala*<sup>166</sup> and *taqawwala*<sup>167</sup> to *kadhaba* and even *‘fiarā*.<sup>168</sup> The oldest preambles and sequels refer to mendacity in transmission of *ḥadīth*, the preambles and sequels in which various legal issues are mooted and whose injunctions or prohibitions are emphasized by means of the dictum are to be considered as being of a later date.

### Man kadhaba in later Iraqi sources and conclusions

With time the number of different *isnāds* supporting the dictum increased. In Ṭayālīsī’s *Musnad* it was as yet a handful. In Ibn Ḥanbal’s time the number had increased considerably. We even find in this collection quite a few *isnāds* which did not find recognition in the six canonical books.<sup>169</sup> The

166. Shāfi‘ī, *Risāla*, pp. 394f.; Ibn Ḥanbal, iv, p. 107; but Shu‘ba also used *alḥaqa bi-*, cf. Ibn Abī Hātim, *Taqdima*, p. 172.

167. Ibn Māja, *muqaddima* 4 (= 1, p. 14); Ibn Ḥanbal, ii, p. 321.

168. Ibn Ḥajar, *Iṣāba*, vii, p. 392 (but cf. Khalīfa, *Ṭabaqāt*, p. 113); cf. also for *fīrā* instead of *kadhīb*, Ibn Ḥanbal, iv, pp. 106f.; furthermore, Ḥākīm, *Ma‘rifa*, p. 61, Abū Zur‘a, *Ta‘rikh*, p. 542.

169. Ibn Ḥanbal, i, p. 47, from ‘Umar, without *muta‘ammidan*, Shākir: *ḍa‘īf* because of Duḥayn; i, p. 70, from ‘Uthmān, variant: *man ta‘ammada ‘alayya kadhīban falyatabawwa‘ baytan fi ‘n-nār*, perhaps an early stage for the concept ‘deliberateness’ to appear, *baytan for maq‘adah* can also be considered as such, Shākir: *ṣaḥīḥ*; i, p. 78, from ‘Alī, Shākir: *ṣaḥīḥ*; i, p. 130, from ‘Alī, Shākir: *ḍa‘īf* because of ‘Abd al-‘Alā ath-Tha‘labī; ii, pp. 22, 103, 144 (cf. Shāfi‘ī, *Risāla*, p. 396; the same, *Tarīb musnad*, i, p. 17), from Ibn ‘Umar with family *isnād*, variant: *Inna ‘lḥadhī yakdhibu ‘alayya yubnā lahu baytun fi ‘n-nār*, probably in the evolution of the dictum the second oldest stage after *man qāla mā lam aqul . . .* etc., Shākir: *ṣaḥīḥ*; ii, pp. 158, 171, from Ibn ‘Amr, variant: *man qāla . . .* etc., with sequel on the prohibition of certain intoxicating beverages (cf. Abū Dāwūd, *ashrība* 5 = iii, p. 328 without *man qāla* etc.), Shākir: *ṣaḥīḥ*; ii, pp. 321, 365, from Abū Hurayra, variant: *taqawwala*, with sequel on the giving of sound advice; iii, p. 44, from Abū Sa‘īd al-Khudrī; iii, pp. 166f., 176 and 280, with three different *isnāds* from Anas; iii, p. 422, from Qays b. Sa‘d b. ‘Ubāda, with sequel prohibiting intoxicating beverages; iv, p. 100, from Mu‘āwiya (from whom there is not one single tradition in Ṭayālīsī); iv, pp. 156, 201 and 159, from ‘Uqba b. ‘Āmir, with preamble and sequel on the prohibition of silk and on ablutions; iv, pp. 366f., from Zayd b. Arqam, in the middle of a long pro-Shī‘ite tradition about the *ahl al-bayt*; v, p. 292 (cf. Khalīfa, *Ṭabaqāt*, p. 122), from Khālid b. ‘Urfuṭa, a name about which there seems to be some confusion: Ibn Ḥajar, *Tahdhīb*, iii, p. 106, says that he only transmitted one tradition which is not the same as this one, with a preamble in which he calls Mukhtār a liar (cf. also Khalīfa, *ibidem*); finally v, p. 412, from a *rajul min aṣḥāb an-nabī* (cf. al-Khaṭīb, *Kifāya*, p. 415), a very long tradition containing many different elements as well as *man kadhaba*, a tradition which J. van Ess (*Zwischen Ḥadīṭ und Theologie*, pp. 149ff.) would call ‘ein Kolossalgemälde’. The most conspicuous common links are in these *isnāds*: three times Ibn Lahī‘a and three times Shu‘ba.

most extensive list of *isnāds* with the saying in its different wordings is found in Ibn al-Jawzī's *Kitāb al-mawḍū'āt*. Ibn al-Jawzī composed this list as some sort of illustrative introduction to his collection of forged sayings.<sup>170</sup> A comparison of his *isnāds* with those in the nine books on which the *Concordance* is based yields the following result. With the exception of three,<sup>171</sup> to which may be added one *isnād* in the *Musnad* of ash-Shāfi'ī,<sup>172</sup> all *isnāds* from those collections occur in Ibn al-Jawzī's list but, in addition to these, we find here a good deal more. The conclusion seems justified that the thirty-one *isnāds* which Ibn al-Jawzī lists but are not found in the nine older collections have to be considered as fabrications from the fourth century A.H. onward. An interesting fact is also that not a single Abū Ḥanifa *isnād* found a place in Ibn al-Jawzī, something which is hardly amazing in view of that collector's leaning toward the Ḥanbalite *madhhab*, but nevertheless deserves to be mentioned here.

We have seen above (p. 97 and especially note 5) how other people considered *man kadhaba* traditions *mutawātir*. It might, therefore, be interesting to see what overall ideas Ibn al-Jawzī has to offer on the same question.

Unlike Nawawī, Ibn al-Jawzī relates that the tradition is found going back to sixty-one different Companions among whom there were nine out of the ten to whom the prophet promised Paradise.<sup>173</sup> Then he quotes a certain Abū Bakr Muḥammad b. Aḥmad b. 'Abd al-Wahhāb al-Isfarā'īnī,<sup>174</sup> who said: 'There is no *ḥadīth* in the world on which the ten Companions (i.e. to whom Paradise was promised) agree except this one.' Then Ibn al-Jawzī adds: 'But I have never come across a tradition in this vein traced back to 'Abd ar-Raḥmān b. 'Awf.'<sup>175</sup> Among the Companions in this list we do find, strangely enough, Salmān al-Fārisī who transmitted it from the prophet. Salmān is often a transmitter of prophetic sayings in Shi'ite sources

170. I, pp. 57-92.

171. The first one is a purely Syrian *isnād* with Awzā'ī from Ḥassān b. 'Aṣīyya from Abū Kabsha from 'Abd Allāh b. 'Amr from the prophet, cf. Bukhārī, *anbiyā'* 50 (= II, pp. 372f.); Tirmidhī, *ilm* 13 (v, p. 42); Dārimī, *muqaddima* 46 (p. 72) and Ibn Ḥanbal, II, pp. 159 (Shākir: *ṣaḥīḥ*), 202 and 214. The second one is an Iraqi *isnād*: Abū Ma'mar Ismā'il b. Ibrāhīm - Ṣāliḥ b. 'Umar - 'Āsim b. Kulayb - Kulayb - Abū Hurayra - prophet, Dārimī, *muqaddima* 50 (p. 77), cf. Ibn Ḥanbal, II, p. 413. The third one is also Iraqi and runs: Suwayd b. Sa'īd (whose memory became confused after he had gone blind; he was accused of *tadlīs*, of stealing traditions, and he was often marked as unreliable; he died at an advanced age(!) in 240/855, Ibn Ḥajar, *Tahdhīb*, IV, pp. 272-5) - 'Alī b. Mus/hir (reliable, also blind!) - Muṭarrif b. Tarif (*thiqa*, Kūfa) - 'Aṣīyya b. Sa'd al-'Awfī (accused of *tadlīs* in naming his informant Abū Sa'īd in an attempt to create the impression that he alluded to al-Khudrī, whereas one Abū Sa'īd al-Kalbī was meant, see pp. 122f. above and Ibn Ḥajar, *Tahdhīb*, VII, p. 226) - Abū Sa'īd (al-Khudrī?, al-Kalbī?) - prophet; cf. Ibn Māja, *muqaddima* 4 (= I, p. 14).

172. *Tarīb musnad*, I, p. 17, from Abū Qatāda with preamble about the transmission of *ḥadīth*; cf. also *Risāla*, p. 397. 173. I, p. 56.

174. Cf. Dhahabī. *Tadhkirat al-ḥuffāz*, III, pp. 1064f. 175. I, pp. 64f.

and to conclude this survey I should like to give a list of traditions from Shī'ite collections. Perhaps Salmān plays a part in those also.

But I have searched in vain. In fact, I have found that the concept *kadhib* did not play a role as important as in the sunnite collections. Only once does the *man kadhaba* dictum occur in the collections available to me in printed editions. That is in Kulaynī.<sup>176</sup> Preamble and sequel are the same as in Ibn Abī 'l-Ḥadīd's *Sharḥ nahj al-balāgha*,<sup>177</sup> but in Kulaynī's *bāb al-kadhib*<sup>178</sup> the saying does not occur, a *bāb* where we would have expected it most. There are two more sayings, one attributed to 'Alī and one to the *imām* Ja'far, which, with a little effort, can be interpreted as more or less in the same vein as the sunnite traditions concerning *kadhib*.<sup>179</sup> In the *Jāmi' al-akhbār* of Ibn Bābawayhi we find the tradition which we have come to know as one of the major forerunners of the *man kadhaba* saying. It is attributed to the Prophet and runs: *Iyyākum wa 'l-kadhib fa-inna 'l-kadhib yahdī ilā 'l-fujūr wa 'l-fujūr yahdī ilā 'n-nār* (see above p. 112). But the remainder in Ibn Bābawayhi's chapter on *kadhib* merely contains sayings attributed to *imāms* without a trace of *man kadhaba*.<sup>180</sup> In conclusion, there is one more saying ascribed to Ja'far with the following preamble: 'Lying about God, His Messenger and the plenipotentiaries is a grave sin. The Messenger of God once said: *Man qāla 'alayya mā lam aqulhu fal-yatabawwa' maq'adahu min an-nār*.'<sup>181</sup> On the basis of the foregoing material it seems safe to say that the dictum in its fully developed stage, embellished with preambles and/or sequels or inserted in other traditions by way of *idrāj* apparently never caught on in Shī'ite traditionists' circles. Whether or not they were aware of themselves as being among the most guilty by bringing into circulation masses of fabricated traditions, for instance the innumerable *faḍā'il* traditions extolling the merits of the *ahl al-bayt*, is difficult to say. At any rate, a Shī'ite such as Ibn Abī 'l-Ḥadīd admitted frankly that it was the partisans of 'Alī who were the first to spread forged traditions concerning their leaders.<sup>182</sup> The overall impression one gains from reading in Shī'ite *ḥadīth* collections is that these, unlike the sunnite collections, are not so much concerned with legal issues resulting in heated discussions about pro and contra which, eventually, are emphasized with the *man kadhaba* dictum, but first and foremost bear the stamp of *faḍā'il* in the widest sense of the word.<sup>183</sup>

176. *Al-kāfi*, I, p. 62.

177. xi, pp. 38f.      178. ii, pp. 338-43.

179. I, p. 52. There is one more saying attributed to Ja'far, cf. *Al-ḥikam al-Ja'fariyya*, p. 31.

180. Lithograph, n.p. (Persia) 1296, *faṣl* 111, *fi 'l-kadhib*.

181. Aḥmad b. Muḥammad b. Khālīd al-Barqī, *Kitāb al-maḥāsin*, p. 90.

182. *Sharḥ nahj al-balāgha*, xi, pp. 48f. See Chapter 1.

183. *Faḍā'il* praising various foodstuffs such as fruits, vegetables and the like are surprisingly numerous, e.g. al-Barqī, *Kitāb al-maḥāsin*, pp. 315-466, and Ibn Ḥajar, *Tahdhib*, vii, p. 388.

In short, every piece of evidence adduced in the foregoing pages points to Iraqi sunnite traditionist circles flourishing in the second half of the second century as the breeding ground of the *man kadhaba* saying.

One may well ask, why Iraq? It is obvious that a clear-cut answer is difficult to give. Extensive reading in the most authoritative, early *rijāl* works leaves one with the impression that lying in and fabrication of *matns* as well as deceit in the composition of *isnāds* (*tadlīs*) were practised much more widely in the Iraqi centres than in Syria, Egypt or the Ḥijāz, whereas the 'raising to the level' of a prophetic saying seems to have been resorted to in the latter three regions on a somewhat wider scale than in Iraq. But unless the *rijāl* works' information is taken at face value – something which raises doubts discussed in the chapters that follow – and is fed into a computer, it is well-nigh impossible to quantify the evidence for the above surmise. Besides, looked at from a distance, what is the basic difference between on the one hand *kadhib*, *wadʿ* and *tadlīs* and, on the other hand, *rafʿ*? Assuming that there is a difference, this is closely intertwined with the angle from which the discerning *ḥadīth* experts in the respective centres during the first few centuries of Islam looked at *ḥadīth*, but the dispassionate twentieth century student may only perceive a slight psychological difference which, once recognized, needs no longer to be taken as unduly complicating matters. Even so, a few observations could be made which, if anything, might assure that the discussion remains open.

In Chapter 1 various references were given to passages in which it was intimated that Iraq was deemed more *kadhib*-prone than the other regions (cf. notes 237 and 241). Furthermore, it seems feasible that a brief look at the composition of the population of the different regions may result in raising a few significant points. Basic to any issue regarding population in early Islam is the Arabs-*mawālī* ratio.

In the Ḥijāz Arabs probably outnumbered *mawālī*. The '*ulamā*' and *fuqahā*' who gave Islam its face were predominantly free-born Arabs, *mawālī* playing only a minor – albeit gradually far from negligible – role in gathering '*ilm* and disseminating *fiqh*.

In Egypt Islam took so long to grow roots (see also note 50 of Chapter 1 above) and Muslims were in the beginning so heavily outnumbered by Copts that active participation in the shaping of Islam on the part of the Muslims living in Egypt can well be assumed to have been virtually non-existent until such people as Layth b. Sa'd (d. 175/791), 'Abd Allāh b. Lahī'a (d. 174/790) and 'Abd Allāh b. Wahb (d. 197/813) began to disseminate the tradition material they had gathered for the most part in the Ḥijāz and Iraq. Since the development of Islam goes hand in hand with the development of *ḥadīth*, it is understandable that where there was still virtually no Islam to speak of, there was virtually no *ḥadīth* activity either, and thus, presumably, no *kadhib*, *wadʿ*, *tadlīs* or *rafʿ*. It seems safe to say that, seen

against the background of evolving Islam, Egypt lagged behind the other provinces of the Islamic empire by some three or four decades or possibly even longer.

It is more difficult to make general statements about Syria and the evolution of Islam or *ḥadīth* there. This is due mainly to the lack and/or the – as yet – unavailability of sufficient source material. One gains the impression that whatever progress Islam enjoyed in Syria, this was closely linked with the way it adopted, or fought off, Christian/Byzantine ways of thinking (compare especially note 238 of Chapter 1 above). It is true that Syria had in one Umayyad ruler, 'Umar II, a man who, through his authority and incentives, may have promoted the gathering of *ḥadīth* in a probably significant way. And the effect Zuhri's *ḥadīth* collecting activities must have had on the evolution of *ḥadīth* in Syria in general cannot be emphasized enough. But, perhaps with the exception of Awzā'ī (d. 157/774), Islam, and thus also *ḥadīth*, had during the first century of 'Abbāsid rule in Syria no spectacular protagonists or theoreticians.

When we finally look at Iraq, we soon realize that it was here that the greatest activity in thinking about, and subsequently formulating, Islam was displayed. And thus it was here that the search for, and, inevitably as a concomitant factor, the fabrication of, traditions assumed such large proportions. Key figures in the development of Iraqi *ḥadīth* were practically all *mawālī*, as Arabs, like anywhere in the Islamic empire – with the possible exception of the Ḥijāz – were vastly outnumbered by the indigenous, conquered population. Now, it is hard to say whether the identification of *ḥadīth* fabrication with mendacity was first thought of by one pious Arab or one devout *mawlā*, or whether the whole concept of mendacity in *ḥadīth* slowly and gradually took shape in the minds of a class of religious people in which Arabs formed a minority and *mawālī* the majority. But the theory seems tenable, as the foregoing pages may have demonstrated, that the *man kadhaba* dictum originated in Iraq, and the harshly threatening and overall intolerant tone of the saying may well be taken to reflect also the rivalry either way between the ruling minority and the vast masses of the subordinate majority, a rivalry which, as yet, had not taken such dimensions in the Ḥijāz.

Zuhri is reported to have said: *yakhruju 'l-ḥadīth shibran fa-yarji'u dhirā'an ya'nī mina 'l-'Irāq*, i.e. a tradition may emerge spanning a hand's breadth; after its return from Iraq it measures a cubit (Abū 'l-Qāsim al-Balkhī, *Qabūl al-akhbār*, p. 170). And someone coming to Kūfa said: 'Show me the biggest liar, for the best traditions can only be found with him!' (Ibidem, p. 17.)



## CHAPTER FOUR

# An appraisal of Muslim *ḥadīth* criticism. *Rijāl* works as depositories of transmitters' names

*Lā a'lamu li'llāhi qawman afdala min qawmin yaṭlubūna ḥādḥā 'l-ḥadīth wa-yuḥibbūna ḥādhihi 's-sunna wa-kam antum fi 'n-nās? Wa 'llāhi la-antum aqallu mina 'dh-dhahab.*

Sulaymān b. Mihrān al-A'mash in Rāmahurmuzī, *Al-muḥaddīth al-fāsil*, p. 177.

### Introduction

A study dealing with the chronology of the origins and early development of *ḥadīth* cannot, of necessity, avoid dealing with the origins and early development of *ḥadīth* criticism. The present and the following chapters will be devoted to this issue.

In this chapter the first element of a *ḥadīth* transmitter's biography in the *rijāl* lexica, his name(s) and/or genealogy, will be studied; the following chapter will be devoted to the biographical information of a transmitter and the assessment of his skill in transmitting traditions.

As already indicated in Chapter 1, the famous traditionist Shu'ba b. al-Ḥajjāj, who died in 160/776, was the first to scrutinize *ḥadīth* transmitters in Iraq or rather as it turned out in the entire Muslim world. He was soon followed in this skill by Yaḥyā b. Sa'īd al-Qaṭṭān (d. 198/813), Aḥmad ibn Ḥanbal (d. 241/855) and many others.<sup>1</sup> Their activities were eventually put down in writing and this gave rise to a new genre of literature, the *ṭabaqāt* works.<sup>2</sup> In these works the transmitters are arranged according to generation and place of residence. The first great work belonging to his genre which has been preserved is Ibn Sa'd's *Kitāb at-ṭabaqāt al-kabīr*. The division in *ṭabaqāt* or classes, generations, was eventually abandoned in favour of another arrangement, a gradually more strictly observed alphabetical order of transmitters irrespective of their places of residence. The first two major works in this genre that have come down to us are *At-ta'rīkh al-kabīr* of Bukhārī (d. 256/870) and the *Kitāb al-jarḥ wa 't-ta'dīl* of Ibn Abī Ḥātim (d. 327/938). These two works were followed by a number of others which as far as possible encompassed the information contained in already existing ones. With the *Tahdhīb at-tahdhīb* of Ibn Ḥajar this development came finally to a standstill. Ibn Ḥajar, who died in 852/1449,<sup>3</sup> produced in

1. Cf. Ibn Ḥajar, *Tahdhīb*, iv, p. 345.

2. Cf. a recent study by Ibrahim Hafsi, Recherches sur le genre "Ṭabaqāt" dans la littérature arabe. Cf. also T. Khalidi, Islamic biographical dictionaries: a preliminary assessment.

3. For his scholarly career, see E.I. 2, s.v. (F. Rosenthal).

this biographical lexicon the most complete list of ḥadīth transmitters occurring in all the canonical collections as well as a few other revered ones, a list which was based upon the works of all his predecessors and which has never been superseded by a later lexicon.

### *Ibn Ḥajar's Tahdhīb at-tahdhīb*

Ibn Ḥajar must have had sources from which he worked as is abundantly clear to everyone who is familiar with his massive works. He had at his disposal a great many books and records from older generations of scholars and he never made it a secret that he had culled his works from all those *Vorlagen*. So, even if Ibn Ḥajar is a fifteenth-century scholar, we may rely on his *Tahdhīb* as containing the most extensive survey of the oldest source material available on the subject-matter of ḥadīth transmitters arranged in short or sometimes lengthy *tarjamas*.

Before embarking on an appraisal of this material I should like first to emphasize once more one crucial point. Since it appeared just as easy during the first few centuries of Islam to fabricate *isnāds* for ḥadīths as to forge sayings, dictums, slogans, maxims or, in short, anything contained in the *matn* of a ḥadīth, the fact that a certain *matn* is supported by a seemingly sound *isnād* should never be interpreted as indicating that, because of that *isnād*, the *matn* can indeed be ascribed to the prophet or a Companion as is claimed. Conversely, if, on the basis of sound historical considerations, a saying is in all probability rightfully ascribed to the prophet or another early authority, that does not entail that the *isnad* via which it is transmitted is therefore necessarily genuine. If a study of ḥadīth transmitters such as the one presented here yields any results at all, they will be results that say something about how *isnāds* were put together, or how weak or defective *isnāds* were doctored so as to seem 'sunder', but it will not produce information on the authorship or chronology of particular sayings unless in passing.

In what, then, lies the usefulness of Ibn Ḥajar's *Tahdhīb*? In recent years various ancient texts have been produced in printed editions which had hitherto only been known to exist in manuscript and/or in fragments in sources like the *Tahdhīb*. These fragments confirm in the first place the authenticity of these new editions, but they can also be put together so as to form one of those other ancient sources which Ibn Ḥajar drew upon and which may not otherwise be extant. We are now greatly helped towards a correct appreciation of the origins of Muslim *isnād* criticism by the fact that we have at our disposal works such as the *Kitāb al-'ilal* by 'Alī ibn al-Madīnī (d. 239/849), the *Kitāb al-'ilal wa-ma'rifat ar-rijāl* by Aḥmad ibn Ḥanbal, or a book entitled *Al-muḥaddith al-fāsil bayna 'r-rāwī wa 'l-wā'i* of al-Ḥasan b. 'Abd ar-Raḥmān ar-Rāmāhurmuzī (d. 360/970) to mention a few of those

important editions.<sup>4</sup> And if one does not have the extensive manuscript material containing texts ascribed to – for example – Yaḥyā b. Maʿīn (d. 233/847) at one's disposal, or – as another example – the MSS. ascribed to Ibrāhīm b. Yaʿqūb al-Jūzajānī (d. 259/847), one can still reconstruct those texts on the basis of the numerous quotations from them in the *Tahdhīb*. But on top of this we also find here fragments of texts which have been otherwise lost or which at least have not been given an entry in Sezgin's *GAS* or sometimes even Ibn an-Nadīm's *Fihrist*.

In Appendix IV I have collected the names of a few dozen people who were most frequently mentioned in the *Tahdhīb*. This list is far from complete and could probably be extended considerably. It is only meant to give an idea of the wealth of old material in the *Tahdhīb* so far untapped. Moreover, if we finally realize that Ibn Sa'd's *Ṭabaqāt* in the printed edition as we have it now shows various lacunae which, if someone devoted some time to it, could be filled with the appropriate passages ascribed to Ibn Sa'd from the *Tahdhīb*,<sup>5</sup> then the conclusion seems inevitable that Ibn Ḥajar's work can be considered to be a *Fundgrube* which, until now, has not attracted the attention it seems to deserve. The present chapter also originated in my realizing this.

When one reads extensively in the twelve volumes of the *Tahdhīb*, one learns a great deal about the rivalries between the various centres of *ḥadīth* in the Muslim world and also about the internal rivalries between traditionists of one school.<sup>6</sup> In an endless stream *faḍā'il* alternate with *mathālib* and often one stumbles upon blatant contradictions which seriously complicate matters. But I firmly believe that the solutions to many questions concerning the earliest development of Islamic tradition, raised by Goldziher and later scholars and so far never – especially not in the eyes of Muslim scholars – satisfactorily answered, can be sought in a thorough study of the *Tahdhīb*. Leaving those rivalries aside for the time being, I should like to concentrate on the 7,300 names of transmitters whose lifetimes span a period of some two hundred and fifty years. Are these the

4. For details, see Bibliography.

5. The same applies to Ibn Ḥanbal's *Kitāb al-'ilal wa-ma'rifat ar-rijāl* of which we have only volume 1 in a printed edition. Whether or not the editors will eventually bring out more volumes is anybody's guess. As long as we do not have more than the first volume, the *Tahdhīb* is our only printed source of information. This is also true for 'Alī ibn al-Madīnī's *Kitāb al-'ilal* which, in the printed edition, only contains a fraction of the information scattered over the *Tahdhīb*. One wonders why the unique ms., dating from 628 A.H. (cf. *GAS*, I, p. 108) presents so incomplete a text. Might Ibn al-Madīnī's original have contained information which did not harmonize with the views of later *rijāl* experts and were large parts of it, therefore, subsequently suppressed? Do we have, in other words, only an 'expurgated' redaction? Cf. Chapter 5 of this study. But, of course, we do not know whether Ibn Ḥajar had perhaps other texts of his at his disposal.

6. See also my *On the origins of Arabic prose*, p. 172, cf. also Chapter 1, pp. 64f.

names of 7,300 historical figures of early Islam or are there any fictitious persons among them, and if so, who can safely be crossed out?

Even if one does not have a computer at one's disposal, where the pressing of buttons supplies the desired information, a human being has a faculty which serves him in good stead when tackling a problem such as the one outlined above. This faculty is his awareness of unusual coincidences and, very often, his unwillingness to take these coincidences for granted. If, for example, a certain name – with or without the accompanying patronymic – occurs much more frequently than might be expected, a closer look almost invariably proves to be rewarding and reveals certain peculiarities. I have come to recognize these peculiarities and I have started to classify them. The following considerations concerning one particular name furnish a suitable starting-point and may clarify what I mean.

### *The case of Ḥafṣ b. 'Umar*

Of the thirty-five people called Ḥafṣ, thirteen, that is more than one third, were allegedly sons of people called 'Umar. Eight of these thirteen were contemporaneous. When I looked to see if they had any masters in common, it appeared that three of these transmitters called Ḥafṣ b. 'Umar had been pupils of the well-known Shu'ba. This peculiarity is enhanced by the fact that in Ibn Ḥajar's lexicon dealing with the transmitters from other than the canonical collections, the *Lisān al-mizān*, the patronymic 'Umar in an even more astonishing manner outnumbers other patronymics for people called Ḥafṣ. Of the forty-three Ḥafṣ twenty had 'Umars as fathers. Of these twenty fifteen were contemporaneous and, on top of that, five had allegedly been pupils of Shu'ba. In other words, if we take all this information at face value, there were eight different people called Ḥafṣ b. 'Umar (five from the *Lisān* and three from the *Tahdhīb*) who had attended Shu'ba's ḥadīth sessions and, if that is not enough, who had more than a dozen namesakes mostly spread over Iraqi ḥadīth centres. I have come to recognize in this a pattern. Someone had become so well-known and was so much looked up to at a certain time at a certain place that *isnāds* with his name became numerous. Since an ever increasing number of *isnāds* were forged with his name in them supporting texts too incongruous to ascribe to a transmitter of his stature, *rijāl* information became automatically more extensive including various people with the same name but of lesser renown to whom the incongruous material could indeed safely be ascribed. In the case of the name Ḥafṣ b. 'Umar, the first and foremost bearer of that name, whose fame and, therefore, whose inviolability had probably brought his various fictitious namesakes into being, was Ḥafṣ b. 'Umar b. al-Ḥārith b. Sakhbara (d. 225/840).<sup>7</sup>

7. *Tahdhīb*, II, pp. 405ff. His grandfather and great-grandfather are listed in Caskel, I, no. 216.

But if we scrutinize this one transmitter more closely in the earlier *rijāl* works even more astonishing features keep piling up and strengthen us in our initial disbelief in this capricious coincidence: almost two dozen people bearing the same not too common name fortuitously living at the same time mostly in the same area seem too hard to swallow.

In Ibn Sa'd there are two people called Ḥaḥṣ b. 'Umar but they lived at different times. The one we are trying to trace for our investigation is, as yet, only known by his *kunya* and his *nisba*, Abū 'Umar al-Ḥawḍī. Ibn Sa'd must have met him personally or he must have obtained direct information about him, because he even mentions the very day on which Ḥaḥṣ died, roughly five years before his own death in 230. For the rest he does not give any more details, for example about his activities as a transmitter. He only states that the man is to be considered to hail from Baṣra.<sup>8</sup> In Khalīfa b. Khayyāṭ's work on *ṭabaqāt* it is clearly stated that he was a *mawlā* of the Banū 'Adī. Khalīfa died allegedly ten years after Ibn Sa'd in 240 and it is for this reason that his information may be a little more detailed.<sup>9</sup> But in Bukhārī's *At-ta'rikh al-kabīr*, a *rijāl* work composed approximately only fifteen years later, the reference to his having been a *mawlā* is substituted for his alleged descent from an-Namir, a revered ancestor of the tribe Azd,<sup>10</sup> whereas in the *Kitāb al-jarḥ wa 't-ta'dīl* of Ibn Abī Ḥātim, containing information gathered again some fifteen years later by Abū Ḥātim (d. 277/890), Ḥaḥṣ's pedigree has grown by the addition of a grandfather (al-Ḥārith) and a statement attributed to 'Alī ibn al-Madīnī (d. 234/849) that he had been one of Shu'ba's pupils, that he was of bedouin descent and that he was noted for his unadulterated Arabic.<sup>11</sup> Returning to the *Tahdhīb* we are then confronted again with a man whose complete pedigree stretches far back into the Azd tribe and about whom it is said – but only as an afterthought to which not too much historical value is to be attributed (*wa-yuqālu . . .*) – that he may have been a *mawlā* of the Banū 'Adī.

To sum up, the different entries in the *rijāl* works quoted here are as follows:

Ibn Sa'd (d. 230/844):	<i>Abū 'Umar al-Ḥawḍī wa 'smuhu Ḥaḥṣ b. 'Umar</i>
Khalīfa (d. 240/854):	<i>Ḥaḥṣ b. 'Umar mawlā banī 'Adī al-Ḥawḍī Abū 'Umar</i>
Bukhārī (d. 256/870):	<i>Ḥaḥṣ b. 'Umar Abū 'Umar al-Ḥawḍī an-Namarī al-Azdī</i>
Abū Ḥātim (d. 277/890):	<i>Ḥaḥṣ b. 'Umar Abū 'Umar al-Ḥawḍī Ibn al-Ḥārith an-Namarī</i>
Ibn Ḥajar (d. 852/1448):	<i>Ḥaḥṣ b. 'Umar b. al-Ḥārith b. Sakhbara al-Azdī an-Namarī Abū 'Umar al-Ḥawḍī al-Baṣrī Ibn an-Namir b. 'Uthmān wa-yuqālu mawlā banī 'Adī.</i>

The number of namesakes increases with time as is conspicuously apparent from a chronological survey of the above-mentioned *rijāl* works.

8. Ibn Sa'd, VII, 2, p. 56 (lines 13ff.). 9. Khalīfa, *Ṭabaqāt*, p. 228.

10. Bukhārī, *Kitāb at-ta'rikh al-kabīr*, I 2, p. 366.

11. Ibn Abī Ḥātim, *Kitāb al-jarḥ wa 't-ta'dīl*, I 2, p. 182.

In Ibn Sa'd, as indicated above, only one other Ḥaḥṣ b. 'Umar is mentioned, namely a grandson of Sa'd b. Abī Waqqāṣ who was killed with his father by Mukhtār<sup>12</sup> presumably more than a century earlier. In the twenty-five years following Ibn Sa'd's death fifteen more people with this name emerge in the *Ta'rikh* of Bukhārī, but only four can be considered contemporary with our Ḥaḥṣ. Again a few decades later, when Ibn Abī Ḥātim's father was actively collecting *rijāl* material, this number has increased to thirty-five, of whom fifteen lived at an earlier time and twenty were contemporaneous with our particular Ḥaḥṣ b. 'Umar. After that, as we have seen, the number is still higher in Ibn Ḥajar's *Tahdhīb* and *Lisān* but not very much so. The only striking difference between Ibn Abī Ḥātim and Ibn Ḥajar is the increased volume of information in the *tarjamas* of the latter. And in spite of the meticulousness of these Muslim authors, a further look reveals how defectively much of the material was transmitted and to what confusion, such as the creation of new people called Ḥaḥṣ b. 'Umar, this led.<sup>13</sup>

The question remains: who can be held responsible for the invention of these transmitters? Perhaps the ultimate differentiation may have been made by later *rijāl* experts who had to sift questionable from acceptable material. They may have done this on the basis of genealogical and/or *faḍā'il/mathālib* information partly transmitted anonymously, partly transmitted by that generation of traditionists who found a place in the tier above Ḥaḥṣ in Ḥaḥṣ b. 'Umar *isnāds*. In other words, although we cannot possibly impute to one (or more) person(s) the invention of the namesakes of Ḥaḥṣ b. 'Umar, we know with some accuracy when it must have occurred. From the foregoing it has become clear that the namesakes originated around 250 A.H., between the death dates of Khalīfa (d. 240) and Bukhārī (d. 256). In conclusion I think it is safe to say that the vast majority of people called Ḥaḥṣ b. 'Umar, especially those who allegedly died about 220 A.H., were fictitious persons.

So far, this Ḥaḥṣ b. 'Umar example may be taken to lead to the assumption that as soon as we find a not too common name, which an unexpectedly high number of people seem to share, they are probably fictitious persons who have come into existence around one, or sometimes two, historical ones. This phenomenon could be observed on so many occasions that it deserves to be identified as a pattern.

### *The case of 'Ikrima*

Another example in regard to which it can be maintained that the not too credulous investigator refuses to believe in 'coincidences' concerns the

12. Ibn Sa'd, v, p. 125 (line 21).

13. E.g. compare *Tahdhīb*, II, no. 721: Ḥaḥṣ b. 'Umar al-imām Abū 'Imrān ar-Rāzi min sikkat al-Bāgh jar Ibn as-Suddī with Ibn Abī Ḥātim, I 2, no. 778: . . . wa-yuqālu lahu an-Najjār al-Wāsiṭī and *ibidem*, no. 794: . . . ar-Rāzi . . . jar Ibn as-Sindī al-Bāghī and *Lisān*, II, no. 1337: Ḥaḥṣ b. 'Umar b. Abī Ḥaḥṣ al-Wāsiṭī al-Bukhārī al-imām.

name 'Ikrima. The notorious *mawlā* of Ibn 'Abbās is so well-known that he needs no further introduction. Beside him we find in the *Tahdhīb* six more 'Ikrimas of whom one is a Companion, the son of Abū Jahl,<sup>14</sup> and the other five are all Successors who lived at the same time. Whether the name 'Ikrima had become so notorious after the lifetime of Ibn 'Abbās's *mawlā* that parents no longer wanted to give this name to their sons or whether there was another reason for the name to disappear, is a question which at this moment is difficult to answer. The fact is that, with the exception of a few highly doubtful 'Ikrimas in the *Lisān*, all people bearing this name lived during the same period. It is my contention that the majority of these were fictitious or represent different stages in the development of fictitious pedigrees around one historical figure. It is indeed difficult to maintain that the 'Ikrimas listed here are all separate, historical individuals.

'Ikrima b. Khālid b. al-'Āṣ b. Hishām b. al-Mughīra b. 'Abd Allāh b. 'Umar b. Muḥammad

'Ikrima b. Salama b. al-'Āṣ b. Hishām

'Ikrima b. Salama b. Rabī'a

'Ikrima b. 'Abd ar-Raḥmān b. al-Ḥārith b. Hishām b. al-Mughīra b. 'Abd Allāh b. 'Umar b. Muḥammad

As was the case with Ḥafṣ b. 'Umar *isnāds*, the reason for the invention of so many namesakes of one (or at most two) 'Ikrima(s) may lie in the need of *isnād* scholars of a later period to differentiate between various kinds of material of disparate quality which could only be taken seriously and preserved when the theory was propounded that it had been transmitted by transmitters of unequal expertise and background. But since these 'Ikrimas were supposed to have lived some one hundred years earlier than those people called Ḥafṣ b. 'Umar, the *tarjamas* seem to have had more time to become a great deal more elaborate and sophisticated.

### *The case of Bishr*

A particularly striking coincidence is presented by the transmitters called Bishr. At the same time, however, they constitute a very complicated problem the solution of which is not as apparently obvious as in the two preceding cases. The point of departure is, on the other hand, one of the most astounding 'coincidences' – as one might call these phenomena – to embellish the pages of the *Tahdhīb*. Even the most gullible will have to admit that the distribution of different Bishrs over the *ḥadīth* centres leaves something to be explained. With most names it appears that the distribution over the different *ḥadīth* centres is, with a few not very meaningful exceptions, numerically proportionate to the size of the centre. For example, the difference in numbers between Baṣra, Kūfa and Medina hardly

14. *Tahdhīb*, vii, pp. 257f.

ever gives cause for amazement and, on the whole, we may conclude that the numbers of transmitters operating in each of these three centres is more or less similar. Thus, if we look at the distribution of Bishrs over the centres and we find that apart from two in Ḥimṣ, Damascus and Marw, and one in Kūfa, there was no Bishr hailing from Medina, whereas seventeen Bishrs were allegedly active in Baṣra, we have a problem which, so far, is in want of a satisfactory explanation.

### *The case of Abū Ishāq*

The problem concerning different people bearing the same names and living roughly during the same period was already known to early ḥadīth scholars. Ar-Rāmahurmuzī, for example, devoted a sizable section of his book to those who share names and lifetimes.<sup>15</sup> However, in most cases he does no more than hint. Thus when he talks about those who share the *kunya* Abū Ishāq, he only mentions two, who are indeed the most important *muhaddīthūn* of their time with the name, 'Amr b. 'Abd Allāh as-Sabī'ī and Sulaymān b. Abī Sulaymān ash-Shaybānī, both from Kūfa. What Rāmahurmuzī does not mention is that the *kunya* Abū Ishāq seems to have been uncommonly popular in Kūfa and on a lesser scale also in Baṣra, for the number of those who had this *kunya* is unexpectedly large and not at all commensurate with the rather limited number of people called Ishāq who are mentioned as having been their sons according to customary *kunya* practice. And to believe in the 'coincidence' that those whose *kunya* was Abū Ishāq had acquired this *kunya* contrary to the established custom is again, I think, asking a little too much. It is true that having the name Ibrāhīm in many cases automatically resulted in acquiring the *kunya* Abū Ishāq without the apparent need of fathering male children who would then be named Ishāq,<sup>16</sup> but, even so, the *kunya* Abū Ishāq was given more frequently than the overall frequency of the name Ishāq would warrant. The frequency with which the *kunya* Abū Ishāq, without specification of the *ism*, appears in *isnāds* leads one to believe that there were perhaps quite a few people who wanted to share, by borrowing Abū Ishāq as-Sabī'ī's *kunya*, in this famous traditionist's glory,<sup>17</sup> and that what appears to be the

15. Rāmahurmuzī, pp. 274-302. Cf. also al-Hākīm, *Ma'rifat 'ulūm al-ḥadīth*, pp. 230f.; al-Khaṭīb, *Kifāya*, pp. 371f.

16. Fifty-one of the hundred and fifty-four different Ibrāhīms in the *Tahdhīb*, that is almost one third, are called Abū Ishāq. When we look under the name Ishāq, we find only fifteen people called Ishāq b. Ibrāhīm, of whom just a few are mentioned in the *tarjamas* of the Ibrāhīms. Cf. also H. Schützing, *Das Kitāb al-mu'ḡam des Abū Bakr al-Ismā'īlī*, pp. 125-8, where eighteen of the twenty-four Ibrāhīms listed have the *kunya* Abū Ishāq. Cf. also L. Caetani and G. Gabrieli, *Onomasticon arabicum*, vol. 1, pp. 110f. Of the thirty-seven people called 'Abbās in the *Tahdhīb*, no less than fourteen have the *kunya* Abū 'I-Faḍl. Is that because of the prophet's cousin al-Faḍl b. al-'Abbās?

17. Cf. *Tahdhīb*, xi, p. 63, where Hushaym b. Bashir is described as 'making use' of this *kunya*; cf. also *Qabūl*, pp. 118f.



transmission of one person was in reality the work of many of the same name among whom one or two, in this case as-Sabī'ī and ash-Shaybānī, became eventually marked as key figures. It was they who gradually were personally credited with the work of many, otherwise almost anonymous, Abū Ishāqs. I am inclined to lend credence also to the possibility that the majority of Abū Ishāqs are merely fictitious. If we assume, in any case, that the historical validity of *isnāds* with an unspecified Abū Ishāq at the Successor level hinges on either or both of the possibilities outlined just now, we have cast doubt on a substantial percentage of Kūfan and Baṣran *isnāds*. Besides, Abū Ishāq as-Sabī'ī is the sort of controversial figure to whom is ascribed a great deal of highly doubtful material.<sup>18</sup> If store is to be set on *isnāds* at all, those with one unspecified Abū Ishāq at the Successor level are dubious in the extreme irrespective of the texts they support.

It is not unthinkable that Abū Ishāq *isnāds*, once established as highly useful tools to bring certain materials into circulation as prophetic traditions, started to live a life of their own and were used at all times and seasons. An even more striking example of such an *isnād* is the so-called 'golden chain' (*silsilat adh-dhahab*):<sup>19</sup> Mālik – Nāfi' – 'Abd Allāh b. 'Umar – prophet.

### *Nāfi' and Shu'ba*

As is the case with a few other names, the name Nāfi' seems to become gradually more popular in the course of the first one and a half centuries after which it virtually disappears. Whereas in Ibn Sa'd we only find twelve, in Bukhārī's *Ta'rikh*, compiled a few decades later as we saw, we already find twenty-nine Nāfi's listed, which number has become thirty-six in Ibn Abī Ḥātim's lexicon. Strangely enough, this number decreases to twenty-six in the *Tahdhīb* and the *Lisān* together. Again certain striking similarities characterize most of the people called Nāfi'. None of them died after 200/815 and the vast majority were either Hījāzī, especially Medinese, Successors or *mawālī* or (in most cases) both. One conclusion that readily presents itself is that most probably all these Successors/*mawālī* called Nāfi' are fictitious with the possible exception of one, the famous *mawlā* of Ibn 'Umar from the 'golden chain'. If this conclusion is not acceptable and the historicity of this multitude of Nāfi's is maintained, the question why the name virtually disappeared after the period during which the most famous Nāfi' allegedly lived remains unanswered.

Is it justifiable to assume that the meaning of the name Nāfi' (= useful) is significant? Does this perhaps indicate that often *mawlās* were given names that bespeak the (hidden) expectations of their masters? The significance

18. See my *On the origins of Arabic prose*, pp. 170f., and also Ibn Ḥanbal, *'Ilal*, 1, no. 909.

19. Cf. *Muh. Stud.*, II, p. 247; *JA*, 1900, XVI, p. 482.

that certain names have special connotations or evoke special associations may become apparent later in the course of this study, when I shall come to speak of names such as Sālim and Thābit.

There seems to be no doubt that these dozens of Nāfi's have led to confusion on the part of the tradition experts.<sup>20</sup> It is, therefore, wrong to think that the 'golden chain': Mālik – Nāfi' – Ibn 'Umar – prophet<sup>21</sup> is any guarantee at all against fabrication. In the *Lisān* literally hundreds of forged ḥadīths are listed supported by this *isnād* and it is, of course, impossible to hold the alleged pupils of Mālik in these *isnāds* solely responsible. Very many forged traditions supported by this *isnād* probably originated during Mālik's own lifetime (90–179/708–95).

One other feature of the Nāfi's, namely that the number of people so called in Ibn Abī Ḥātim's *Al-jarḥ wa 't-ta'dīl* decreases in Ibn Ḥajar's *riḥal* works, can also be observed with people who had the name Shu'ba. In the *Jarḥ* the number of Shu'bas was nine, but in the *Tahdhīb* and the *Lisān* together we find only seven Shu'bas.<sup>22</sup> I think this phenomenon can be explained by assuming that the popularity of the famous Nāfi' and the famous Shu'ba with later ḥadīth scholars became so vast that a few of the fictitious shadow figures called Nāfi' or Shu'ba, always contemporaneous with, and allegedly active in the same areas as, their famous namesakes or adjacent areas, simply vanished in the course of time.

### The dependable Thābit

I have referred above to the meaning of certain names playing a significant part. As an example of such a meaningful name I have chosen Thābit, firm, stable, reliable. It is my contention that many Thābits were not historical figures, but fictitious persons inserted into rickety *isnāds* to give these a more reliable appearance. To illustrate this it seems appropriate to refer first to an early ḥadīth scholar, Ibn Ḥibbān al-Bustī (d. 354/965). In his *Kitāb al-majrūhīn*, while discussing how the transmission of traditions can go wrong at the hands of certain transmitters, he mentions the category of those who, though moved by pious considerations, do not pay proper heed to the established rules of transmission and ascribe *mursal isnāds* to the prophet and complete interrupted *isnāds* with the necessary links. Sometimes they take dictums of Ḥasan al-Baṣrī and provide them with *isnāds* via Anas b. Mālik to the prophet, something which would make such an *isnād*

20. E.g. *Tahdhīb*, III, p. 316: az-Zubayr b. 'Ubayd rawā'an Nāfi' wa-laysa mawlā Ibn 'Umar. Cf. also Rāmahurmuzī, p. 277 (no. 56).

21. For the most 'reliable' *isnāds*, see e.g. al-Khaṭīb, *Kifāya*, pp. 397ff.

22. In *Lisān*, III, no. 516, there is a man who claimed to have memorized ḥadīth and who was consequently nicknamed Shu'ba. He lived after 300/912. Ziyād b. Ayyūb Dalluwayh (d. 252/866) was known as 'little Shu'ba', cf. *Tahdhīb*, III, p. 355, al-Khaṭīb, *Ta'rikh Baghdād*, VIII, pp. 479ff.

sound if this practice escaped notice and were not properly exposed. As an example of transmitters who were not averse to this practice Ibn Ḥibbān mentions among others Abān b. Abī 'Ayyāsh (d. 138/755).<sup>23</sup>

An interesting anecdote concerning this Abān is preserved in his *tarjama* in the *Tahdhīb*. Aḥmad ibn Ḥanbal is recorded as having questioned Yahyā b. Ma'in, the famous *rijāl* expert, when the latter was busily copying traditions under the *isnād*: 'Abd ar-Razzāq – Ma'mar – Abān etc. 'But don't you know that Abān is a liar?', exclaimed Aḥmad, whereupon Ibn Ma'in answered: 'Yes, but I copy this on purpose so that, if some liar comes to me and relates this material on the authority of Ma'mar – Thābit – Anas, I am in a position to prove that this is a falsehood that has to be ascribed to Abān.'<sup>24</sup> Here we see that the mere name Thābit was used, perhaps in jest, to refer to an imaginary, but doubtless reliable, transmitter. A further look into the *Tahdhīb* reveals that there are at least six Thābits who did allegedly record traditions from Anas and another eight who easily could have done so. The most famous Thābit, who probably was a historical figure, is Thābit b. Aslam al-Bunānī, around whom we again find this cluster of shadowy, probably fictitious, figures. It is often impossible to establish which Thābit is meant in a particular *isnād*, and sometimes the confusion about it is so great that this has led me to believe that mentioning the single name Thābit in an *isnād* may have been a convenient way of patching it up without too many questions asked. In any case, the words *Thābit 'an Anas* became a household term in Baṣra for traditions which had something wrong with them.<sup>25</sup>

### *The case of Anas*

On the whole, the two oldest links after the prophet in an *isnād* were the most difficult to establish since the *isnād* as an institution came into full use only towards the end of the first century.<sup>26</sup> Anas' advanced age – according to the most authoritative reports he died in 93/711 when he was allegedly

23. *Kitāb al-majrūhīn*, I, p. 56.

24. *Tahdhīb*, I, p. 101; cf. al-Khaṣīb, *Kifāya*, p. 378.

25. Cf. *Tahdhīb*, VI, p. 283. Furthermore, there is evidence as to the fictitiousness of Thābit figures in e.g. Ibn Ḥanbal, *Musnad*, old ed., III, pp. 209 and 216, in the *isnād*: Shu'ba – Thābit – Anas – prophet. Cf. also the *tarjamas* of Ash'ath b. Barāz in *Lisān*, I, pp. 454f.; Ḥumayd aṭ-Ṭawīl in *Tahdhīb*, III, p. 39 (where probably al-Bunānī is meant but not specified as so often is the case), whereas in the case of Šāliḥ b. Bashīr all his traditions from the mysterious Thābit are considered worthless (*Tahdhīb*, IV, p. 382). Thābit al-Bunānī may have been aware of his name being misused, cf. Rāmahurmuzī, p. 564. And a contemporary, one 'Abd al-'Abīz b. Šuhayb al-Bunānī (d. 130/748), was so called, because he used to go to a street in Baṣra called Sikkat Bunāna, cf. *Tahdhīb*, VI, p. 342.

26. Cf. J. Horowitz in *Der Islam*, VIII, pp. 39–47; G. H. A. Juynboll in *Arabica*, XX, pp. 142–59; cf. also my translation of Muslim's introduction to his *Ṣaḥīḥ* in *JSAI*, and, first of all, Chapter I of this study.

one hundred and three years old – appeared especially convenient for those *isnād* forgers who were loath to go to a lot of trouble concocting complicated *isnāds* and simply listed a rather late Successor who allegedly had it from Anas who allegedly had it from the prophet. An *isnād* like that stretches easily to the forties and fifties of the second century A.H. Indeed, Anas became such a crucial figure in *isnāds* that he is one of the most important Companions, whose alleged activities in transmitting prophetic sayings caused other, most probably unhistorical, people with this name to come into existence. The ensuing confusion, inevitable as we have learned above, makes the reliability of any *isnād* featuring Anas suspect under the best of circumstances. Moreover, this seemingly easy way of putting *isnāds* together resulted in veritable armies of alleged pupils of Anas, whose doubtful historicity, and hence whose supposedly doubtful trustworthiness, necessitated often the patching up of certain *isnāds* with almost anonymous (read: fictitious) people whose names inspired confidence, such as the Thābits (compare note 170 of Chapter 1).

### *The accumulation of certain names*

In a less specific way the use or misuse of reliable sounding names can be observed with names such as Sālim, Šālih,<sup>27</sup> Sa'īd, Ḥammād, 'Abbād, Kathīr, Khālid, Rabī', Ziyād and others. In an investigation into all the pupils to whom Ḥasan al-Baṣrī is alleged to have related traditions I have compiled a list of some three hundred and eighty transmitters.<sup>28</sup> More than any other source I can think of, this list gives at a glance the unusual accumulation of certain not too common names and in the case of the more common ones, such as Khālid and Sa'īd also listed above, the accumulation sometimes reaches such proportions that again our credulity is stretched beyond its limits. The incredibly large numbers of namesakes, who supposedly all heard traditions with this one man from this one *ḥadīth* centre, would baffle even the most naive. The most striking case of all from the aforementioned list is formed by the Khālids, of whom most probably the vast majority is fictitious around the one Khālid whose historicity seems beyond question, the famous Khālid b. Mihrān (d. 141/758), nicknamed the cobbler, al-Ḥadhdhā', not because he was so good at shoemaking but because he used to sit in the company of cobblers all the time.<sup>29</sup>

Another case in point concerns the Sa'īds. Suffice it to point out here that al-Khaṣīb al-Baghdādī in his – as far as I know – unpublished work *Al-muttafiq wa 'l-muftariq* discussed most of the fourteen people called Sa'īd b.

27. Cf. al-Khaṣīb, *Kifāya*, p. 20.

28. For an appraisal of Ḥasan al-Baṣrī as transmitter of traditions, see Chapter 1 above.

29. Another transmitter who earned himself the same nickname for the same reason was 'Ubayda b. Ḥumayd, cf. *Tahdhīb*, vii, p. 82. And Yaḥyā b. al-Mutawakkil, who is also mentioned as a cobbler, was moreover blind (!), cf. *Tahdhīb*, xi, p. 270.

Abī Sa'īd apart from the well-known Sa'īd b. Abī Sa'īd al-Maqburī.<sup>30</sup> These fourteen Sa'īds are not even listed under separate headings in the *Tahdhīb*, obviously for lack of any detailed information by means of which the one may be distinguished from the other. The Fulān b. Abī Fulān construction I have come to recognize, by the way, as a popular method to disguise the fact that the name of someone's father is not known.<sup>31</sup> Under a great many names we find in the *Tahdhīb* one or more Fulān b. Abī Fulāns listed and their *tarjamas* almost invariably present us with confusion concerning these figures or, in many cases, no information at all. Another way of providing oneself with ancestors was to choose the names Dīnār or Dirham as that of one's father.<sup>32</sup> Although there are quite a few different people listed who supposedly had a certain Dīnār or a certain Dirham as father, these fathers never seem to have led a life of their own. This can be proved easily by the total absence of these names as separate entries in the biographical lexica. That also common names such as Muslim, 'Abd Allāh and 'Abd ar-Raḥmān<sup>33</sup> often seem to have been used for unknown fathers is something which one feels intuitively reading through the *rijāl* works, but for which there is not much tangible evidence. The only thing one can say is that the shadowy, probably fictitious, namesakes around one seemingly historical figure frequently have fathers with the commonest, and therefore the most untraceable, names.

### *The case of Zuhri*

The patterns discussed in the foregoing seem to suggest that many more features characterizing *isnāds* might in actual fact constitute patterns. One such feature, more prominent than any other, is the occurrence in practically every *isnād* of a key figure. Key figures have been previously dealt with in this study in Chapter I, pp. 39-65, and will also be subjected to further scrutiny in the next chapter. Now it is proposed to draw special attention to one key figure, the key figure *par excellence*, who perhaps of all *ḥadīth* transmitters occurs most frequently in *isnāds*, i.e. Muḥammad b. Muslim b. 'Ubayd Allāh b. 'Abd Allāh b. Shihāb az-Zuhri (d. 124/742). Various striking features regarding the name Zuhri assail the assiduous

30. Cf. *Tahdhīb*, iv, p. 40.

31. E.g. cf. *Rāshid ghayr mansūb wa-qīla Rāshid, b. Abī Rāshid, Tahdhīb*, iii, no. 437; al-Jarrāh, a little known Companion, was also called Ibn Abī 'l-Jarrāh, *Tahdhīb*, ii, no. 105. See also Ḥamza b. Abī Ḥamza in *Tahdhīb*, iii, p. 29 (line 10), 'Amr b. Abī 'Amr in viii, p. 84, no 124, 'Ilbā' b. Abī 'Ilbā', in vii, no. 477, 'Alqama b. Abī 'Alqama, in vii, no. 482, Kathīr b. Abī Kathīr, in viii, nos. 759-64, Ma'qil b. Abī Ma'qil, in x, no. 429, etc.

32. E.g. cf. Ibn Ḥanbal, *ʿIlal*, i, no. 944.

33. *Tahdhīb*, vii, no. 219: 'Utba b. Muslim was in fact called 'Utba b. Abī 'Utba; cf. also Rāmahurmuzi, p. 562, for 'Abd Allāh and 'Abd ar-Raḥmān used as names of fictitious people.

reader of the *Tahdhīb* and it might be interesting to see whether these features constitute together another pattern.

It is asserted in the *Tahdhīb* that the total number of traditions Zuhri is supposed to have transmitted is 2,200.<sup>34</sup> Since this figure is positively modest compared with the tens of thousands of traditions ascribed to transmitters who lived only a few decades later,<sup>35</sup> one may be inclined not to dismiss this information out of hand as one of the usual exaggerations one becomes so accustomed to in early Islamic source material. But whereas 2,200 may seem a low estimate, the number of traditions in the oldest extant ḥadīth collections, such as the so-called *Musnad* of 'Umar b. 'Abd al-'Azīz and the three texts published by Azmi,<sup>36</sup> suggests that even that may be taken as far too high. Privately made statistics of the *Tahdhīb* produced the figure 214 for the number of Zuhri's alleged masters. The number of Zuhri's pupils in the *Tahdhīb* is somewhat lower but, when their number is added to that of Zuhri's alleged pupils from the *Lisān*, in which lexicon there are hardly any of Zuhri's reputed masters listed, we end up with a much higher figure. Even if these figures cannot be proven to be absolutely correct, they do suggest an activity of ḥadīth transmission around a man called Zuhri which, in view of the initial slow development of Muslim ḥadīth set forth in Chapter 1, is hard to come to terms with. Only if it were possible to prove that the name Zuhri, which we so frequently encounter in *isnāds*, stands for more than one person, would this ḥadīth activity seem to gain in historical probability and lose some of its incongruity. In other words, a few thousand traditions – a mere handful in comparison with the numbers of later times, but even so – allegedly transmitted by one man from a few hundred masters to even more pupils, seems an inconceivable state of affairs, especially if we take into account that this is supposed to have happened already during the last two decades of the first/seventh and the first two decades of the second/eighth century. But if the name Zuhri is assumed to have served more than one person, quite a sizable number of persons in fact as may be distilled from the following, the situation becomes less improbable. Even if the data given below do not admit of the clear-cut inference that Zuhri was more than one person, the indications that seem to converge on the pluriformity of 'Zuhri' cannot be dismissed and constitute at least striking circumstantial evidence. In short, was Zuhri more than one person?

A first clue is offered in a report attributed to Mālik b. Anas. In contrast to all other tradition experts Mālik preferred to call Zuhri by the name Ibn Shihāb, whereas all the others simply referred to him as Zuhri. This in-

34. *Tahdhīb*, IX, p. 447 (penult.). 35. E.g. cf. *Tahdhīb*, I, no. 216.

36. Cf. his *Studies in early Muslim ḥadīth literature*, with texts by Suhayl b. Abī Ṣāliḥ, 'Ubayd Allāh b. 'Umar and Abū 'l-Yamān al-Ḥakam b. Nāfi'.

formation may be taken to suggest that Mālik at least was aware of confusion about the man called Zuhri.<sup>37</sup> But we do find Mālik – Ibn Shihāb *isnāds* alternating with Mālik – Zuhri *isnāds* in one and the same context.<sup>38</sup> The famous Zuhri – or Ibn Shihāb – is hardly ever called anything else. Even so, in an enumeration of Zuhri's most influential pupils Ibn Hanbal deemed it necessary to list his name and complete lineage, as if that would forestall possible confusion.<sup>39</sup> But 'Umar II called him simply by his *nisba*: *yā Zuhri!*,<sup>40</sup> although there are people called Muḥammad b. Muslim (like Zuhri) who seem to have been confused with him.<sup>41</sup> Moreover, there is the ubiquitous confusion when, from lists of names in an *isnād*, the crucial preposition 'an is dropped, thus giving rise to one person where there used to be two. This also occurred in the case of Zuhri.<sup>42</sup>

The Banū Zuhra constitute an important clan of the Quraysh. Most members of this clan trace their lineage back to such famous Companions as Sa'd b. Abī Waqqāsh and 'Abd ar-Raḥmān b. 'Awf, two of the ten Companions whom the prophet allegedly promised that they would certainly enter paradise. The number of Zuhris who at one time or another were reported to have transmitted traditions seems comparatively large, but because we have no exact figures concerning other tribes' or clans' *ḥadīth* transmitters of the first two centuries, it is hazardous to say whether they perhaps outshone other tribes in this. Even so, one is occasionally struck by the seemingly unexplainable 'accumulation' of Zuhris in certain texts. Abū 'l-Qāsim, about whom more will be said in Chapter V, severely criticized three Zuhris consecutively in his *Qabūl al-akhbār*,<sup>43</sup> in the *Musnad* of 'Umar b. 'Abd al-'Azīz, arranged according to 'Umar's informants, we encounter a similar 'accumulation',<sup>44</sup> and especially in Fasawī we read for pages on end about one Zuhri after another with *isnāds* entirely consisting of Zuhris.<sup>45</sup>

In all I collected some 120 Zuhris. Of these sixty-six were slightly older than, contemporaneous with, or slightly younger than Ibn Shihāb. Many of these had reportedly been either masters or pupils of Ibn Shihāb or, in other words, had been associated in one way or another with the *ḥadīth* material Ibn Shihāb had also become associated with. Not all these sixty-six were blood relatives of Ibn Shihāb but fall into different categories; quite a few

37. Ibn Hanbal, *'Ilal*, I, no. 1022.

38. E.g. cf. *Lisān*, v, no. 888.

39. Cf. *'Ilal*, I, no. 2451.

40. Cf. Abū Zur'a, *Ta'rikh*, p. 519.

41. Cf. *Tahdhīb*, III, no. 859; *Qabūl*, p. 8.

42. Compare *Lisān*, I, no. 325, with no. 291.

43. P. 66; cf. the following chapter for an appraisal of this text. 44. Cf. pp. 421ff., 437ff.

45. *Kiṭāb al-ma'rifa wa 'l-ta'rikh*, I, pp. 360–422; an example of an *isnād* consisting of only Zuhris is the one mentioned on p. 368: Zuhri (i.e. Ibn Shihāb) – Zurāra b. Muṣ'ab az-Zuhri – al-Miswar b. Makhrama az-Zuhri – 'Abd ar-Raḥmān b. 'Awf az-Zuhri. Each pair of transmitters considered separately, all these Zuhris are only distantly related; this *isnād*, therefore, does not constitute a proper family *isnād*. And what are we to think of the report: *Qulu li-'Abd ar-Raḥmān b. Ibrāhīm: man akhbaraka anna 'z-Zuhri wulida sanata khamstin? Qāla: ba'd az-Zuhriyyin . . .* (Abū Zur'a, *Ta'rikh*, p. 613)? See also Ibn Hanbal, *'Ilal*, I, p. 185, lines 12f.

were *mawālī* of the Banū Zuhra, some were *ḥalīfs* (confederates), and others who were not *expressis verbis* mentioned in the sources as either *mawālī* or *ḥalīfs* seem to have been totally unrelated but had the *nisba* Zuhri nevertheless. The numbers of these categories are specified in the following:

Blood relatives: thirty-nine (see the five pedigrees of the Banū Zuhra, figures 3-7);

*Mawālī*: twelve;<sup>46</sup>

*Ḥalīfs*: four;<sup>47</sup>

Others: eleven.<sup>48</sup>

Of this last category most were in all likelihood also *mawālī* or perhaps descendants of *mawālī*, but since that information is lacking in their *tarjamas*, they have been mentioned in a separate category.

On the basis of the evidence presented in the following, I would like to venture the theory that many of those who had the *nisba* Zuhri, either through kinship, clientage or otherwise, may often have been addressed by that name or may have asked to be called by it, in so doing creating confusion with the one great transmitter who was alternatively called Zuhri or Ibn Shihāb.

Among the pupils of Ya'qūb b. Ibrāhīm b. Sa'd b. Ibrāhīm b. 'Abd ar-Raḥmān b. 'Awf az-Zuhri (d. 208/824) we find one who is simply called az-Zuhri.<sup>49</sup> He may have lived at a later time than Ibn Shihāb but, even so, this proves that the simple name Zuhri remained in use.

'Abd ar-Raḥmān b. 'Aṭā' b. Ṣafwān,<sup>50</sup> Imrān b. 'Abd al-'Azīz b. 'Umar<sup>51</sup>

46. 'Abd Allāh b. Kaysān (*Tahdhīb*, v, no. 644); Abū 's-Sā'ib (*Tahdhīb*, xii, no. 480); Ayyūb b. Ḥabīb (*Tahdhīb*, i, no. 736); Bukayr b. Mismār (*Tahdhīb*, i, no. 914); Khālid b. al-Lajlāj (*Tahdhīb*, iii, no. 215); Muhājir b. Mismār (*Tahdhīb*, x, no. 565); Muḥammad b. 'Abd ar-Raḥmān (*Tahdhīb*, ix, no. 510); Muṣ'ab b. Sulaym (*Tahdhīb*, x, no. 305, also in text below); Rabī'a b. 'Aṭā' (*Tahdhīb*, iii, no. 494); Sa'd b. 'Ubayd (*Tahdhīb*, iii, no. 888, also xii, no. 757); Ṣafwān b. Sulaym (*Tahdhīb*, iv, no. 734, Abū Nu'aym, *Ḥilya*, iii, pp. 158ff.); 'Uthmān b. Muslim (*Tahdhīb*, vii, p. 154).

47. 'Abd Allāh b. 'Uthmān (*Tahdhīb*, v, no. 536); Qāriḥ b. Shayba (*Tahdhīb*, viii, no. 555); Sa'id b. Khālid (*Tahdhīb*, iv, no. 28); 'Ubayd Allāh b. Abī Yazīd (*Tahdhīb*, xii, p. 280 ult.); that *ḥalīfs* of the Banū Zuhra were indeed called Zuhri is undeniably attested in the *tarjama* of 'Abd Allāh b. 'Adī b. al-Ḥamrā' in *Tahdhīb*, v, no. 543.

48. 'Abd Allāh b. Sinān (*Lisān*, iii, no. 1241, al-Khaṭīb, *Ta'rikh Baghdād*, ix, p. 469); 'Abd ar-Raḥmān b. 'Aṭā' b. Ṣafwān (*Tahdhīb*, vi, no. 469); Ayyūb b. Sayyār (*Lisān*, i, no. 1487); Ibrāhīm b. al-Ḥasan (*Lisān*, i, no. 106); Muḥammad b. Abī Ḥumayd (*Tahdhīb*, ix, nos. 183-4); Sa'id b. 'Abd ar-Raḥmān (*Tahdhīb*, iv, no. 98); Sa'id b. Muḥammad (*Lisān*, iii, no. 162); Sulaymān b. Abī Sulaymān (*Lisān*, iii, no. 322); Sulaymān b. Mūsā (*Tahdhīb*, iv, no. 378); 'Umar b. Muḥammad (*Lisān*, iv, no. 928); al-Walīd b. 'Abd Allāh (*Tahdhīb*, xi, no. 230).

49. *Tahdhīb*, xi, no. 741. Cf. also *Tahdhīb*, xi, p. 328 (line 2), where a pupil of 'Affān b. Muslim is mentioned solely by his *nisba* Zuhri.

50. *Tahdhīb*, vi, no. 469.

51. *Lisān*, iv, no. 1012.



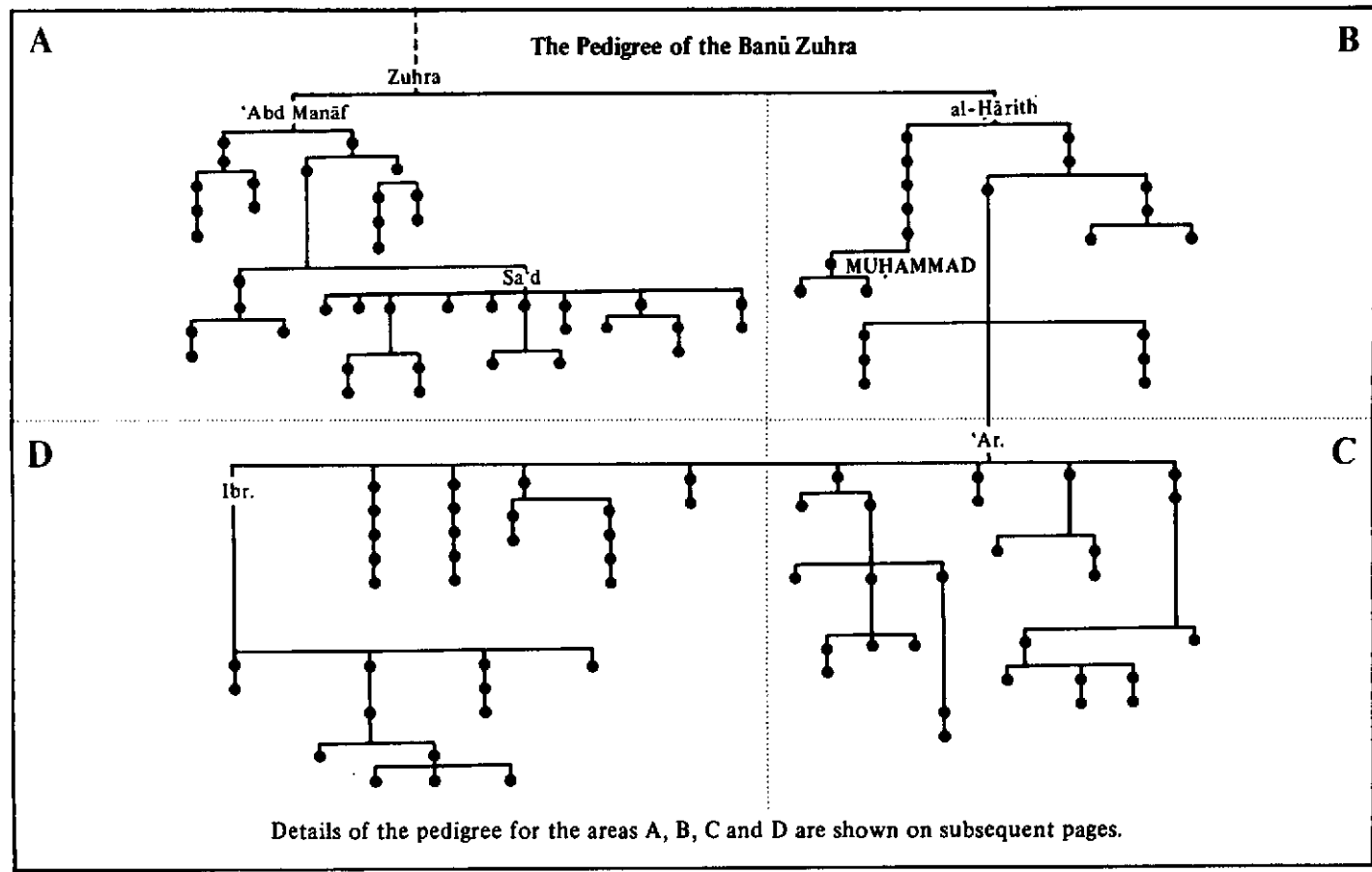


Figure 3

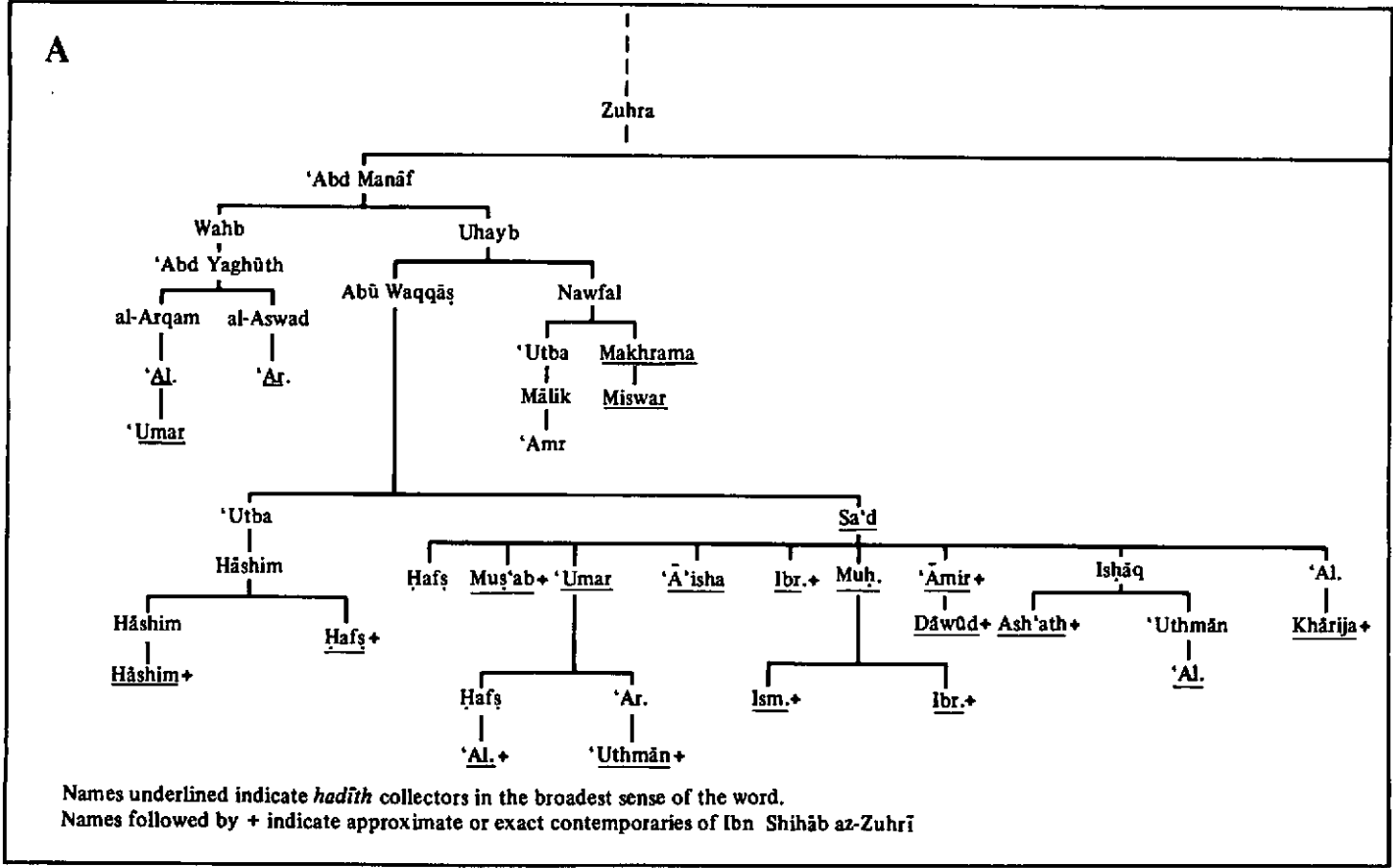


Figure 4

**B** Names underlined indicate *ḥadīth* collectors in the broadest sense of the word.  
 Names followed by + indicate approximate or exact contemporaries of Ibn Shihāb az-Zuhri

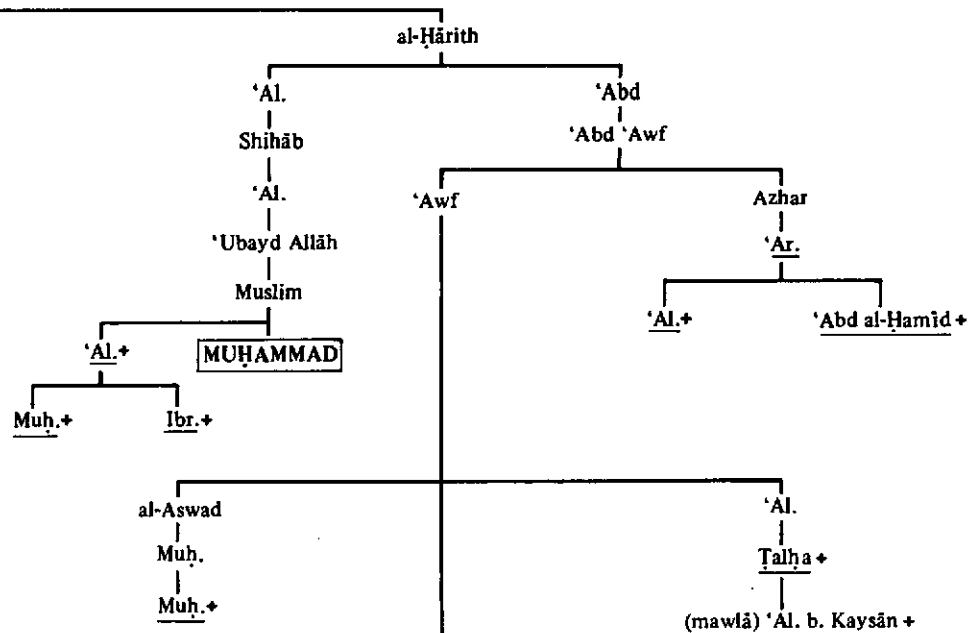


Figure 5

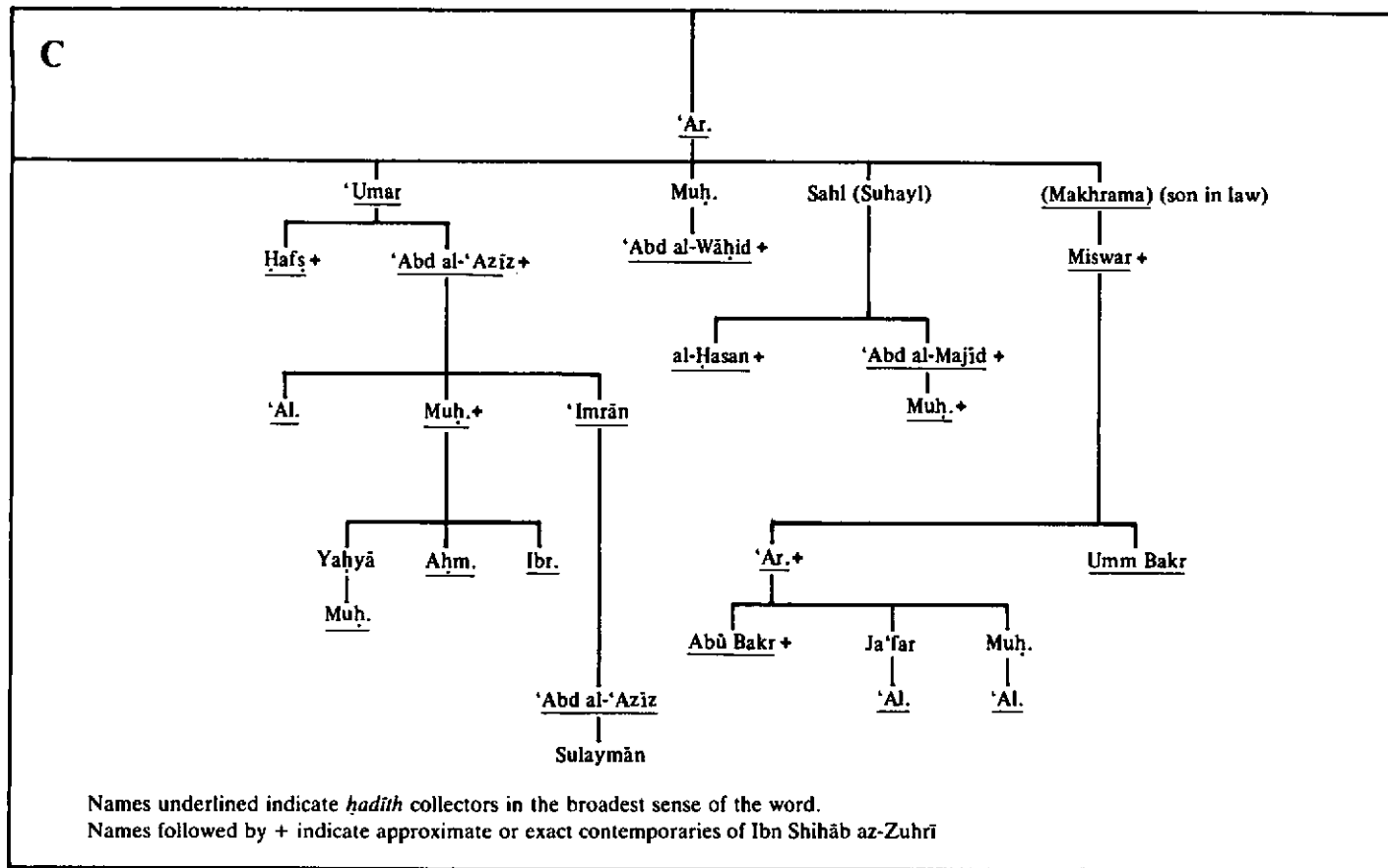


Figure 6

D

Names underlined indicate *ḥadīth* collectors in the broadest sense of the word.

Names followed by + indicate approximate or exact contemporaries of Ibn Shihāb az-Zuhri

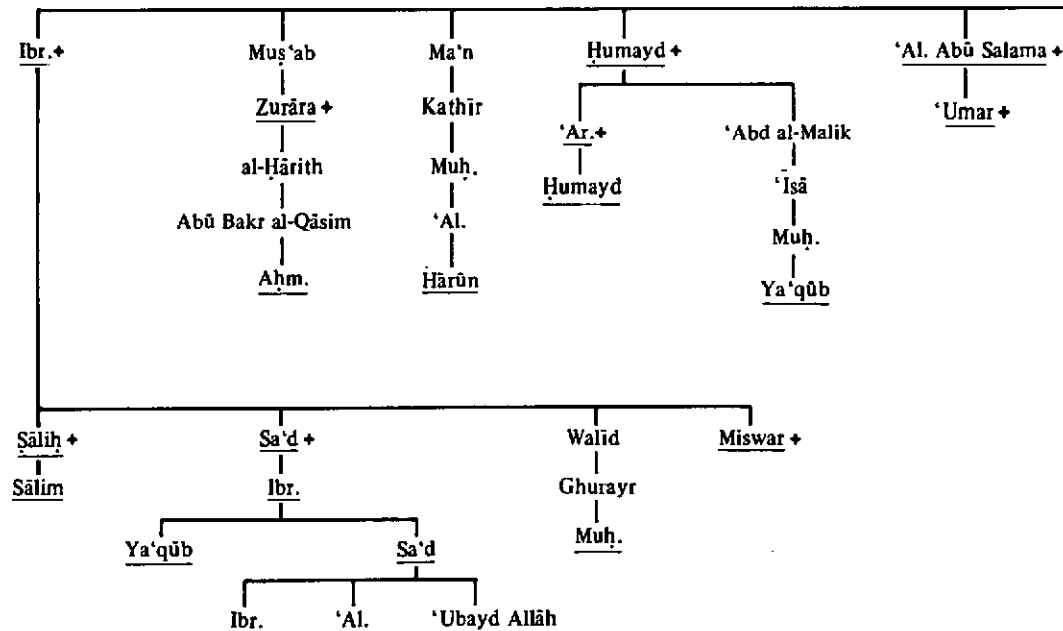


Figure 7

and 'Abd Allāh b. 'Abd al-'Azīz,<sup>52</sup> all three of whom Zuhri, were often mentioned by that name alone.<sup>53</sup>

Muṣ'ab b. Sulaym al-Asadi, a *mawlā* from Kūfa, was often called Zuhri because he was the 'arif<sup>54</sup> of the Banū Zuhra.<sup>55</sup>

One 'Abd Allāh b. al-Arqam b. 'Abd Yaghūth, a Companion, was sometimes confused with a totally different person, al-Miswar b. Makhrama, because they were both descended from the Banū Zuhra; that means that they both must at times have been addressed as Zuhri.<sup>56</sup>

The otherwise unknown transmitter Shurayh from *Tahdhīb*, IV, no. 572, is recorded as having been a pupil of a *shaykh* of the Banū Zuhra who, in his turn, had received ḥadīth from one al-Ḥārith b. 'Abd ar-Rahmān b. Abī Dhubāb. This *shaykh* can then be identified among al-Ḥārith's pupils (cf. *Tahdhīb*, II, p. 148) as the prolific Ṣafwān b. 'Īsā az-Zuhri (d. 198–200/814–16), also mentioned below as one of the 'Iraqi Zuhri'. Thus this Ṣafwān was also known as 'a Zuhri'.

Among Ibn Shihāb's hundreds of pupils are a great many who may be suspected of having fabricated traditions which they subsequently ascribed to their master.<sup>57</sup> Among the most interesting of these pupils Muḥammad b. Yaḥyā b. 'Abd Allāh should be mentioned. He was a so-called *amīr al-mu'minīn fī 'l-ḥadīth* and the most learned of all his fellow Khurāsānians in Zuhri traditions. He was sometimes called Muḥammad b. Yaḥyā az-Zuhri, it says in the *Tahdhīb*, just because of his fame in transmitting Zuhri traditions.<sup>58</sup> Thus the bulk of Zuhri traditions is said to have reached a region outside Syria via a man nicknamed az-Zuhri.

52. *Lisān*, III, no. 1285.

53. See also 'Ali b. Muḥammad b. 'Ubayd Allāh in al-Khaṭīb, *Ta'rikh Baghdād*, XII, p. 92; 'Abd Allāh b. Sa'd in Ibn an-Nadīm, *Fihrist*, p. 145, and al-Mughira b. Abī 'l-Mughhith b. Ḥumayd in *Lisān*, III, p. 124.

54. For this function, see *E.I.* 2, s.v. (Salih A. el-Ali and Cl. Cahen).

55. *Tahdhīb*, X, no. 305. Bukhārī, apparently, did not trust people with this function, cf. *Ibidem*, p. 303 (penult.) 56. *Tahdhīb*, V, no. 249.

57. E.g. *Tahdhīb*, XI, p. 150 (lines 6f.). Cf. Ibn Ḥanbal, *Ḥal*, I, no. 1445, for detailed account of how a forger went to work. The technical term used is *iḥāla*, the 'transferring of material' acquired via the dubious transmitter Ibn Lahī'a to a seemingly impeccable Zuhri *isnād*, featuring his otherwise dubious nephew Ibn Akhī 'z-Zuhri; cf. also *ibidem*, no. 1456; for more suspect pupils of Zuhri, see below. In al-Khaṭīb, *Kifāya*, p. 318, we read how easy it supposedly was to bring into circulation traditions which were claimed to have come from Zuhri; anyone showing Zuhri a *ṣaḥīfa*, of which he said that it contained Zuhri traditions, automatically obtained the master's permission to transmit them to others as such. Zuhri did not check. This seems al-Khaṭīb's solution to the 'Zuhri' phenomenon.

58. *Tahdhīb*, IX, p. 516 (*li-shuhratihi bi-ahādīth az-Zuhri*); Ma'mar was likewise called Zuhri, cf. Abū Zur'a, *Ta'rikh*, p. 437. Muḥammad b. Yaḥyā's Zuhri traditions, wherever they may have been compiled, did certainly not end up in the 'two *Ṣaḥīhs*'. On al-'Izzī's charts (see Chapter 5) he is only mentioned twice and this not even in *isnāds* in which there is also one Zuhri, whereas dozens of Zuhri *isnāds*, continued by other Zuhri (among whom even one of Muḥammad b. Yaḥyā's most outstanding masters, Ya'qūb b. Ibrāhīm b. Sa'd az-Zuhri), support traditions in the 'two *Ṣaḥīhs*'.

It is, by the way, an interesting problem to examine how Zuhri traditions, either from Ibn Shihāb and his alleged pupils or via any other Zuhri, reached Iraq. Speaking from the viewpoint of regionalism (cf. Chapter 1), Zuhri traditions are either Medinan or Syrian. Ibn Shihāb is reported to have performed the pilgrimage seven times in order to hear traditions with Ibn al-Musayyab<sup>59</sup> and in Damascus he is said to have met Anas; thus Zuhri – Anas traditions should be labelled Syrian rather than Baṣran, that is, if we set store by this report.<sup>60</sup> However, the Shi'ites also claimed Zuhri as one of their prime transmitters; Ibn Abī Shayba (d. 235/849) is reported to have held the seemingly Hijāzī *isnād*: Zuhri – 'Alī b. al-Ḥusayn b. 'Alī b. Abī Tālib – father – grandfather – prophet to be the soundest of all (cf. *Tahdhīb*, vii, p. 305). Apart from these 'Hijāzī' and 'Syrian' *isnāds*, there are also Iraqi *isnāds*. Among the persons who were blood relatives of Ibn Shihāb we find Muḥammad b. 'Abd al-'Azīz b. 'Umar whose Ibn Shihāb traditions finally reached Bagdad<sup>61</sup> and also the well-known Sa'd b. Ibrāhīm<sup>62</sup> settled in Iraq; his numerous descendants spread the *nisba* Zuhri all over the region as well as a great many 'Zuhri traditions'. It is even reported that one of Ibn Shihāb's most outstanding *ḥadīth* masters, his kinsman Abū Salama b. 'Abd ar-Raḥmān b. 'Awf az-Zuhri (d. 94/713), once visited Kūfa.<sup>63</sup> Among those who were seemingly not relatives of Ibn Shihāb, but were nonetheless called Zuhri, and who spread traditions in one (or more) Iraqi *ḥadīth* centre(s), were 'Abd al-'Alā b. Abī 'l-Musāwir (*Lisān*, iii, no. 1534), Ibrāhīm b. Muḥammad (*Tahdhīb*, i, no. 286) and Ṣafwān b. 'Īsā (*Tahdhīb*, iv, no. 743). Ya'qūb b. Muḥammad b. 'Īsā (*Tahdhīb*, xi, no. 764) was however related to Ibn Shihāb.

But not only via transmitters called Zuhri, kinsmen of Ibn Shihāb or others, did Zuhri traditions begin to circulate in Iraq; also a fair number of purely Iraqi transmitters as well as some from other centres claimed to have heard traditions with Ibn Shihāb or other Zuhris.

Hāshim b. Hāshim az-Zuhri (d. 144/761) was the master of the Kūfan Aḥmad b. Bashīr (*Tahdhīb*, i, p. 18);

an otherwise unspecified Zuhri is listed among the *shaykhs* of the Kūfan Tha'laba b. Suhayl (*Tahdhīb*, ii, no. 34);

another unspecified Zuhri is mentioned among the masters of the Baṣran Juwayriya b. Asmā' (*Tahdhīb*, ii, no. 202; in view of the latter's late year of death – 173/789 – it is highly unlikely that the Zuhri mentioned is Ibn Shihāb);

a notorious forger of Zuhri traditions was Ḥajjāj b. Arṭāt (*Tahdhīb*, ii, no. 365) whose *tarjama* will be analysed in Chapter 5, pp. 182 ff.;

Ibn 'Uyayna is reported to have put his fingers in his ears when he heard the Kūfan al-Ḥasan b. 'Umāra (d. 153/770) relate traditions on the authority of Zuhri (cf. *Tahdhīb*, ii, p. 307);

59. Cf. Fasawī, i, p. 359. 60. Cf. Abū Zur'a, *Ta'rikh*, p. 412.

61. Cf. al-Khaṭīb, *Ta'rikh Baghdād*, ii, p. 349; *Lisān*, v, no. 895.

62. Cf. *Tahdhīb*, iii, no. 866. 63. Cf. *Tahdhīb*, xii, p. 117, and *Qabūl*, p. 66.

the Baṣran Hammād b. Yaḥyā al-Abahḥ is alleged to have related a Zuhri tradition which was claimed by another to have been one related by al-Waqqāsi, a clear indication that otherwise anonymous Zuhri traditions could be identified as hailing from the Sa'd b. Abī Waqqāṣ branch (*Tahdhīb*, III, p. 22, line 11; insert the words 'ani 'z-Zuhri' after 'Hammād b. Yaḥyā' in line 12);

whereas his traditions from others were of passing value, those which Sufyān b. Ḥusayn related on the authority of Zuhri were disputed (*Tahdhīb*, IV, p. 108);

Ibn Ḥanbal could not care less about the Baṣran Sulaymān b. Arqam's traditions from Zuhri (*Tahdhīb*, IV, p. 169);

it was again only Sulaymān b. Kathīr's Zuhri traditions, which he spread in Baṣra, that were criticized (*Tahdhīb*, IV, pp. 215f.);

the *qāḍī* of Rayy, Shu'ayb b. Khālid, allegedly committed Zuhri's traditions to memory when he was still a boy (*Tahdhīb*, IV, no. 589);

'Abd Allāh b. Bishr, *qāḍī* of Raḡqa, fooled even people like Ibn Ma'in with his Zuhri traditions which turned out to be obvious forgeries (*Tahdhīb*, V, pp. 160f.);

the Egyptian 'Abd ar-Rahmān b. Salmān changed 'Uqayl – Fulān *isnāds* into 'Uqayl – Zuhri – Fulān *isnāds* (*Tahdhīb*, VI, p. 188, first line);

Mubashshir b. 'Ubayd, from Kūfa, later settled in Ḥimṣ and spread there forged traditions also on the authority of Zuhri (*Tahdhīb*, X, p. 33);

the notorious exegete Muqātil b. Sulaymān brought fabricated Zuhri ḥadīth into circulation in Khurāsān (*Tahdhīb*, X, no. 501);

the blind (!) Kūfan Mūsā b. 'Umayr pretended to have Zuhri traditions (*Tahdhīb*, X, no. 644);

another *qāḍī*, Nūḥ b. Abī Maryam from Marw, did not get away with his forged Zuhri traditions (*Tahdhīb*, X, no. 876);

Yaḥyā b. al-'Alā' from Rayy, who claimed Zuhri among his masters, fabricated many traditions (*Tahdhīb*, XI, no. 678);

and, last but not least, the illustrious Hushaym b. Bashīr from Wāsiṭ, who is reported to have written down one hundred Zuhri traditions in Mecca, while someone else said that he had heard him deny this, his *ṣaḥīfa* being lost on the way back from Mecca, may have been one of the major transmitters responsible for vast numbers of Iraqi Zuhri traditions (*Tahdhīb*, XI, p. 60, and Chapter I, p. 47).<sup>64</sup>

The historical Ibn Shihāb az-Zuhri, whom we encounter in countless

64. Other forgers of Zuhri traditions, mostly from Syria and the Ḥijāz, are listed here solely with the numbers as they appear in the *Tahdhīb*: I, nos. 183, 284, 292, 392, 428, 449, 479, 480, 598, II, nos. 131, 139, 156, 730, III, nos. 548, 629, 739, IV, nos. 321, 640, V, nos. 350, 378, 428, 471, 477, 514, 561, 603, 661, VI, nos. 209, 304, 378, 484, 562, 606, 609, 660, 855, VII, nos. 279, 290, 291, 658, 772, 815, VIII, nos. 370, 404, 551, 635, 661, 832, IX, nos. 277, 458, 503, X, nos. 150, 203, 402, 553, 819, XI, nos. 80, 100, 251, 312, 526, 629, 640, 756, 837, 869, 870, XII, no. 546.



anecdotes in the early sources, emerges as an honest and dedicated *ḥadīth* collector. What all these sources convey in sum is that he is the least likely person to doctor *isnāds* by introducing imaginary informants. But when we look a bit more closely at all the dozens of totally obscure people who are listed in the lexica as Ibn Shihāb's informants, and we realize that the majority are nothing more than *majhūlūn*, we must of necessity come to the conclusion that they are not the fruits of Zuhri's fertile imagination but rather of those of his equally obscure dozens and dozens of alleged pupils, or their pupils for that matter. In short, it is no longer possible to sift the genuine Zuhri traditions from the fabricated ones, or as is my contention, even the genuine Ibn Shihāb az-Zuhri traditions from the possible hundreds of pseudo-Zuhri ones. Through this phenomenon Zuhri, i.e. Ibn Shihāb or a pseudo-Zuhri, developed into a key figure, but one that was larger-than-life. The abundance of *isnāds* with only transmitters called Zuhri (e.g. on p. 341 of al-'Izzī's charts (cf. Chapter 5): (Abū Hurayra) – Abū Salama b. 'Abd ar-Rahmān b. 'Awf az-Zuhri – Ibn Shihāb az-Zuhri – Ibn Akhī 'z-Zuhri + Ibrāhīm b. Sa'd. b. Ibrāhīm b. 'Abd ar-Rahmān az-Zuhri – Ya'qūb b. Ibrāhīm b. Sa'd az-Zuhri) constitutes again a 'concidence' which the less credulous will find difficult to come to grips with. But also the name Ibn Shihāb has given rise to confusion.

I found one instance where a certain Bukayr b. Shihāb ad-Dāmaghānī was confused by no less a man than Ibn Ḥibbān with a certain Bukayr b. Mismār az-Zuhri, again someone somewhat younger than the great Zuhri. Even if this is only one single instance where the two appellatives Zuhri and Ibn Shihāb were confusingly used for two different transmitters with the same first name, it is at least likely that comparable cases of confusion have baffled tradition scholars all over the Islamic empire.<sup>65</sup>

Confusion about several persons who all share the same name is finally attested in the following amusing anecdote.

The two great *ḥadīth* experts, Yaḥyā b. Ma'in and Aḥmad ibn Ḥanbal, once came together in the mosque of ar-Ruṣāfa, where a storyteller preached to the people and said:

'Aḥmad ibn Ḥanbal and Yaḥyā b. Ma'in once related to me, on the authority of 'Abd ar-Razzāq, from Ma'mar, from Qatāda, from Anas, that the Messenger of God is reported to have said: He who says *lā ilāha illā*

65. A certain al-Faḍl b. Shihāb (*Lisān*, iv, no. 1353) became confused with one al-Faḍl b. ar-Rabi' (*Lisān*, iv, no. 1345). Note that the name al-Faḍl, which must have sounded reliable, falls perhaps into the same category as Thābit. Ibn Shihāb also seems to have been confused with his own brothers; cf. Ibn Abi Ḥātim, *Taqdima*, pp. 354f. Furthermore, two Zuhris seem to have been confused in the *tarjama* of one of Zuhri's pupils, Hishām b. Sa'd; we read there (*Tahdhīb*, xi, p. 41, lines 3f.): *ankara 'l-ḥuffāz ḥadīthahu fi 'l-mawāqī' i fī ramaḍān min ḥadīth az-Zuhri 'an Abī Salama [b. 'Abd ar-Rahmān b. 'Awf az-Zuhri] qālū wa-innamā rawāhu az-Zuhri 'an Ḥumayd [b. 'Abd ar-Rahmān b. 'Awf az-Zuhri].*

'*llāh* causes a bird to be created from every word; its beak is made of gold and its plumage of pearls. . . .'

Aḥmad and Yaḥyā looked at one another and asked each other: 'Did you really transmit this tradition?' Whereupon both swore that they had never heard it until that very moment. They waited until the storyteller had finished and had collected his money. Then Yaḥyā beckoned to him and asked him to draw near. Thinking that another coin would come his way, the storyteller did so and Yaḥyā asked him:

'Who related this tradition to you?'

'Yaḥyā b. Ma'īn and Aḥmad ibn Ḥanbal', was the answer.

Then Yaḥyā said:

'But I am Yaḥyā b. Ma'īn and this man here is Aḥmad ibn Ḥanbal and we have never heard this mentioned as a prophetic tradition. If you have to tell blatant lies, do not bother us with them.'

'Are you really Yaḥyā b. Ma'īn?' the storyteller asked.

'Yes.'

'I have always heard that Yaḥyā b. Ma'īn is stupid', the man proceeded, 'and I have never set eyes on him until this moment.'

Yaḥyā said:

'But how do you know that I am stupid?'

The storyteller replied:

'As if there were in the whole world no other Yaḥyās or Aḥmads except you two! I have written down traditions from seventeen different people called Aḥmad ibn Ḥanbal apart from this one here.'

Then Aḥmad wrapped his face in the sleeve of his cloak and said:

'Let him be.'

With wicked glee the storyteller watched them go.<sup>66</sup>

### Conclusion

In conclusion I should like to sum up what the foregoing may have taught us.

The main consideration for doing so much research into Ibn Ḥajar's *Tahdhīb* was my curiosity as to the usability of this lexicon. It is obvious that it contains countless fragments of numerous works hitherto unpublished or even lost. A reconstruction of the most important *Vorlagen* Ibn Ḥajar worked from<sup>67</sup> would certainly enrich our knowledge of the initial stages of *ḥadīth* criticism in Islam. A thorough analysis might present us with a fair picture of how *isnād* fabrication developed during the first two and a half centuries. Besides, apart from the merits such an analysis may have, this

66. Ibn Ḥibbān, *Kuāb al-majrūḥīn*, I, pp. 71f.; in a context with a different emphasis, cf. also Goldziher, *Muh. Stud.*, II, p. 160.

67. See Appendix IV.

reconstruction may enable us to add a number of very early Muslim texts to an, as yet, scanty literature.

Furthermore, I have also had an opportunity to assess the usability of the *Tahdhīb* as far as the factual information regarding names, pedigrees etc. of the *muhaddithūn* of the first two and a half centuries is concerned. I have found that on the basis of a healthy scepticism with regard to certain 'coincidences' the genuine historical information about certain people may, with a little effort, be sifted from the innumerable *tarjamas* of fictitious namesakes.<sup>68</sup> We have seen that whenever a name – Nāfi', Khālid, 'Ikrima, Thābit or any other – occurs seemingly a little too frequently, in many cases the historical figures can be distinguished from the unhistorical ones.

Moreover, we have seen that there is undeniable evidence in support of the theory that certain key figures in *ḥadīth* transmission, such as Ibn Shihāb az-Zuhrī, constitute in reality a collection of persons who have all played a part in *ḥadīth* and whose common name is used or misused in *isnāds* either by themselves or by otherwise anonymous *ḥadīth* forgers. The 'coincidences' have helped me to ask the right questions but have not always supplied me with the right answers. Even so, the few patterns which I have been able to discern in the material do seem to form an appropriate starting-point in disentangling true from false. The fact that there are probably hundreds of fictitious transmitters listed in the *Tahdhīb* and the other biographical lexica, something which most people who occasionally worked in them will have suspected, this fact does not prevent us unearthing the genuine material. It is this genuine material which is so essential for a better understanding of the earliest stages in the evolution of Islamic tradition as well as in the evolution of Islam as a whole.

68. Cf. Ibn Rajab, pp. 106ff., for the reactions of several early *rijāl* experts to the *majhūllima'rūf* issue.

## CHAPTER FIVE

# 'Accepting traditions means knowing the men'

*Atāni bi-isnādihi mukhbirun \**  
*wa-qad bāna li kadhibu 'n-nāqili*

Abū 'l-'Alā' al-Ma'arri

### **Introduction**

The following chapter ties in with the preceding ones. In Chapter 3 the phenomenon of *mutawātir* traditions was discussed using as a prime example the *man kadhaba* saying. This saying, or better perhaps, slogan, was brought into circulation in an attempt to curb further spreading of mendacity in *ḥadīth*. Now I should like to deal with the methods devised by devout *muḥaddīthūn* to detect *kadhīb* and to expose the perpetrators of *ḥadīth* forgery.

One of the most important measures taken by those concerned with *ḥadīth* was the scrutiny of transmitters, the origins of which were described in Chapter 1. In Chapter 4 the names of these transmitters – as arranged in the earliest biographical lexica with or without accompanying biographical sketches – were studied, and it may have appeared that a great many names might well be taken as referring to non-existent transmitters. It goes without saying, however, that a sizable number of these names did indeed point to historical personalities. How the most important of those *ḥadīth* personalities fared at the hands of Islam's earliest *ḥadīth* (i.e. eventually *isnād*) critics is the main subject of the present chapter.

It is not likely that *ḥadīth* criticism in Islam began with *isnād* criticism, as, indeed, *ḥadīth* may have had its origins in a time when the institution of the *isnād* had not yet come into existence. Rather, it seems safe to assume that it was the *isnād*, eventually to become an indissoluble part of a tradition, through which an attempt was made to authenticate further, and perhaps successfully, the text of the tradition. But prior to the institution of the *isnād* there must have been a time during which certain *ḥadīths*, brought into circulation in one way or another, made certain people raise their eyebrows. This probably resulted in a critical sense with various people based mainly upon intuition, an intuition which never seems to have disappeared entirely, if we take into account how Abū Ḥātim (d. 277/890) tackled *ḥadīth*.<sup>1</sup>

1. Cf. Ibn Abi Ḥātim, *Taqdima*, pp. 350f.

However, *matn* criticism as such, without also taking cognizance of the *isnād* of that *matn*, never really got off the ground. Occasionally we see certain *matns* quoted and dismissed as too preposterous to deserve additional effort in disclosing the culprit who fabricated it, but these instances are rare and certainly never became the rule.<sup>2</sup>

During the first five decades after the prophet's death there may have been a steadily increasing number of stories (*ahādīth*) which circulated among the Muslim Arabs and, of course, also among their subjects in the conquered territories. In Chapter 1 an attempt was made to define these *ahādīth* as probably constituting *qīṣaṣ* of a *tarhib* or *targhib* flavour and *faḍā'il* of mainly religio-political tenor, while the earliest sayings, maxims, opinions, slogans and rules, formulated by Islam's earliest *fiqh* experts may possibly also trace back their date of origin to that time. Dicta with a distinct *ḥalāl wa-ḥarām* tenor, however, as intimated above, probably came into existence some time after the rightly-guided caliphs, when, because of the overall indifference of the first Umayyads in these affairs, Islam's first *fuqahā'* took matters in their own hands. As the earliest *fuqahā'* in Islam we may consider people such as Sa'īd b. al-Musayyab, Makh̄lūl, Ḥasan al-Baṣrī and others, who may have been inspired, if by nothing else, by a few of the last Companions such as the 'Abādila, some of whom allegedly lived to a ripe old age.

These three categories, the *qīṣaṣ*, the *faḍā'il* and – somewhat later – the *aḥkām*, all three eventually indicated collectively by the generic term '*ilm*', were since their inception susceptible to the individual tastes or whims of their transmitters. *Qīṣaṣ*, initially popular with audiences, seem to have evolved along such far-fetched lines that the more discerning members of the public slowly but gradually saw their former high esteem of the *quṣṣās* change into contempt. Whereas the *qāṣṣ* of the first/seventh century enjoyed an, on the whole, reasonably favourable reputation, in later times, say, from the second/eighth century onward, the title of *qāṣṣ* seems to have become virtually a term of abuse.<sup>3</sup>

This growing unpopularity of an important category of transmitters may have been one of the main reasons for the birth of the *isnād*. And the use of the *isnād* went, almost immediately after its date of origin, hand in hand with its abuse. Tampering with *isnāds*, *tadlis*, grew to increasingly serious proportions. Inventing of *matns* came to be called *kadhib*, while we see unintentional *kadhib* contrasted with deliberate *kadhib*. *Tadlis* came to be considered as a milder form of, or a stepping stone to, *kadhib*. Another form of doctoring *isnāds* was *raf'*. *Mursal* and *munqaṭi'* became *muttaṣil* in a

2. For example, the notorious tradition about God creating Himself from the sweat of a running horse, cf. Ibn al-Jawzī, *Kitāb al-mawḍū'āt*, 1, p. 105, but even here the identity of the forger is a matter of discussion.
3. E.g. cf. Ibn Hajar, *Tahdhīb*, vi, p. 447, line 11, where the term *qāṣṣ* is used in close connection with qualifications like *munkar*, *matruk*, *kadhib* etc.

later stage; *mursal* was also often extended to *mawqūf* and then *marfū'*, sometimes the *mawqūf* stage was skipped. Differently put, what was initially *munqaṭī'*, *mursal* or *mawqūf* became eventually *muttaṣil* and *marfū'*. It is especially *isnāds* of *aḥkām* material which were subject to *raf'*. All these terms became in the course of time technical terms.

After the *isnād* had come into existence, transmitters were investigated as to veracity. Honesty, accuracy and expertise were qualities set against mendacity, sloppiness and ignorance. These terms, single or in various combinations, became the characteristics of *ḥadīth* transmitters, as formulated by their contemporaries or later generations, circulating in sayings which we might call the *faḍā'ill/mathālib ar-ruwāt* genre.<sup>4</sup> This genre shows also its own particular development, when a diachronic comparison is made of the earliest *rijāl* works and other books on the science of tradition.

In the present chapter it is proposed to discuss in some detail the following issues:

1. The evolution of *tarjamas* in the *rijāl* works;
2. The evolution of technical terms describing the (de)merits of transmitters;
3. The collective *ta'dīl* of the Companions of the prophet;
4. Schacht's common-link theory.

### *The evolution of tarjamas in the rijāl works*

In the previous chapter the attention was drawn to the evolution of the names given to one single person as exemplified in the name Ḥaḥṣ b. 'Umar. In this first section it is proposed to adopt a similar approach to another aspect of a transmitter's *tarjama*, arguably the most important aspect of any *tarjama* in fact, the appraisal of a transmitter's (de)merits in handling traditions. On the basis of the following examples it will appear that one can rightfully speak of an evolution in *rijāl* criticism: in the beginning the information is sparse and relatively non-committal; gradually, increasingly critical assessments alternate with increasingly encomiastic qualifications; finally, after a Mu'tazilite *rijāl* critic's attempt to upset the applecart, the *rijāl* science settles down in a number of works to whose information no

4. As I tried to demonstrate in Chapter 1, *faḍā'il* traditions may be considered as, if not the oldest, one of the oldest genres. It should therefore not astonish us also that a *faḍā'ill/mathālib* genre constitutes the mainstay in *rijāl* criticism. Elsewhere (cf. my *On the origins of Arabic prose*, p. 172) I have drawn the attention to a remarkable feature in this genre, namely that transmitter A, compared with B in A's *tarjama*, is awarded first prize, while B is preferred to A in B's *tarjama*. Examples of this feature are e.g. 'Abd ar-Raḥmān b. Maḥdī as compared with Yaḥyā b. Sa'īd al-Qaṭṭān; Sufyān b. 'Uyayna as compared with Ma'mar b. Rāshid; Ḥammād b. Zayd as compared with Ḥammād b. Salama; examples are legion.

substantial or relevant additions are made as from the second half of the fourth/tenth century until the present day.

In one of the earliest theoretical works on the science of tradition we find a shortlist of the most important early *muḥaddithūn*, who can be considered as key figures in their respective *ḥadīth* centres. In its succinctness this list gives a perfect overall view of the earliest development of *ḥadīth*, wholly in line with the chronology proposed in Chapter 1, and therefore deserves to be paraphrased here.

‘Alī b. ‘Abd Allāh Ibn al-Madīnī (d. 234/848) began his *Kitāb al-‘ilal*<sup>5</sup> with the following words:

I studied the *isnād* and found it revolving upon six persons:

For Medina: Ibn Shihāb az-Zuhrī (d. 124/742);

For Mecca: ‘Amr b. Dīnār (d. 126/744);

For Baṣra: Qatāda b. Di‘āma (d. 117/735) and Yahyā b. Abī Kathīr (d. 132/750);

For Kūfa: Abū Ishāq as-Sabī‘ī (d. 129/747) and al-A‘mash Sulaymān b. Mihrān (d. 148/765).

Ibn al-Madīnī goes on: Then the ‘ilm of these six was transmitted to various people who were known as the authors of books:

For Medina: Mālik b. Anas (d. 179/795) and Ibn Ishāq (d. 152/769);

For Mecca: ‘Abd al-Malik b. ‘Abd al-‘Azīz Ibn Jurayj (d. 151/768) and Sufyān b. ‘Uyayna (d. 198/814);

For Baṣra: Sa‘īd b. Abī ‘Arūba (d. 158–9/775–6), Hammād b. Salama (d. 168/785), Abū ‘Awāna (d. 175/791), Shu‘ba (d. 160/777) and Ma‘mar b. Rāshid (d. 154/771);

For Kūfa: Sufyān ath-Thawrī (d. 161/778);

For Syria: al-Awzā‘ī (d. 151/768–158/775);

Finally for Wāsiṭ: Hushaym b. Bashīr (d. 183/799). (End of paraphrase).

The names of a few of these men have already been mentioned on various occasions in previous chapters. Now I should like to delineate the evolution of *rijāl* criticism in Islam on the basis of the respective *tarjamas* a few of these key figures received in some of the earliest *rijāl* works.

In line with the chronology of the origins of *ḥadīth* proposed in Chapter 1, it is feasible that the oldest of these key figures can only be assumed to have become active *ḥadīth* collectors two decades or so before the first century after the Hijra drew to a close.

*Rijāl* expertise as a separate discipline started, as we know, with Shu‘ba b. al-Ḥajjāj (d. 160/777). Shu‘ba probably did not compile a book on the subject,<sup>6</sup> but the first whose expertise does seem to have been compiled in some sort of record was in all likelihood Yahyā b. Sa‘īd al-Qaṭṭān (d. 198/813).<sup>7</sup> His statements can be found all over Ibn Ḥajar’s *Tahdhīb* and

5. Ibn al-Madīnī, *‘Ilal*, pp. 39–42.

6. For a concise survey of his *rijāl* criticism, see Ibn Rajab, p. 123.

7. Cf. note 33 of Chapter 1.

*Lisān*, industriously scraped together by the latter author from the collections made probably by Yaḥyā's pupils, collections which Ibn Ḥajar may have had at his disposal (see Appendix IV) but which otherwise have not come down to us unfortunately and only survive in fragments in the above-mentioned and other *rijāl* lexica.

Besides Shu'ba and Yaḥyā b. Sa'īd there are other famous *rijāl* experts whose works, if not yet published on the basis of scanty MS. material, largely live on in quotes in Ibn Ḥajar's and others' lexica. Their biographical notices of the above mentioned key figures will presently be made the subject of discussion. The best-known of these experts are:

- Yaḥyā b. Ma'īn (d. 233/847);  
 'Alī ibn al-Madīnī (d. 234/848);  
 Ibn Sa'd (d. 244/848);  
 al-Ḥusayn b. 'Alī al-Karābīsī (d. 245/859);  
 al-Jūzajānī (d. 256/870);  
 Bukhārī (d. 256/870);  
 Muḥammad b. Yaḥyā adh-Dhuhlī (d. 258/872);  
 Aḥmad b. 'Abd Allāh al-'Ijlī (d. 261/875);  
 Abū Ḥātim (d. 277/890);  
 Ya'qūb b. Sufyān al-Fasawī (d. 277/890);  
 Abū 'l-Qāsim al-Balkhī (d. 319/931).<sup>8</sup>

To Shu'ba is – probably falsely – attributed the saying: *iḥdharū ḡhayrata aṣḡhābi 'l-ḡadīthi ba'dihim 'alā ba'din fa-lahum aṣḡaddu ḡhayratin mina 't-tuyūs*, i.e. beware of the traditionists' mutual jealousy for they are more jealous than billy goats.<sup>9</sup> It is difficult to pin a date of origin to this saying, but it may be taken in any case as an eloquent description of the atmosphere in which the *faḡḡ'illmathālib ar-ruwāt* were brought into circulation.<sup>10</sup> On a previous occasion attention was drawn to the mutual contradictions which can be distilled from those value judgements concerning certain pairs of transmitters.<sup>11</sup> As far as the critical sense of each of the above experts is

8. For various others, see Appendix IV. For a 'pedigree' of how the '*ilm ar-rijāl*' was transmitted among the first generations of experts, see Appendix V.
9. Cf. al-Khaḡīb, *Al-kifāya*, p. 109; also attributed with slight variants to Sa'īd b. Jubayr and Sa'īd b. al-Musayyab 'an Ibn 'Abbās, and Mālik b. Dīnār (d. 123/741 or 130/748): cf. Ibn 'Abd al-Barr, *Jāmi'*, II, p. 151, and even to the prophet: cf. Ibn al-Jawzī, *Kuṡūb al-mawḡū'āt*, I, p. 262. The hatred and envy second/eighth century *muhaddīthūn* felt for one another is extensively dealt with in Ibn 'Abd al-Barr's *Jāmi'*, II, pp. 150–163; especially Mālik b. Anas' objections against Ibn Ishāq on pp. 156f.
10. Occasionally, we come across a man who allegedly totally lacked this jealousy of his colleagues. One Anas b. 'Iyāḡ (d. 185/801 or 200/815) is described as *asmāḡu bi-'ilmihī*, i.e. very easily divulging his traditions to others, and *aḡmaqu yadfa'u kutubahu ilā ḡā'ulā'i 'l-'irāqīyyīn*, i.e. stupidly showing his books to those confounded Iraqis, cf. Ibn Ḥajar, *Tahdhīb*, I, p. 376. Both descriptions are meant in a clearly denigrating manner; the second also displays regional rivalry (Medina/Iraq), the demonstrative *ḡā'ulā'i* conveying more or less the same pejorative flavour as the Latin *iste*.
11. See my *On the origins of Arabic prose*, p. 172.



concerned, the following general statements may cast some light on the methods of each individual.

Shu'ba's and Yahyā b. Sa'īd's judgements of others are brief, to the point and relatively critical, in severity of tone easily outdone, however, by Yahyā b. Ma'īn's. This Yahyā had a vast knowledge of fabricated traditions in order to establish once and for all the doubtful reputations of their forgers and/or their transmitters.<sup>12</sup> Ibn Sa'd does not seem to have acquired a substantial knowledge in this discipline; his brief appraisals – mostly tantamount to expressions such as *thiqa*, or *ghayr thiqa* and *kathīr/qalīl al-ḥadīth* – seem to have been garnered from various sources which he leaves unmentioned. Al-Jūzajānī's criticism is especially severe regarding Shī'ite tendencies in (mostly Kūfan) transmitters; himself a Syrian, his judgements point to the rivalry between the Syrian and Iraqi *ḥadīth* centres. Bukhārī's, Abū Ḥātim's and Fasawī's are huge compilations of names followed by mostly very brief, not very critical *tarjamas*, but Abū 'l-Qāsim al-Balkhī's *rijāl* book, also because of its author's Mu'tazilite leaning, is indeed more critical than any of its predecessors. It deserves a closer look.

In all likelihood, Abū 'l-Qāsim's work must have acquired an unfavourable reputation, for Ibn Ḥajar does not seem to quote from it, something which is unusual in the methods of that author.<sup>13</sup> He may have left it deliberately out of consideration, but he probably knew it. Allegedly the one and only copy to survive today is preserved in Cairo, where Ibn Ḥajar worked most of his life.<sup>14</sup> And he may also be assumed to have been familiar with its contents, since he refers in his *tarjama* of Abū 'l-Qāsim to a *taṣnīf fī 't-tā'n 'alā 'l-muḥaddīthīn yadullu 'alā kathrati 'ittilā'ihī wa-ta'aṣṣubih*, i.e. a book in which he discredits transmitters which shows his being vastly read as well as his fanaticism.<sup>15</sup>

Abū 'l-Qāsim's book received the title *Qabūl al-akhbār wa-ma'rifat ar-rijāl*.<sup>16</sup> This title clearly conveys the critical frame of mind of the author who seems to stipulate that traditions should only be accepted if their transmitters' reputations are impeccable; establishing those requires knowledge which his book is trusted to provide.

The two appraisals of Ibn Ḥajar, Abū 'l-Qāsim's *ittilā'* and *ta'aṣṣub*, are, perhaps, in need of some elaboration.

From the sources Abū 'l-Qāsim regularly quotes from, we can form an

12. Cf. Ibn Rajab, p. 111, where it is related that he wrote forged traditions down and then burnt them in his stove.
13. In Ibn Ḥajar, *Tahdhīb*, VIII, p. 116, line 8, we read a quotation from one otherwise unspecified Abū 'l-Qāsim; the quote could, however, not be traced in *Qabūl*.
14. See the excellent entry Ibn Ḥajar in E.I. 2, (F. Rosenthal); also Shākir Maḥmūd 'Abd al-Mun'im, *Ibn Ḥajar al-'Asqalānī wa-dirāsatu muṣannafātihī wa-manḥajihī wa-mawāridihī fī kitābihī al-Isāba*, Bagdad 1976, vol. 1.
15. Cf. *Lisān*, III, p. 255.
16. I thank Josef van Ess for lending me his microfilm of the Cairo unicum (cf. *GAS*, I, p. 623) for copying.

idea as to what his *iṭṭilā'* amounted to. Works most frequently cited are, with the exception of al-Karābīsī's more extensively dealt with below, much the same as appear in fragments in the *Tahdhīb*, e.g. those of Yaḥyā b. Ma'īn (d. 233/847),<sup>17</sup> 'Alī ibn al-Madīnī (d. 234/848), ad-Dūrī (d. 271/884), Abū Ḥātim (d. 277/890) – not that of his son – , Ibn Abī Khaythama (d. 279/892) and various others. The main difference, however, between Abū 'l-Qāsim's and Ibn Ḥajar's use of these sources lies in the fact that Abū 'l-Qāsim invariably restricts himself to citing only the unfavourable material he found in them, whereas Ibn Ḥajar gives an anthology of favourable as well as disparaging material. Examples of their respective methods will be provided below.

As for Abū 'l-Qāsim's reputed *ta'aṣṣub*, this probably is meant to refer to his sympathy with Mu'tazilite doctrine.<sup>18</sup> But to conclude that he was anti-*ḥadīth* would be a mistake. In the first place, Abū 'l-Qāsim is quite capable of mentioning the Mu'tazila in a pejorative context, where he cites Shu'ba merely dismissing a transmitter as a *mu'tazilī rāfiḍī jasmī*,<sup>19</sup> or Yaḥyā b. Sa'īd describing – in a clearly disparaging manner – Ibn Abī 'n-Najīb as one of the Mu'tazila's top propagandists.<sup>20</sup> Secondly, in spite of the generally recognized indebtedness of the Mu'tazila to their forerunners in the doctrine of predestination – or, rather, the invalidation thereof – his book contains countless references to transmitters known for their Qadarite inclinations, whose traditions should, therefore, be avoided.<sup>21</sup> Moreover, the first few pages of the manuscript show the author as a staunch believer in the value of *ḥadīths*, as long as they are painstakingly examined as to reliability. In sum, he is an extraordinarily critical *muḥaddīth*, but a *muḥaddīth* nonetheless. He even shows now and then a peculiar lapse in his critical attitude, for example, when he omits al-Wāqidī from his enumeration of downright weak transmitters, al-Wāqidī who fared much worse at the hands of Ibn Ḥajar.<sup>22</sup>

Abū 'l-Qāsim had a forerunner. His book owes much to an earlier, also rather critical *rijāl* work, otherwise lost, that of al-Karābīsī (d. 245/859).<sup>23</sup>

17. Cf. *Qabūl*, p. 43: . . . Yaḥyā b. Ma'īn *alladhī 'anhu ḥakaynā akthara mā ḥakaynāhu fī ḥādḥā 'l-kitāb*.

18. In view of his Mu'tazilite sympathies, one would expect him to dismiss all *ḥadīth*; but, as Schacht has pointed out in his *Origins* (p. 259), the later Mu'tazilites were forced by the prevailing sunnite attitude of the day to attach at least some value to *ḥadīth*. Abū 'l-Qāsim's Mu'tazilite views are summarized concisely and clearly in his *Faḍl al-ī'tizāl*, p. 63.

19. Cf. *Qabūl*, p. 201. 20. Ibidem, pp. 2, 3.

21. Ibidem, the chapter on *ahl al-bida' wa-ahl al-ahwā'*, pp. 211–18.

22. Cf. *Tahdhīb*, ix, pp. 363ff. . . . *laysa bi-shay'in, kadhdhāb, matrūk* etc.; cf. *Qabūl*, pp. 198–202, where one would have expected a reference to him; neither does he have his own *tarjama* in that part of the book devoted to the more important transmitters (pp. 56–167); he is only briefly mentioned as *laysa bi-shay'in* on p. 210.

23. There are no manuscripts of his work listed in *GAS*, I, p. 600, only references to texts in which quotes from it have survived.

Elsewhere I have brought together evidence for the theory that Muslim's anonymous adversary, who is taken to task in the introduction of Muslim's *Ṣaḥīḥ* for rejecting *mu'an'an isnāds*, may have been this same al-Karābīsī.<sup>24</sup>

Karābīsī constitutes, it seems, an early turning point in the development of *isnād* criticism. In a statement attributed to Ibn Ḥanbal we discern a wide difference of opinion between these two scholars. Ibn Ḥanbal's face darkened when he was asked what he thought of Karābīsī and his ideas and then he said: 'Their affliction (in Arabic: *balā'uhum*) is caused by those books they compose; they abandon the traditions of the Messenger of God and his Companions and devote themselves [solely] to those books.'<sup>25</sup>

This statement, at first sight somewhat obscure perhaps, contains a few interesting points. When Ibn Ḥanbal is asked to say something about Karābīsī, he seems to ignore the question as such and starts talking about 'them', as if he automatically identifies Karābīsī with a group of people, pupils or associates. However, an investigation of the biographical material about Karābīsī does not contain clear indications as to what this group might stand for or what ideas its members propagate. Comparing the above version with one occurring elsewhere,<sup>26</sup> fortunately, yields the information that Karābīsī had embraced the theories of Jahm b. Ṣafwān (d. 128/746), but again a reference as to his possibly having been a prominent member or leader of a Jahmite movement is lacking. Even so, one report could be unearthed in which someone is censured for having been zealous in the *madhhab* of Ḥusayn al-Karābīsī.<sup>27</sup> The term *madhhab* in this context seems to admit also of the interpretation 'school', but whether this school can be identified with one upholding solely (post-)Jahmite beliefs,<sup>28</sup> or a mixture of Jahmite and Mu'tazilite theories concerning the createdness of the Qur'ān or far-reaching ideas concerning the inadmissibility of *mu'an'an isnāds*, so violently attacked by Muslim,<sup>29</sup> cannot be established with any degree of certainty.<sup>30</sup>

This brief appraisal of Islam's earliest *rijāl* experts can perhaps be illustrated best on the basis of their respective *tarjamas* of one key figure, e.g. Zuhri.

24. See my translation in *JSAI*, v, note 76.

25. Fasawī, *Kitāb as-sunna*, printed in his *Kitāb al-ma'rifa wa 't-ta'rikh*, III, p. 392.

26. Al-Khaṣīb, *Ta'rikh Baghdād*, VIII, p. 66.

27. Ibn Ḥajar, *Tahdhīb*, IX, p. 227.

28. There is not a trace of Karābīsī in Ibn Ḥanbal's *Ar-radd 'alā 'l-Jahmiyya wa 'z-zanādiqa*.

29. See above and my translation of Muslim's introduction to his *Ṣaḥīḥ* in *JSAI*, v, forthcoming. Long after Muslim there seem to have been people who opposed Karābīsī's views, cf. Aḥmad b. Muḥammad aṭ-Ṭahāwī (d. 321/933) to whom is attributed a *Naqd 'alā 'l-Karābīsī* (cf. Ibn Ḥajar, *Lisān*, I, p. 277), but his book might possibly refer to a different Karābīsī such as the one mentioned in *GAS*, I, p. 442, who is Ṭahāwī's contemporary.

30. In any case, it seems unlikely that with *madhhab* in this context is meant the Shāfi'ite *madhhab* which Karābīsī eventually embraced, cf. Subkī, *Ṭabaqāt ash-Shāfi'iyya al-kubrā*, II, pp. 117ff. According to Ibn an-Nadīm, *Fihrist*, p. 270, he was also a Jabrite.

Most detailed, as was to be expected, for his emphasis in specifically Syrian *ḥadīth* data, is the *tarjama* of Ya'qūb b. Sufyān al-Fasawī.<sup>31</sup> His appraisal of Zuhri as a traditionist is as uncritical as it is non-committal.<sup>32</sup> Early Iraqi experts are very brief, probably because during the first half of the second/eighth century the still prevailing 'regionalism' (see last footnote) prevented Iraqi experts from being familiar with what was going on in Syria. In any case, Shu'ba's opinion – if any – does not seem to have been recorded;<sup>33</sup> Ibn Sa'd has the usual *kāna thiqa kathīr al-ḥadīth wa 'l-'ilm wa 'r-riwāya*.<sup>34</sup> And other early Iraqi experts air the familiar, vaguely critical remarks: Yahyā b. Sa'id did not set store by Zuhri's *irsāl*;<sup>35</sup> Ibn Ma'in denied that Zuhri had transmitted from Ibn 'Umar who died in 74/693, thus establishing a *terminus post quem* for Zuhri to have started his tradition collection;<sup>36</sup> 'Alī ibn al-Madīnī listed Zuhri among a number of other meritorious transmitters,<sup>37</sup> and Abū Ḥātim and Abū Zur'a are equally vague;<sup>38</sup> Bukhārī is even less concerned, for a collector who has made so much use of Zuhri *isnāds* indeed a feature worthy of note.<sup>39</sup>

In contrast to the above, we read in Abū 'l-Qāsim al-Balkhī a few reports which are less favourable: a quarrel between Mālik and Zuhri in which the former is heavily sarcastic,<sup>40</sup> Mūsā b. 'Uqba doubting Zuhri's chronology of the prophet's year of birth<sup>41</sup> and a few other stories.

31. *Kitāb al-ma'rifa wa 't-ta'rikh*, I, pp. 620–43, largely copied by Ibn Kathīr, *Al-bidāya*, IX, pp. 340–8, Ibn 'Asākir, *Ta'rikh madīnat Dimashq*, in vol. XI (which is not yet published), and others.
32. However, it does contain an interesting version of a notorious report concerning Zuhri and the Umayyads which gave rise to a bitter controversy among Oriental and western scholars, cf. Juynboll, *Authenticity*, pp. 112f.; for *kunnā nakrahu kitāb al-'ilm*, we read here: *Kunnā lā narā 'l-kitāb shay'an*, which seems to support Sezgin's interpretation, cf. *GAS*, I, p. 74, and Fasawī, I, p. 633. Particularly relevant in this context is also a report in *Qabūl al-akhbār*, p. 8, in which Zuhri's traditions are allegedly recorded in the *Dīwān* of al-Walid for the people to consult. Another incentive for writing traditions down, regardless of the Umayyads' alleged pressure, is apparent in a report which, at the same time, is a neat illustration of the 'regionalism' (see Chapter 1) of the various *ḥadīth* centres in those early days; Zuhri is reported to have said: *Law lā aḥādīthū ta'tīna min qibal al-mashriq nunkiruhā lā na'rifuhā mā katabtu ḥarfan wa-lā adhīntu fī kitābatihā*, cf. Fasawī, I, p. 637, cf. also al-Khaṭīb, *Taqyid al-'ilm*, p. 108.
33. There is, however, the remarkable story of Shu'ba, Sufyān ath-Thawri and Hushaym b. Bashīr (d. 183/799), that highly controversial transmitter from Wāsiṭ, who were on a pilgrimage to Mecca. Hushaym is stated to have collected some Zuhri traditions. For unknown reasons Sufyān persuaded Shu'ba to erase Hushaym's Zuhri file while the owner was temporarily absent, cf. *Qabūl*, p. 104.
34. Cf. Ibn Hajar, *Tahdhīb*, IX, p. 448; this information is lacking in our edition of the *Tabaqāt*.
35. *Ibidem*, p. 451.
36. *Ibidem*, p. 450; Ibn Ḥanbal and Abū Ḥātim shared this opinion, cf. *ibidem*.
37. Ibn Abī Ḥātim, *Al-jarḥ*, IV I, p. 74.
38. *Ibidem*. 39. *At-ta'rikh al-kabīr*, I I, pp. 220f.
40. *Qabūl*, p. 89, lines 3–11. 41. *Qabūl*, p. 89 penult.

The first of these stories is too interesting to pass over. Mālik b. Anas, it is reported in this anecdote, once visited Zuhri with a couple of other people to hear traditions with him. Zuhri appeared hesitant until a eunuch sent by the Umayyads came to him and likewise asked him about traditions. Then Zuhri opened up. Indignant, Mālik asked Zuhri whether he had ever heard of the saying ascribed to the prophet: *Man ṭalaba shay'an min hādihā 'l-'ilm alladhī yurādu bihi wajhu 'llāhi li-yuṣība 'araḍan mina 'd-dunyā dakhala 'n-nār* (i.e. He who seeks [even] a little of this science (sc. of tradition), so meritorious in God's eyes, in order to acquire a random profit ('*araḍ*) or honour ('*ird*) in this world, will enter Hell). Whereupon Zuhri said that he had not heard everything attributed to the prophet. 'Would you say you are familiar with half of the prophet's traditions?', Mālik asked. 'I would', Zuhri replied. 'Then this tradition surely belongs to the half that you do not know', Mālik concluded sarcastically. It seems clear that this report points to the controversial issue about Zuhri having, or not having, been under Umayyad pressure regarding the promulgation of *ḥadīths*, and that this was taken as a blemish on his character. Whether or not this anecdote is historical is hard to assess, but a scrutiny of the *isnāds* permits a tentative dating and provenance.

The tradition occurs, with quite a few, but insignificant, textual variants, in various collections. Abū 'l-Qāsim does not mention an *isnād*, but Abū Dāwūd ('*ilm* 12 = III, p. 323) does. In reverse order: prophet – Abū Hurayra – Sa'īd b. Yasār – Abū Ṭuwāla – Abd Allāh b. 'Abd ar-Raḥman b. Ma'mar – Fulayḥ b. Sulaymān, whose pupil, according to Abū Dāwūd, is Surayj b. an-Nu'mān. Ibn Māja (I, pp. 92f.) has the same *isnād* but gives, as an alternative for Surayj, Sa'īd b. Maṣūr, and in Ḥakim an-Nisābūrī's *Mustadrak*, I, p. 85, we read 'Abd Allāh b. Wabb's name in this tier with the additional information that a 'group' (*jamā'a*) of transmitters recorded this on the authority of Fulayḥ. We may therefore conclude that this Fulayḥ constitutes a classic example of a 'common link' (see the last section of this chapter).

Fulayḥ b. Sulaymān, who died in 168/784, was a *mawlā* who lived in Medina. He occurs in all the Six Books, in spite of the bad reputation he had in general with all the *rijāl* experts as enumerated in Ibn Ḥajar, *Tahdhīb*, VIII, pp. 303ff. And in the *tarjama* Dhahabī devotes to him he is even identified with this very tradition, a sure sign that he must have had a hand in its fabrication (cf. *Mizān*, III, pp. 365f.). Although he allegedly was one of Zuhri's pupils, he used to make disparaging remarks about Zuhri's *rijāl* (= masters?), cf. *Tahdhīb*, VIII, p. 304. But how precisely Fulayḥ ties in with Mālik, Zuhri and the abovementioned anecdote, if at all, is anybody's guess.

Although these reports are sometimes also found in other sources, Abū 'l-Qāsim succeeds somehow in making them sound harsher, probably also because he does not alternate them with laudatory ones. Moreover, Yaḥyā b. Ma'in is quoted in a few more vaguely critical statements not listed in Ibn Ḥajar's *tarjama*, for example, that he preferred Yaḥyā b. Abī Kathīr's traditions to Zuhri's – a statement, interestingly enough, not repeated in his *tarjama* of the former<sup>42</sup> – and Karābisī is cited in a particularly vicious

42. *Ibidem*, pp. 90f.; Yaḥyā also considers the Kūfan transmitter Qays b. Abī Ḥāzim (d. 84/703 or 98/716) as more reliable than Zuhri, cf. Ibn Ḥajar, *Tahdhīb*, VIII, p. 388, an opinion which does not seem to tally with the opinion of Yaḥyā b. Sa'īd regarding Qays' alleged *munkar* traditions which Ibn Ma'in quotes (*ibidem*).

innuendo that Zuhri transmitted traditions from two famous Successors, Sālim b. 'Abd Allāh b. 'Umar and 'Ubayd Allāh b. 'Abd Allāh b. 'Utba, which nobody else had, thereby implying that he might have fabricated them.<sup>43</sup> Even an expression of doubt on the part of Bukhārī regarding Zuhri's transmission from a certain obscure transmitter, which Bukhārī had not even included in his *tarjama* of Zuhri but had mentioned elsewhere,<sup>44</sup> is eagerly adduced by Abū 'l-Qāsim as one more disparaging statement undermining Zuhri's position as a first-class *muḥaddith*.<sup>45</sup> Finally, he quotes Abū Ḥātim who implied in a statement that Zuhri could be accused of *tadlīs*, a remark, significantly enough, absent from Abū Ḥātim's son's *rijāl* work.<sup>46</sup>

After Zuhri let us turn to Ibn Ishāq. First of all, the brevity of Abū 'l-Qāsim's *tarjama* devoted to him is in sharp contrast to the long-windedness of the one in Ibn Ḥajar's *Tahdhīb*. Furthermore, it is striking that in the former there is a concentration of negative appraisals like *dajjāl* (conveying a particularly nasty kind of forging)<sup>47</sup> and *kadhhdhāb*, which also occur in Ibn Ḥajar, but there they are drowned in mitigating arguments – such as the consideration that his 'falsehoods' did not pertain to his *ḥadīth* transmission – and loud praises. Shu'ba is recorded to have labeled him an *amīr al-mu'minīn* in tradition<sup>48</sup> as well as *ṣadūq*.<sup>49</sup> It will appear below that, in later times, *ṣadūq* is specifically combined with disparaging qualifications, while here, with Shu'ba, it still has its basic meaning of 'veracious'. Ibn Ma'in is only quoted by Abū 'l-Qāsim as having labeled Ibn Ishāq's traditions as not constituting an argument, while, on the other hand, apart from this, various laudatory appraisals of his are also cited in Ibn Ḥajar.<sup>50</sup> Finally Abū Ḥātim is quoted by Abū 'l-Qāsim who said on the authority of al-Aṣma'i on the authority of Ibn Ishāq's contemporary Ma'mar b. Rāshid that the latter marked Ibn Ishāq a *kadhhdhāb*.<sup>51</sup> As was the case with Zuhri, again a disparaging statement – although perhaps not representing his own opinion on the matter – attributed to the father is conspicuously absent in the son's *rijāl* work.

The development of *rijāl* criticism sketched on the basis of key figures can be illustrated further by a comparison of the *tarjamas* of another major transmitter, Sulaymān b. Mihrān al-A'mash (d. 147/764).

43. *Qabūl*, p. 90, lines 6 and 7.

44. *At-ta'rikh al-kabīr*, II 2, p. 258. 45. *Qabūl*, p. 90, lines 10 and 11.

46. *Ibidem*, p. 218; compare *Al-jarḥ wa 't-ta'dīl*, IV 1, p. 74, lines 16 and 17, where the crucial words *fi mā lam yudallisā* (the dual referring to Zuhri and A'mash) were apparently left unmentioned by Ibn Abī Ḥātim.

47. Cf. my translation of Muslim's introduction, *JSAI*, v, under *isnād* 22.

48. Ibn Ḥajar, *Tahdhīb*, IX, p. 42.

49. Ibn Abī Ḥātim, *Kitāb al-jarḥ wa 't-ta'dīl*, III 2, p. 192.

50. Cf. *Qabūl*, p. 139, as compared with *ḥasan al-ḥadīth thiqa* (*Tahdhīb*, IX, pp. 39 and 44).

51. *Qabūl*, p. 139.

Shu'ba is recorded as having called A'mash by the honorary title *al-Muṣḥaf*.<sup>52</sup> Other Iraqi experts pointed to various cases of *samā'* not having occurred between A'mash and his masters,<sup>53</sup> but their opinions of him were on the whole very favourable. At any rate, when transmitters from A'mash are exposed as forgers, the forging is thereby implicitly attributed not to the master but to the pupil.<sup>54</sup> In contrast with this we find a statement attributed to Karābīsī who is quoted as having said that A'mash transmitted one thousand traditions from a certain Abū Šāliḥ.<sup>55</sup>

What Karābīsī had in mind does not seem entirely clear. That it was meant as a disparaging remark, however, is proved by the fact that it heads Abū 'l-Qāsim's *tarjama* of A'mash, this author being accustomed to playing his trump cards first.<sup>56</sup> Then he quotes as an example of those thousand traditions: '*an Abī Šāliḥ anna 'n-nabī (ṣ) qāla: la'ana 'llāhu 's-sāriqa yasriqu 'l-ḥabla fa-tuqṭa'u yaduhu wa-yasriqu 'l-bayḍata fa-tuqṭa'u [yaduhu]*,<sup>57</sup> i.e. on the authority of Abū Šāliḥ that the prophet said: God curse the thief; when he steals a piece of string, his hand will be cut off and when he steals an egg, his hand will be cut off.

Since this tradition also occurs in a few of the recognized collections,<sup>58</sup> it can be assumed that it came to be considered *ṣaḥīḥ*. In all the *isnāds*, except in the one given in *Qabūl*, Abū Hurayra is the transmitter between the prophet and Abū Šāliḥ. If the absence of Abū Hurayra's name in the quote from Karābīsī in *Qabūl* was Abū 'l-Qāsim's – and, for that matter, Karābīsī's – sole reason for including it as constituting valid criticism of A'mash's alleged activities as a traditionist, no more need to be said about this matter, but this seems unlikely since *isnāds* including Abū Hurayra's name via Abū Šāliḥ to A'mash are already common in Ṭayālisī's *Musnad* compiled when Karābīsī was still a young man,<sup>59</sup> so he can be assumed to have been familiar with this *isnād*.

52. Ibn Ḥajar, *Tahdhīb*, iv, p. 223.

53. E.g. Ibn al-Madīnī and Ibn Ma'īn rejected his alleged *samā'* from Anas, *ibidem*, pp. 222f., and also Abū Ḥātim had reservations, *ibidem*, p. 223.

54. Cf. Ibn Ḥajar, *Lisān*, i, no. 30; but what did 'Abd ar-Raḥmān b. Maḥdī mean, as quoted in Ibn Ḥanbal, *'Ilal*, i, no. 2753, with the words: *Hādhā min ḍa'if ḥadīth al-A'mash?*

55. *Qabūl*, p. 91.

56. Other unambiguous evidence that Karābīsī meant to hurt A'mash's reputation is provided in an anecdote describing how Ibn Ḥanbal set eyes on Karābīsī's *Kitāb al-mudallīsīn* and found fault with it also because of the latter's *ta'n 'alā 'l-A'mash*, cf. Ibn Rajab, pp. 534f.; in this passage we can also read how a 'group' of Mu'tazilites – among whom Abū 'l-Qāsim's name is not mentioned – appropriated the book on account of its attack on the *ahl al-ḥadīth*.

57. The word *yaduhu* is missing in the MS., but could be established from numerous versions in other texts.

58. Bukhārī, *ḥudūd* 7, 13 (= iv, pp. 294, 297), Muslim, *ḥudūd* 7 (= edition with Nawawī's commentary, xi, p. 185), Nasā'ī, *qaṭ' as-sāriq* I (= viii, p. 65), Ibn Māja, *ḥudūd* 22 (= ii, p. 862), Ibn Ḥanbal, *Musnad*, ed. Shākir, xiii, p. 175.

59. Cf. Ṭayālisī, pp. 316ff.

Other possible reasons for Karābīsī to point to A'mash 'an Abī Šāliḥ *isnāds* with this one, otherwise unquestionably 'sound', tradition cannot be reconstructed with any amount of certainty and may only tentatively be distilled from the commentaries to which this tradition gave rise. These commentaries will be briefly reviewed in the following.

A study of all the comments accompanying the occurrence of this tradition in the various collections conveys that, although the *ḥadīth* seems at first sight a simple one, it resulted in a host of contradictory interpretations and considerations.<sup>60</sup> Whether Karābīsī objected to one or a few of those interpretations is hard to establish but, in any case, it is likely that, had he been presented with an outline of all of them – the majority might very well have been brought into circulation before or during his lifetime – he might be expected to have disagreed with one or more.

As far as the *matn* is concerned, two major issues, each subdivided into minor ones, are discernible in the commentaries.

1. (a) It was deemed unpermissible to invoke God's curse on anybody specific, but permissible in the case of a category of persons. In this light this tradition gave rise to a discussion about another point: (b) is a thief, who is properly punished for his theft, considered to be a sinner still upon whom one can call down God's wrath, or does his punishment constitute sufficient expiation of his theft so as to render him no longer deserving of God's curse?

2. There seemed to be in this tradition a contradiction of the generally accepted ruling of the *niṣāb*, the minimum value of a stolen object for which the *ḥadd* punishment is meted out, established as one quarter of a *dīnār*. An egg or a piece of string are well below this *niṣāb* in value. On the one hand, Bukhārī has preserved in his *ta'liq* to this tradition an opinion traced to A'mash himself who said that *bayḍa* should be interpreted as *bayḍat al-ḥadīd*, helmet,<sup>61</sup> and *ḥabl* as a ship's mooring cable, thus interpreting away the seeming contradiction between the *ḥadīth* and the established *niṣāb*; on the other hand, we read the interpretation that the tradition should be explained as tantamount to a threat or a deterrent to future thieves that stealing of trifling things inevitably leads to the stealing of more valuable objects eventually falling within the range of the *niṣāb*.

As pointed out above, if there is something in this tradition or in one or more of its interpretations or implications with which Karābīsī, and in his wake Abū 'I-Qāsim, took issue, it is impossible to discern exactly what, since the text preserved in *Qabūl* is too brief. Secondly, it is equally feasible

60. Cf. for Bukhārī: Qaṣṭallānī, *Irshād as-sāri*, ix, pp. 501f.; Ibn Ḥajar, *Fath al-bārī*, xv, pp. 87ff.; for Muslim: Nawawī, xi, p. 185; for Naṣā'ī: vol. viii, pp. 65f.; for Ibn Ḥanbal: Shākir's commentary, xiii, p. 175; Ibn Qutayba, *Ta'wīl mukhtalif al-ḥadīth*, pp. 206ff.

61. Obviously enough, another piece of armour, a shield (*mijann*), figures also as the stolen object in another tradition, cf. Ibn Māja, ii, p. 862, no. 2584; this choice does not seem merely coincidental.



that Karābīsī, followed by Abū 'l-Qāsim, merely pointed to the possibility of *tadlīs*,<sup>62</sup> since the *kunya* Abū Šāliḥ could just as well point to the disreputable transmitter Bādḥām, a *mawlā* of Umm Hānī', as to the *mawlā* Abū Šāliḥ Dhakwān as-Sammān, who is the usual choice of early Muslim commentators when they have to identify a transmitter merely called Abū Šāliḥ.<sup>63</sup> And thirdly, if for the sake of argument we accept the hypothesis that it was Karābīsī who was Muslim's anonymous adversary concerning the admissibility of *mu'an'an isnāds*,<sup>64</sup> the majority of *isnāds* featuring A'mash and Abū Šāliḥ have merely '*an*.'<sup>65</sup> Moreover, it is not clear from Abū 'l-Qāsim's brief quote of Karābīsī how the former interpreted the latter's criticism, except that he took it as such. For in order to answer that question we need the complete context – if any – in which Karābīsī placed his remark. Regrettably, there are still many such questions that need answering, but the overall conclusion seems feasible that Karābīsī, and following him Abū 'l-Qāsim, have tried to place A'mash in a decidedly different and downright unfavourable light.

Karābīsī is not the only expert critical of A'mash. Abū 'l-Qāsim quotes a few others, such as 'Abd ar-Raḥmān b. Maḥdī, Yaḥyā b. Sa'īd al-Qaṭṭān and, especially, Ibn al-Mubārak, whose remark is cited that Abū Ishāq as-Sabī'ī and A'mash were both responsible for the corruption of *ḥadīth* in Kūfa,<sup>66</sup> something which Ibn Ḥajar mentions also, however, not in the *tarjama* of A'mash but only in the one devoted to Abū Ishāq, where it is attributed to Ma'n b. 'Isā.<sup>67</sup> Moreover, it is only in Abū Ishāq's *tarjama*, in this very statement, that A'mash is identified with *tadlīs*, and not in his own *tarjama*, whereas he receives special mention in Abū 'l-Qāsim's chapter on *mudallisūn*, in which he quotes Karābīsī, probably from the latter's book on the subject.<sup>68</sup> Ibn Ḥajar knows of this work, although he rarely quotes from it.<sup>69</sup>

The conclusion seems to suggest itself that, in his selection of quotes concerning a certain controversial but on the whole reputable transmitter, Ibn Ḥajar takes pains to leave those quotes unmentioned which could be taken as disparaging, whereas he does not bother to apply the same method

62. In Ibn Ḥajar's commentary *Fath* we read a statement attributed to Ibn Ḥazm that this tradition is 'free from A'mash's *tadlīs*' (p. 87, penult.). Unfortunately, this statement could not be traced in any of Ibn Ḥazm's works, although he mentions this very tradition a number of times in his *Al-muḥallā* (xi, pp. 337, 351 and 356).

63. Cf. Ibn Ḥajar, *Tahdhīb*, I, no. 770; Rāmāhurmuzī, pp. 287–92, lists at least ten persons called Abū Šāliḥ who allegedly all heard traditions with Abū Hurayra, once more an example of the accumulation of certain names most bearers of which can safely be assumed to have been fictitious. This feature was previously discussed in Chapter 4.

64. Cf. above p. 168, note 24.

65. In Bukhārī we find for '*an*': *samī'tu*, and also in Ṭayālīsī the *isnād* with *samī'tu* instead of '*an*' between A'mash and Abū Šāliḥ does occur (cf. nos. 2399 and 2412ff.).

66. *Qabūl*, p. 93.

67. Ibn Ḥajar, *Tahdhīb*, viii, p. 253.

68. *Qabūl*, p. 218.

69. Cf. *Tahdhīb*, viii, p. 66.

when disparaging qualifications of that same person crop up in a *tarjama* devoted to someone different. This feature could be observed in a great many instances. Or, in other words, Abū 'l-Qāsim and Ibn Ḥajar can be contrasted with one another in their respective selection of qualifications concerning one particular transmitter in that the former tends to select the disparaging material, while the latter seems often to settle for the laudatory material, leaving the unfavourable material unmentioned. But both quote basically from the same sources. Only when we have complete and reliable editions of these early sources at our disposal, are we able to decide if so and to what extent Abū 'l-Qāsim or Ibn Ḥajar or both can be considered as having made a fair and impartial, or a biased and prejudiced, use of those sources. As things stand now, for instance on the basis of the example of A'mash outlined above, we may cautiously conclude that Abū 'l-Qāsim, also because of his frequent use of Karābisi's work(s), seems unfavourably disposed towards transmitters, whereas Ibn Ḥajar seems to draw up a fair cross-section of favourable and unfavourable *tarjamas* with a marked leaning, however, towards the favourable ones. And that those early sources are probably more extensive than Abū 'l-Qāsim's and Ibn Ḥajar's respective quotations from them put together is, for example, illustrated by the occurrence of still other quotations from Karābisi concerning A'mash in a third source.<sup>70</sup>

After these three examples, Zuhri, Ibn Ishāq and A'mash, a pattern may have become apparent. Karābisi, and following him Abū 'l-Qāsim, seem to be on the whole unfavourably disposed not to transmitters of *ḥadīth* in general, but to accepting blindly the all too uncritically laudatory assessments of their fellow *rijāl* experts regarding the key figures of *ḥadīth*. When one reads through Abū 'l-Qāsim's appraisal of Sufyān ath-Thawrī, which goes on for five pages,<sup>71</sup> one does not come across one single statement that could be interpreted as meant to be positive, but the same early critics are adduced as in Ibn Ḥajar's four page biography,<sup>72</sup> and what these critics have to say about Sufyān is often repeated in both Abū 'l-Qāsim and Ibn Ḥajar. Whereas Ibn Ḥajar begins with saying that Shu'ba, Sufyān b. 'Uyayna, Ibn Ma'in and others labeled ath-Thawrī as an *amīr al-mu'minin fī 'l-ḥadīth*,<sup>73</sup> Abū 'l-Qāsim only mentions disparaging remarks. The majority of these are so futile as to be eminently dismissible as mere cavils or hairsplitting, but the fact that they are not interspersed with a single favourable or laudatory statement, gives the whole *tarjama* a sour flavour. Ibn Ḥajar's *tarjama*, on the contrary, leaves, because of its mixture of favourable and less favourable statements, an impression of tentative impartiality.

More examples supporting the views expressed above could be given

70. See Ibn Rajab, pp. 498 and 501. 71. *Qabūl*, pp. 109-13.

72. *Tahdhīb*, iv, pp. 111-15. 73. Al-Khaṭīb, *Kifāya*, p. 361, *Tahdhīb*, iv, p. 113.

here,<sup>74</sup> but they are all tantamount to saying: Ibn Ḥajar drowns some people's shortcomings concerning *ḥadīth* transmission, which he often has in common with Abū 'l-Qāsim, in a sea of encomium. And that this feature sometimes results in seemingly irreconcilable contradictions is aptly illustrated by the *tarjama* Ibn Ḥajar devotes to Wāqidī (d. 207/823); in this *tarjama* Wāqidī's contemporary 'Abd al-'Azīz b. Muḥammad ad-Darāwardī (d. 186/802) called him an *amīr al-mu'minīn fī 'l-ḥadīth*, whereas Ibn Ḥanbal, also contemporary but somewhat younger, thought him a *kadhḥāb*.<sup>75</sup>

*Amīr al-mu'minīn fī 'l-ḥadīth* and *kadhḥāb* are two of the technical terms which came into use among *rijāl* experts. Although many of these terms admit of but one perfectly straightforward interpretation, several give rise to problems of some sort and therefore require a separate study. This will be attempted in the following.

### *The development of technical terms in rijāl works*

Hand in hand with the development of *rijāl* criticism in general, as sketched in the preceding section, we perceive a development of technical terms and the connotations thereof.

Reading through Ibn Ḥajar's *Tahdhīb*, one is baffled by the haphazard fashion in which the technical terms are juxtaposed. Sometimes we find a transmitter described by one critic by means of two seemingly contradictory terms, sometimes we see some sort of evolution in terms used to describe a transmitter. In any case, the disconcerting feeling that one term means something different from the same term used elsewhere cannot have escaped anyone who has studied the *Tahdhīb* in more than a perfunctory manner.

In the first instance, during the earliest stages of *rijāl* criticism, a form of social bias is discernible in the opinion of some concerning others. Zuhri is reputed to have said that he rather transmitted from free-born Arabs than from *mawālī*.<sup>76</sup> And to Ibn 'Uyayna is ascribed a blatantly discriminatory remark which deserves to be quoted in full:

*Lam yazal amru 'n-nāsi mu'tadīlan ḥattā zahara Abū Ḥanīfa* [d. 150/767] *bi 'l-Kūfa wa-* ['Uthmān b. Muslim] *al-Battī* [d. 143/760] *bi 'l-Baṣra wa-Rabī'a* [b. Abī 'Abd ar-Raḥmān, d. 136/753] *bi 'l-Madīna fa-nazarnā fa-wajad-*

74. E.g. the cases of Sufyān b. 'Uyayna, compare Ibn Ḥajar, *Tahdhīb*, iv, pp. 117-22 and 304f., with *Qabūl*, pp. 99-103, and al-Khaṣīb, *Kifāya*, p. 379, where Sufyān talks of a tradition heard sixty-nine years(!) previously; furthermore, Sufyān-Zuhri traditions appear to have been thought of as problematic, *Kifāya*, p. 359; or Qatāda, compare *Qabūl*, p. 83, with Ibn Ḥajar, *Tahdhīb*, viii, pp. 351-6; or Ma'mar b. Rāshid, compare *Qabūl*, pp. 116f., with *Tahdhīb*, x, pp. 244ff.

75. Ibn Ḥajar, *Tahdhīb*, ix, pp. 365 and 364 respectively.

76. Cf. Rāmahurmuzī, p. 409; Ibn Sa'd, iii 2, p. 135; *Qabūl*, p. 90.

*nāhum min abnā' sabāyā 'l-umam*, i.e. the general situation remained on an even keel until Abū Ḥanīfa appeared in Kūfa, 'Uthmān al-Battī in Baṣra and Rabī'at ar-Ra'y in Medina; when we looked we found them to be descendants of the conquered people. He seems to say that anyone relying on his *ra'y* – as in the case of the three *mawlās* mentioned – or, for that matter, anyone engaged in *ḥadīth* transmission (or the avoidance thereof) in a way displeasing to Ibn 'Uyayna, belonged to the conquered people.<sup>77</sup> In view of Zuhri's year of death (124/741) and those of the other three men mentioned, the remark may well have originated in a climate of discontent and mutual mistrust which can be dated to the first years of the second/eighth century. This period more or less coincides with the time one can expect Shu'ba to have made a start with investigating transmitters.

But Shu'ba was himself a *mawlā*. His criteria are, at any rate, more sophisticated. When asked what they were, he replied: 'When someone on more than one occasion transmits on the authority of well-known transmitters material which those transmitters do not know themselves, or when he commits numerous errors, or when he is suspected of mendacity, or when he transmits a tradition on which everyone except himself is agreed that it constitutes an error, then his traditions should be rejected; but from someone who does not fall into any of these categories it is safe to transmit.'<sup>78</sup>

At the first glance, this set of criteria may appear to be adequately severe, and the famous story in which he went from one man to another to yet another etc. to verify one single tradition, if historical, proves how seriously he took his calling.<sup>79</sup> On another occasion Shu'ba is reported to have condensed his criteria into one sentence: *Khudhū 'l-'ilm mina 'l-mushtahirīn*<sup>80</sup> (i.e. receive knowledge [only] from well-known [masters]). Even so, a major author like Tirmidhī (d. 297/910), looking back to Shu'ba's time one hundred years earlier, still comes to the negative conclusion that in spite of his thoroughness in scrutinizing some transmitters, he even accepted material from a controversial figure such as Jābir b. Yazīd al-Ju'fī (d. 128–32/745–49) (see Ch. 3, pp. 114 and 120 note 107). 'Nobody

77. Cf. Abū Zur'a, *Ta'rikh*, p. 508. Also in Ibn al-Jawzī (*Kitāb al-mawdū'āt*, 1, p. 5) a similar prejudice is noticeable. In Rāmahurmuzī (pp. 242f.) we read an anti-Quraysh, pro-*mawālī* report, in which, allegedly, 'Abd al-Malik b. Marwān found to his astonishment various circles of 'ilm and *dhikr* in the Great Mosque of Mecca headed exclusively by *mawālī*, referred to in this story specifically as *abnā' al-Furs*. When 'Abd al-Malik interrogated the Quraysh about this anomalous situation, it was explained as a special favour of God. 'Abd al-Malik is reported to have said: 'It is indeed weird; when they ruled themselves, they did not need us and now that we rule them, we cannot do without them for a moment.' Even if this story is perhaps apocryphal, it lively depicts the mutual resentment. Cf. also *ibidem*, pp. 244f.

78. Rāmahurmuzī, p. 410; al-Khaṭīb, *Kifāya*, p. 145.

79. Cf. Ibn Ḥibbān, *Kitāb al-majrūhīn*, 1, pp. 20f.; al-Khaṭīb, *Kifāya*, pp. 400f.

80. Al-Khaṭīb, *Kifāya*, p. 161.

agrees with anyone (sc. in assessing transmitters)', Tirmidhī concludes.<sup>81</sup> And Shu'ba's contemporary, Sufyān ath-Thawrī, is supposed to have instructed Ibn 'Uyayna in a dream: 'Don't strive too hard to know about *ḥadīth* transmitters.'<sup>82</sup> In sum, the beginnings of Muslim *rijāl* criticism might well be depicted as perhaps rapidly leading into a system of relative severity and sophistication but, initially at least, as on the whole inauspicious.<sup>83</sup>

With time the categorization of *ḥadīth* forgers got under way. Various classification systems have been preserved,<sup>84</sup> mostly ranging from consummate liars from the class of *zindīqs*, or Jewish or Christian 'converts', down to pious simpletons spreading self-invented stories to further the cause of their religion.

Another major criterion for accepting or rejecting transmitters in the earliest days of *isnād* criticism may have been the one suggested by Ibn Sīrīn (d. 110/728) as implied in the famous dictum attributed to him discussed in Chapter 1, pp. 17f. Someone known for his sympathy for and/or fanaticism in promoting a certain *bid'a* should be left unheeded, is the main idea underlying this dictum. Judging from the biographical notices about controversial transmitters as preserved in Ibn Ḥajar's *Tahdhīb*, we see that there was one group of *bid'a* adherents which, since they are almost wholly lacking, must have been weeded out successfully, the Khārijites. Elsewhere I have brought together evidence in support of the view that as the first *ahl al-bida'* in Islam may be considered the Qadariyya,<sup>85</sup> but the fact is that the *Tahdhīb* teems with more or less fanatical Qadarites, quite a few of whom seem to have been thought to be reasonably acceptable *ḥadīth* transmitters, whereas traces of Khārijism are rare.<sup>86</sup>

81. Tirmidhī, *'ilal* (= v, p. 756), cf. Ibn Rajab, p. 245. It should not astonish us that Karābīsī and Abū 'l-Qāsim both criticized Shu'ba for credulity concerning Jābir, cf. *Qabūl*, pp. 103, 106, 107. Characteristically, the Shu'ba/Jābir al-Ju'fī controversy is not mentioned in Shu'ba's *tarjama* in the *Tahdhīb* (iv, pp. 338-46), but only in that of Jābir (ii, p. 47) and there it is presented in a mitigated form because of the guardedly encomiastic statements with which it is placed in context.

82. In Arabic: *aqilla min ma'rifati 'n-nās*, Ibn Hanbal, *'Ilal*, i, no. 2367.

83. Reputedly the greatest *rijāl* expert after Shu'ba, one Wuhayb b. Khālid (d. 165/782), is hardly ever mentioned in a context relevant to the present issue, cf. Ibn Ḥajar, *Tahdhīb*, xi, p. 170.

84. For an early one, see Ibn Hibbān, *Kitāb al-majrūhīn*, i, pp. 48-71, and for a late one, see Ibn al-Jawzī, *Kitāb al-mawḍū'āt*, i, pp. 35-43, and Abū 'l-Ḥasan 'Alī b. Muḥammad b. 'Arrāq al-Kinānī, *Tanzih ash-sharī'a al-marfū'a 'an al-akhbār ash-shanī'a al-mawḍū'a*, i, pp. 11-16.

85. Cf. my translation of Muslim's introduction to his *Ṣaḥīḥ* in *JSAI*, v, (in the press).

86. One such an exception is 'Imrān b. Ḥiṭṭān (d. 84/703); in his *tarjama* we read the interesting statement: *Wa-ammā qawlu Abī Dāwūd inna 'l-Khawārija aṣaḥḥu ahli 'l-ahwā'i ḥadīthan fa-laysa 'alā iṭlāqihī fa-qad ḥakā 'bnu Abī Ḥatīm 'ani 'l-qādi . . . Ibnī Lahī'a 'an ba'dī 'l-Khawāriji mimman tāba annahum kānū idhā hawū amran ṣayyarūku ḥadīthan*, cf. Ibn Ḥajar, *Tahdhīb*, viii, p. 128.

Another *bid'a* which appears not to have interfered with a transmitter's reputation in handling traditions was *Irjā'*. On account of the fact that so many undisguised adherents of various *bid'as* seem to have acquired a perfectly respectable status in the different appraisals in Ibn Ḥajar's *Tahdhīb*, one may safely assume that the criterion allegedly formulated by Ibn Sīrīn does not seem to have caught on to the extent that the merest hint at someone's inclination towards an innovative idea precluded him from handling traditions with impunity.

Finally, other transmitters are reported to have applied also certain standards but of a different nature. A'mash, for example, allegedly insisted that transmitters write down their traditions otherwise, he said, they are not to be trusted.<sup>87</sup>

The foregoing seems to suggest that criteria for sifting transmitters fluctuated. The same can be said about one of the first and most important criteria, laid down in the technical term *tadlīs*, which indicates a transmitter's deceit in 'composing' *isnāds*. The name of the tradition expert who introduced this term first does not seem to have been recorded,<sup>88</sup> but a fact is that the qualification *mudallīs* was already applied to first/seventh century transmitters, probably by contemporaries or people who lived a little later.<sup>89</sup> We may therefore conclude that it may very well have come into use at the hands of Shu'ba<sup>90</sup> or a contemporary.<sup>91</sup>

Perhaps the best early treatment of the concept *tadlīs* is found in al-Ḥākim an-Nisābūrī's *Kitāb ma'rifaṭ 'ulūm al-ḥadīth*.<sup>92</sup> Ḥākim died in 405/1014. His first general definition of it is conveyed in the statement: . . . *al-mudallīsīna 'lladhīna lā yumayyizu man kataba 'anhum bayna mā*

87. Cf. Rāmāhurmuzī, p. 306.

88. Reputedly the first book on *iṣṭilāḥāt al-ḥadīth* was Rāmāhurmuzī's *Al-muḥaddith al-fāsil* etc., but even in this work we do not find a clue as to who was the first, cf. Suyūṭī, *Tadrib ar-rāwī*, I, p. 52.

89. Abū Ishāq (d. 126-9/744-7), al-Ḥakam b. 'Uṭayba (d. 113-15/731-3), Muḡhira b. Miqsam (d. 132-6/750-3), al-A'mash (d. 147/764), Qatāda (d. 117/735), to name just a few of the best-known ones. Allegations that they practised *tadlīs* are confirmed in their respective *tarjamas* in the *Tahdhīb*, which are otherwise, on the whole, very favourable, and in *Qabūl*, p. 218, where we read also the names of quite a few others. Furthermore, see above p. 171, note 46. The issue regarding the alleged *tadlīs* of certain Companions such as Abū Hurayra and Ibn 'Umar (cf. *Qabūl*, p. 218, 5 lines from the bottom and p. 59) requires separate attention and will be dealt with below in section three of the present chapter.

90. Shu'ba is recorded to have said: *Mā ra'aytu aḥadan min aṣḥāb al-ḥadīth illā yudallisu illā ['Abd Allāh] b. 'Awn wa-'Amr b. Murra*, cf. Ibn Ḥajar, *Tahdhīb*, VIII, p. 103.

91. *Dallasa* (cf. Lane, s.v.) means 'to conceal a fault in an article of merchandize', hence it was used for transmitters concealing deficiencies in *isnāds*. Fraenkel is quoted as having perceived a connection between the Latin word *dotus* and this Arabic term, cf. *JA*, XVI, 1900, p. 526 (ult).

92. *Naw'* no. 26, pp. 103-12; for more definitions see e.g. Ibn aṣ-Ṣalāh, *Al-muqaddima [fi 'ulūm al-ḥadīth]*, pp. 165-72; Suyūṭī, *Tadrib*, I, pp. 223-31; and also *JA*, XVI, 1900, pp. 526-531. In addition, see Nawawī in his commentary of Muslim's *Ṣaḥīḥ*, I, p. 33.

*sami'ūhu wa-mā lam yasma'ūhu* (p. 103), i.e. [they are] those people, whose pupils who take notes with them do not (or perhaps better: cannot) distinguish between what their masters have or have not indeed heard themselves.

Furthermore, *tadlīs* is called *dhull*, ignominy, and put on the same level as *ghishsh* (fraud), *ghurūr* (deceit), *khidā'* (trickery) and *kadhib* (falsehood, mendacity) (p. 103). Then Ḥākim distinguishes between six different forms of *tadlīs* which, strictly speaking, are all tantamount to 'tampering with *isnāds* in order to make them appear more reliable than they are in reality'. However, the first two categories he delineates comprise those famous, otherwise reputedly totally trustworthy, early Successors – such as those enumerated in note 89 above – who allegedly do not mention their spokesmen by name for no hidden purpose whatsoever, but out of undeliberate nonchalance.

Here we see how Ḥākim, probably purposefully, awards a more neutral flavour to the definition(s) of *tadlīs* in an endeavour to exonerate various early transmitters who are otherwise too prominent to let the 'blemish' *tadlīs* also be determinant of their respective reputations without questioning this or, possibly, mitigating this.<sup>93</sup> As we saw above, Karābīsī, and following him Abū 'l-Qāsim al-Balkhī, still handled the term with a definition of it in their heads of undiminished severity and unquestionable derogatoriness, which is also apparent in the use of the term by their otherwise more moderate contemporaries. Ḥākim explains his point of view in this matter by pointing out that he does not want to cause damage to the *ḥadīth* and its transmitters by mentioning too many of those *a'imma* who were at one time reputed to have committed *tadlīs*.<sup>94</sup>

A slightly older contemporary of Ḥākim's, 'Alī b. 'Umar ad-Dāraqūṭnī (d. 385/995), reportedly assumed a similar ambivalent attitude. Speaking about the *ḥadīth* coryphaeus 'Abd al-Malik b. 'Abd al-'Azīz Ibn Jurayj, the key figure who was also mentioned above (p. 164 and Chapter 1, p. 22), Dāraqūṭnī is recorded to have said: *Tajannab tadlīsa 'bni Jurayj fa-innahu qabīḥ at-tadlīsī lā yudallisu illā fīmā sami'ahu min majrūḥin mithla Ibrāhīma b. Abī Yahyā wa-Mūsā b. 'Ubaydata waghayrihimā wa-ammā 'bnu 'Uyaynata fa-kāna yudallisu 'ani 'th-thiqāt*,<sup>95</sup> i.e. avoid Ibn Jurayj's *tadlīs*, for his is an infamous practice while he only resorts to it in traditions he has heard with [otherwise] impugned masters like Ibrāhīm b. Abī Yahyā,<sup>96</sup>

93. Perhaps the most poignant example of this is found in an appraisal attributed to Yahyā b. Ma'īn (about whom it was implied that he himself was thought of as an *amīr al-mu'minīn* fi 'l-ḥadīth, cf. al-Khaṭīb, *Kifāya*, p. 146) who was once reported to have said about Sufyān ath-Thawrī: *Ath-Thawrī amīru 'l-mu'minīn fi 'l-ḥadīth wa-kāna yudallisu* (cf. *ibidem*, p. 361).

94. Cf. p. 111. 95. Cf. Ibn Ḥajar, *Tahdhīb*, vi, p. 405.

96. Who this Ibrāhīm was could not be ascertained, or is he perhaps one of the numbers 482, 483 or 485 in Ibn Abī Ḥātim, *Kitāb al-jarḥ wa 't-ta'dīl*, I, p. 147?

Mūsā b. 'Ubayda<sup>97</sup> and others; as for Ibn 'Uyayna, this is the sort of *tadlīs* [which may be considered innocuous since he only resorts to it when transmitting traditions] on the authority of reliable transmitters.

Coming back to Hākim, he finally emphasizes that, contrary to all other regions of the Islamic empire, Kūfa, and to a lesser extent also Baṣra, were the centres *par excellence* in which *tadlīs* was resorted to.<sup>98</sup> Kūfa seemed to have this reputation with more people. For instance, Yazīd b. Hārūn (d. 206/821), on a trip to this city, is recorded as having said: 'I did not meet anyone there who did not resort to *tadlīs* except Mis'ar b. Kidām (d. 153/770) and his two mates.'<sup>99</sup> Whether or not the factual details of this second report are correct or historical, is of less significance than the sweeping tone of this statement, a statement attributed to a man whose own reputation was not even generally established.<sup>100</sup> But both reports may be stamped particularly significant in view of the consideration that, firstly, *tadlīs* and *kadhib* were often identified as springing from the same source, the former usually leading to the latter (see also p. 180 above), and that, secondly, it was in Kūfa that the *man kadhaba* saying probably originated, as I tried to establish in Chapter 3. One could conclude from this that, at first, tampering with *isnāds* and deceit with traditions in general were thought of as being adequately covered by the term *tadlīs*; but when *ḥadīth* fabrication in the course of the second/eighth century had increased to the extent that, in an endeavour to put a stop to it, harsher measures were thought of, the term *kadhib* acquired its full range of threatening connotations mainly through the *man kadhaba* saying, and the term *tadlīs* was allowed to acquire a less derogatory flavour.

It was, for instance, a matter of dispute whether *tadlīs* was supposed not to have occurred between two transmitters who were merely each other's contemporaries – in Arabic indicated by the technical term *mu'aṣara* – or whether also an encounter (*liqā'*) was imperative to establish this.<sup>101</sup> This question was apparently never solved definitively, since it still seemed to occupy a man like Aḥmad Muḥammad Shākir (d. 1958).<sup>102</sup> On the whole one can say that a man suspected of *tadlīs* could be considered innocent of this form of deceit when in a certain *isnād* he happened to have been quoted explicitly as having heard the tradition(s) in person, for which the technical term *samā'* was coined. For example, Ibn Ḥibbān (d. 354/965) summarized his ideas about the merits of a certain transmitter as follows: *yu'tabarū ḥadīthuhu idhā bayyana 's-samā' a fa-innahu kāna mudallisan*, i.e. since he

97. Cf. Ibn Ḥajar, *Tahdhīb*, x, pp. 356–60. 98. Cf. p. 111.

99. Cf. al-Khaṭīb, *Kifāya*, p. 361; who the two companions were could not be verified.

100. Yaḥyā b. Ma'īn is quoted as having doubted whether he could be called a *muḥaddith* at all, cf. Ibn Ḥajar, *Tahdhīb*, xi, p. 368, and *Qabūl*, p. 136, but, in any case, someone noted down from him the words: *Mā dallastu qaṭṭ illā ḥadīthan wāḥidan 'an [Ibn?] 'Awn*, cf. *Tahdhīb*, xi, p. 367.

101. Cf. Abū Ḥātim in Ibn Ḥajar, *Tahdhīb*, v, p. 226; also al-Khaṭīb, *Kifāya*, pp. 358ff.

102. Cf. his Ibn Ḥanbal edition, iv, p. 7.



was known to have resorted to *tadlīs*, his traditions only deserve to be taken into consideration when he explicitly says that he has heard them in person.<sup>103</sup> Finally, the whole controversy about the admissibility of *ḥadīths* from someone suspected of *tadlīs* is closely linked with the controversial issue about the admissibility of *mu'an'an isnāds*, as outlined, for example, in the last section of Muslim's introduction to his *Ṣaḥīḥ*.<sup>104</sup>

One of the major problems a reader of early Muslim *rijāl* works is constantly confronted with is the seemingly irreconcilable extremes in laudatory as well as disparaging qualifications one single transmitter is described with, as we saw, for example, above in the case of Wāqidi (p. 176).<sup>105</sup> To speak here of mere 'fluctuations in meaning' does not seem to constitute a proper solution to the problem. One may perhaps rather speak of different nuances certain qualifications acquire when mentioned in one breath with certain others. In an attempt to create some sort of order in the chaos which we find so often in certain people's *tarjamas*, it is perhaps best to analyse one particularly striking example of such a seemingly contradictory *tarjama*. It is proposed to dissect here the biographical notice about Ḥajjāj b. Arṭāt al-Kūfī.<sup>106</sup>

This Ḥajjāj, who died in 145/762, was a controversial figure, as will be clear to anyone who reads through the biographical notices devoted to him. In all, some thirty people have expressed opinions about him. In chronological order:

Ibn Abī 'n-Najīḥ (d. 131/748): no Kūfan who visited us (sc. in Mecca) was equal to him in merit;

Mansūr b. al-Mu'tamir (d. 132/749): one may write his traditions down;

Shu'ba (d. 160/775) praised him and called him *ḥāfiẓ*;

Sufyān ath-Thawrī (d. 161/776) praised his sagacity.

These four judgements are all positive; each of these four people has allegedly been a pupil of Ḥajjāj. In the following judgements the first negative elements emerge:

Zā'ida b. Qudāma (d. 161/776): *matrūk*;

Ḥammād b. Zayd (d. 179/795): his traditions are more relevant than

103. Cf. Ibn Ḥajar, *Tahdhīb*, ix, no. 525.

104. Cf. my translation in *JSAI*, v, (in the press); also *JA*, xvi, 1900, pp. 522f., 527, and Ibn al-Jawzi, *Kitāb al-mawḍū'āt*, ii, p. 243 (ult.): . . . *wa-yudallisu bi 'l-'an'ana*.

105. Medieval Muslim scholars also seem to have laboured under this. Dhahabī is alleged to have said: *Lam yajtamī 'i 'thnāni min 'ulamā'i ḥādihā 'sh-sha'ni qattu 'alā tawḥīqi da'ifin wa-lā 'alā taḍ'ifi thiqa*, quoted e.g. in Nūr ad-Dīn 'Itr, *Manhaj an-naqd fi 'ulūm al-ḥadīth*, Damascus 1972, p. 92. This modern author represents a truly orthodox Muslim point of view concerning *ḥadīth*; his book does not differ in anything essential from medieval writings on the subject.

106. Ibn Ḥajar, *Tahdhīb*, ii, pp. 196ff.; furthermore the following *tarājim* have also been taken into account: Dhahabī, *Mizān*, i, pp. 458ff.; Ibn Ḥibbān, *Kitāb al-majrūḥin*, i, pp. 220-4; *Qabūl*, pp. 145ff., 218; Ya'qūb b. Sufyān al-Fasawī, *Kitāb al-ma'rifa wa 't-ta'rikh*, ii, pp. 164, 781, 803ff., iii, pp. 34, 372; al-Khaṭīb, *Ta'rikh Baghdād*, viii, pp. 230-6.

those of ath-Thawrī and he was even more frequented by people seeking his learning than Ḥammād b. Abī Sulaymān;

'Abd Allāh b. al-Mubārak (d. 181/797): *matrūk, mudallis*;

Yaḥyā b. Sa'īd al-Qaṭṭān (d. 198/813) never wrote one of his traditions down, put him on the same level as Ibn Ishāq and labeled him *matrūk*;

'Abd ar-Raḥmān b. Maḥdī (d. 198/813): *matrūk*;

Yaḥyā b. Ma'īn (d. 233/848) had a very low opinion of him, called him *ḍa'if, laysa bi 'l-qawī, mudallis*; his traditions do not constitute arguments (*lā yuḥtajja bihi*), *matrūk*, but also: *ṣāliḥ* in what he transmitted from Qatāda, *ṣadūq, laysa min ahl al-kadhib*.

In this opinion Yaḥyā b. Ma'īn lived up to his reputation of the severest *rijāl* critic of his time, but apart from his negative comments we encounter two positive qualifications laid down in the two fundamental terms *ṣāliḥ* and *ṣadūq*. With later critics these terms appear to crop up time and again:

Aḥmad ibn Ḥanbal (d. 241/855): *ḥāfiẓ, matrūk, inadmissible ziyādāt*;

Ibn Sa'd (d. 244/858): *sharīf, ḍa'if*;

al-Jūzajānī (d. 256/870): *mudallis*;

adh-Dhuhlī (d. 258/872): *mudallis*;

al-'Ijlī (d. 261/875): *faqīh, muftī* but conceited;

Ya'qūb b. Shayba (d. 262/876): *ṣadūq, faqīh*, but also disorganized and weak;

Abū Zur'a (d. 264/878): *ṣadūq, mudallis*;

Abū Ḥātim (d. 277/890): *ṣadūq, ṣāliḥ* when he says explicitly: *ḥaddathanā*; one may write his traditions down; his *ṣidq* and *ḥifẓ* need not be doubted when he specifies *samā'*, but *mudallis* on the authority of weak transmitters, while his traditions do not constitute arguments.

Abū Ḥātim's was the most elaborate appraisal so far. One gains the impression that, the qualifications *ṣāliḥ* and *ṣadūq* apart, Ḥajjāj is generally declared to be weak; whether one can write his traditions down is still a matter of debate. In the last eleven appraisals positive elements decrease slowly:

Ismā'īl b. Ishāq al-Jahḍamī (d. 282/895): disorganized, *mudallis*;

Ibn Khirāsh (d. 283/896): *ḥāfiẓ, mudallis*;

al-Bazzār (d. 292/905): *ḥāfiẓ mudallis*, conceited;

Muḥammad b. Naṣr (d. 294/906): *irsāl, mudallis*, changed the wording;

Nasā'ī (d. 303/915): *laysa bi 'l-qawī*;

Sājī (d. 307/920): *ṣadūq*, but his traditions do not constitute arguments in *furū'* or *aḥkām*; bad *ḥifẓ*;

Ibn Khuzayma (d. 311/923): his traditions do not have the force of *ḥujja*, only when he specifies the way he has received them with terms such as *ḥaddathanā* or *samī'tu*;

Ibn Ḥibbān (d. 354/965): braggart, *matrūk*;

Ibn 'Adī (d. 365/976): one may write his traditions down, but he is a *mudallis* suspected of undeliberate *kadhib*;

Dāraquṭnī (d. 385/995): *lā yuḥtajja bihi*;

Ḥākim (d. 405/1014): *lā yuḥtajja bihi, laysa bi 'l-qawī*.

Thus, what at the first glance reads like a contradictory jumble of positive and negative qualifications especially inasmuch as no *tarjama* enumerates different statements in chronological order turns out, on the whole, to be a pretty consistent collection of appraisals in which a slowly increasing negative attitude surreptitiously replaces the initially positive attitude. What seems contradictory, the concepts *ṣidq/ṣadūq*, *ḥāfiẓ* and *ṣāliḥ*, as opposed to all the denigrating qualifications permit of but one interpretation: *ṣidq* etc. was apparently a quality which was deemed perfectly well combinable with all the typically negative characteristics in a *ḥadīth* transmitter. In other words, every transmitter could be called *ṣadūq* or *ṣāliḥ*, even if his activities in *ḥadīth* were on the whole frowned upon. The question what exactly *ṣāliḥ*, *ṣadūq* and similar terms mean in a *ḥadīth* transmitter's *tarjama* is, I think, crucial and deserves further investigation.

*Ṣāliḥ*, first of all, may contain an element of uncertainty. When Ibn Ḥanbal was asked to give his opinion about a certain transmitter, one 'Umar b. Abī Salama (d. 132/749), deemed *ḍa'if* by among others Shu'ba, Jūzajānī and Nasā'ī, he said: 'He is *ṣāliḥ*, God willing', but also: 'He is *ṣāliḥ* and reliable (*thiqa*), God willing.'<sup>107</sup> This 'Umar's *tarjama* is full of remarks representing opposite views as to the acceptability of his traditions and the harmonization of those contradictory views seems to pivot in the term *ṣāliḥ*, which may be taken to sum up this controversy rather than in any way augment it.

Another transmitter, one 'Abd Allāh b. Ziyād Ibn Sam'ān (fl. ± 130/748), universally decried a liar and a forger, is nevertheless credited with some *aḥādīth ṣāliḥa*, eloquent proof for the hypothesis that fabricated traditions also could include material which people did not want to reject, probably because of its appeal.<sup>108</sup>

But there is more to *ṣāliḥ*. Once asked about one Fiṭr b. Khalifa (d. 153–55/770–2), Ibn Ḥanbal said: 'Except for his Shī'ite sympathies, he is reliable, his traditions are *ṣāliḥ* and give the impression of those of a shrewd man.'<sup>109</sup> Where we may have interpreted *ṣāliḥ* traditions so far as indeed fabricated but nonetheless harmless traditions – not being thought of as jeopardizing the cause of religion – Ibn Ḥanbal's words seem to suggest that they could very well be brought into circulation by someone intelligent rather than merely simple-minded.

Another fair example of the difficulties involved in the correct interpretation of *ṣāliḥ* is offered by the *tarjama* of Ḥasan al-Baṣrī's well-known pupil ar-Rabī' b. Ṣabīḥ (d. 160/777). The controversy whether he was or was not a *mudallis* is dwarfed by the overall confusion clearly apparent in the

107. Cf. Ibn Ḥanbal, *'Ilal*, I, no. 841; Ibn Ḥajar, *Tahdhīb*, VII, pp. 456f.

108. Cf. Ibn Ḥajar, *Tahdhīb*, V, pp. 219ff. 109. Ibn Ḥanbal, *'Ilal*, I, no. 912.

following appraisal of Ya'qūb b. Shayba (d. 262/876) who labeled him a *rajul ṣāliḥ ṣadūq thiqa ḍa'if jiddan*.<sup>110</sup> We have seen so far that *ṣāliḥ* and *ṣadūq* could be used in one breath with *ḍa'if*, but what *thiqa* means exactly in this context is a matter of speculation. Perhaps another appraisal may help in sorting out this problem; approximately one hundred years later Ibn 'Adī (d. 365/976) described this same ar-Rabī' as follows: *lahu aḥādīth ṣāliḥa mustaqīma wa-lam ara lahu ḥadīthan munkaran jiddan wa-arjū annahu lā ba's bihi wa-lā bi-riwāyatihi*. Both these appraisals taken together admit of an interpretation of *ṣāliḥ* as depicting someone whose spreading of edifying traditions was not a cause for serious concern although these traditions were duly detected as having no foundation.<sup>111</sup>

The suggestion that *kadhḥāb*, *matrūk* or *ḍa'if* might be considered as having a less vociferous or uncompromising equivalent in *ṣāliḥ* is, perhaps, not tenable, but *ṣāliḥ* does seem to have been thrown in on many occasions to mitigate the more severe connotations of the former three.<sup>112</sup> To Yahyā b. Sa'īd al-Qaṭṭān is attributed the significant statement: *lan narā 'ṣ-ṣāliḥīna fī shay'in akdhaba minhum fī 'l-ḥadīth*, i.e. we'll never see the 'pious' lie more wholeheartedly than in the transmission of traditions.<sup>113</sup> And it is feasible that *ṣāliḥ* and also *ṣadūq* came to be used euphemistically for people who were thought of as having spread traditions of their own making, the contents of which, however, were such as to mollify *ḥadīth* critics and only delight the general public who were advised to collect these traditions cautiously, only *li 'l-i'tibār*, i.e. in order to contemplate them.<sup>114</sup>

As equivalent of *ṣāliḥ*, with perhaps a slightly more denigrating flavour, we find the qualification *ṣuwayliḥ*.<sup>115</sup>

The words *arjū annahu lā ba's bihi* etc. bespeak the not openly expressed desire of the *rijāl* expert – against the possibly average opinion of *ḍu'f* prevailing among his fellow critics – to incorporate someone's – in the abovementioned case ar-Rabī's – traditions within the body of acceptable,

110. Ibn Ḥajar, *Tahdhīb*, III, p. 248.

111. Cf. also al-Khaṭīb, *Kifāya*, p. 22, the penultimate paragraph. Further examples of people who combine the qualifications *ṣāliḥ* and/or *ṣadūq* with *kadhīb* and/or *ḍu'f* are found in e.g. Ibn Ḥajar, *Tahdhīb*, II, p. 305, III, p. 376, V, pp. 100, 259, VIII, p. 468, X, p. 452, XI, p. 419; examples are indeed legion.

112. Ibn Maḥdī is reported as having labeled a man, who related a somewhat *ḍa'if* tradition but who was nevertheless *ṣadūq*, as *ṣāliḥ al-ḥadīth*, cf. al-Khaṭīb, *Kifāya*, p. 22 (penultimate paragraph).

113. Ibn Rajab, p. 113, cf. p. 114, for a number of similar statements attributed to others.

114. Cf. al-Khaṭīb, *Kifāya*, p. 23. The collecting of traditions in writing *li 'l-i'tibār* is very clearly illustrated in the *tarjama* of one 'Abd ar-Raḥmān b. 'Abd Allāh b. Dīnār (Ibn Ḥajar, *Tahdhīb*, VI, no. 419) where we read: . . . *yuktab ḥadīthuhu wa-lā yuḥtajja bihi . . . wa-huwa fī jumlati man yuktabu ḥadīthuhu mina 'd-ḍu'afā'* . . . *huwa ṣāliḥ al-ḥadīth . . . ṣadūq*. Besides, the modern author Nūr ad-Dīn 'Itr also mentions *ḥadīth* fabrications in the *tarḥīb wa-tarḥīb* genre in connection with *kadhīb*, cf. his *Manhaj an-naqd fī 'ulūm al-ḥadīth*, pp. 442f.

115. E.g. Ibn Ḥajar, *Tahdhīb*, I, p. 375, VI, p. 190, VII, p. 69, X, p. 53.

'sound' traditions, probably because of their alluring or edifying qualities rather than their – in his eyes perhaps – unimpeachable trustworthiness.<sup>116</sup> The very frequent use of the words *arjū annahu* followed by a variety of different expressions, furthermore, show most *rijāl* critics in their cautious scholarliness as well as in their hidden expectations and – what is of crucial significance in this context – also in their overall lack of precise and reliable information about the majority of transmitters.<sup>117</sup>

Summarizing the above, we have seen how various criteria were applied in early Islamic *rijāl* criticism and how one criterion, laid down in one term (*tadlīs*), evolved from a general term denoting 'tampering with *isnāds*' to the disparaging qualification 'deliberately tampering' as also to the less denigrating one of nonchalantly leaving certain *isnād* features unmentioned. It was, furthermore, attempted to demonstrate that a given *tarjama* may, at first sight, leave an impression of utter disorganization but ultimately may turn out to be pretty cohesive and consistent when schematically presented in strictly chronological order. On the other hand, it may have become apparent that through those masses of seemingly apodictical appraisals there runs a red thread of speculation or doubt expressed in terms like *ṣāliḥ*, *ṣadūq*, *arjū annahu* etc. or others. The majority of *rijāl* critics, the strict and the unyielding such as Ibn Ma'in and Karābisi as well as the more lenient and often downright naive like 'Ijlī,<sup>118</sup> can be assumed to have fixed their minds on the (de)merits of the transmitters in an *isnād* rather than on the *matn* that *isnād* was meant to authenticate, probably in an effort to turn a blind eye to material which, though conspicuously doubtful in provenance, exuded inexorable forces of attraction. Thus it could happen that very many *matns* had such a strong appeal for the public, scholars and laymen alike, that generally recognized fabrications were admitted into the tradition collections, mostly under the heading of *tarḥīb wa-tarḥīb*, while their originators, rather than with the definitively denigrating qualification *kadhḥāb* or *waḍḍā'*, were decked with extenuating labels such as *ṣāliḥ*, *ṣadūq*, *ṣuwayliḥ*, *ḥāfiẓ* or the like.

It goes without saying that, whenever *ṣāliḥ* emerges in a *tarjama*, that

116. Cf. Ibn Hajar, *Tahdhīb*, III, pp. 245f.

117. E.g. *wa-arjū annahu ṣāliḥ*, *Tahdhīb*, I, p. 207; *arjū annahu lā yata'ammadu 'l-kadhīb*, *ibidem*, p. 98; similar expressions are e.g.: *Yaqa' u fi qalbi annahu ṣadūq*, Ibn Hanbal, *ʿIlal*, I, no. 2739; cf. also *huwa 'indī wāḥid in shā'a 'llāh*, *ibidem*, no. 1407, etc. Examples are, again, legion. In addition, the increasingly lenient attitude of later *rijāl* critics in accepting traditions from transmitters about whom they did not possess any really traceable data is clearly reflected in e.g. the exposé Nūr ad-Dīn 'Itr devotes to *majhūlūn*, cf. his *Manhaj an-naqd ft 'ulūrn al-ḥadīth*, pp. 80ff. Paradoxically, this author holds the first few major *rijāl* experts to be excessively severe and rigid, cf. p. 90 (read Ibn al-Madīnī for Ibn al-Qaṭṭān, lines 16f.).

118. E.g. when all his colleagues find fault with someone, he still calls him *thiqa*, Ibn Hajar, *Tahdhīb*, X, p. 70, line 3.

does not automatically imply that the *mutarjam lahu* is a forger, but when *ṣāliḥ* etc is juxtaposed to qualifications such as *matrūk*, *kadhdhāb*, *mudallis*, *lā yuḥtajja bihi* etc., it is convenient to realize that *ṣāliḥ*, especially in a *rijāl* critical context, does not only mean 'pious' or 'godly' but also may denote a (seemingly) naive or simple-minded spreader of invented stories about the prophet. This phenomenon is succinctly summarized by Ibn Rajab (d. 795/1393; cf. *GAL*, G II, p. 107); his summary deserves to be paraphrased here in full:

The people who are assiduously occupied with worship and whose traditions should be discarded can be divided into two categories:

a. those whose devotional practices prevent them from memorizing *ḥadīth* properly so that it becomes marred with fanciful elements; who 'raise' statements of Companions 'to the level' of prophetic sayings (= *raf' al-mawqūf*) and who insert a Companion's name in *isnāds* lacking this feature (= *waṣl* or *tawṣīl al-mursal*);<sup>119</sup>

b. those who habitually and deliberately fabricate traditions.<sup>120</sup>

This succinct categorization surely bears a certain similarity to my own conclusions (e.g. Chapter 1, pp. 73f., and 3, p. 132, above) in which the concepts *raf'* and *wad'* are juxtaposed as essentially amounting to the same thing.

Another group of qualifications which virtually became technical terms among *rijāl* critics are those words describing someone's devotional habits, terms such as *zāhid*, 'ābid, *nāsik* and, in a slightly later stage, *ṣūfī*.<sup>121</sup> Although it is, of course, impossible to quantify the evidence of any hypothesis concerning this category of pious Muslims without feeding the *Tahdhīb* and the *Lisān* word for word into a computer and pressing a few buttons, the observation could be made that persons qualified thus more often than not were also labeled *ṣāliḥ* or *ṣadūq* and were frequently noted for the transmission of *zuhd* material which is a major ingredient of the *tarḥīb wa-tarḥīb* genre. On another occasion I made an attempt at tracing a variety of *zuhd* traditions to those transmitters of the corresponding *isnāds* who were also qualified as *zuhhād*, *nussāk*, 'ubbād and *quṣṣās*.<sup>122</sup> What clearly defined interpretations should be given to these terms is not evident from the sources; only once a *zāhid* was allegedly defined by Zuhri as someone whose expression of gratitude is not stifled by what is permissible

119. For another occurrence of this not very common technical term, cf. Ibn Ḥajar, *Lisān*, I, p. 284, line 17.

120. Ibn Rajab, p. 115.

121. *Ṣūfī* as epithet is hardly used in the *Tahdhīb* but rather frequent in the *Lisān* which, as may be a commonly known feature of that lexicon, deals predominantly with transmitters who lived in the third/ninth century or later; among second/eighth century transmitters we find the greatest numbers of *zuhhād*, 'ubbād and *nussāk*.

122. Cf. my review in *Bibliotheca Orientalis*, xxxvi, 1979, pp. 243f., of R. G. Khoury's edition of Asad b. Mūsā's *Kūāb az-zuhd*, Wiesbaden 1976.

and whose patience does not succumb under what is forbidden.<sup>123</sup> And Hākim an-Nisābūrī once mentioned one Shaqīq b. Ibrāhīm al-Balkhī (d. 194/810) as a paragon of *zuhd*.<sup>124</sup> In the *tarjama* Ibn Ḥajar devotes to this Shaqīq<sup>125</sup> we read a charming story of how he came to choose a *zāhid*'s lifestyle,<sup>126</sup> something which also prompts Ibn Ḥajar to say that in spite of Shaqīq's alleged *manākīr* traditions, it is inconceivable to charge him with being *ḍa'if* in traditions. Shaqīq's pupils are rather to be blamed for this, he concludes. This may, perhaps, be considered as intimating an opposition *zāhid/munkar al-ḥadīth*, a reflection of which we encountered in the opposition *ṣāliḥ/munkar al-ḥadīth* dealt with above. In other words, what applied to *ṣāliḥ*, *ṣadūq* etc. also applies to *zāhid*, 'ābid etc.

The categories of *ṣāliḥ* etc. and *zāhid* etc. constitute a large number of transmitters who may be held responsible for a vast number of traditions ascribed to the prophet. And although *ḥadīth* scholars, medieval<sup>127</sup> as well as modern,<sup>128</sup> were perfectly aware of those transmitters' roles in bringing those traditions into circulation, they rapidly acquired a widespread popularity which, judging by the ever increasing number of collections, was never to wane. In the course of time some huge and prestigious compilations of especially this edifying genre of traditions saw the light. Of those collections the following deserve to be mentioned:

the *Muṣannaf* of 'Abd ar-Razzāq (d. 211/827);  
that of Ibn Abī Shayba (d. 235/849);

123. *Man lam yamna' i 'l-ḥalālu shukrahu wa-lam yaghlibi 'l-ḥarāmu ṣabrahu*, cf. Fasawī, I, p. 635; Ibn Kathīr, *Bidāya*, IX, p. 348; cf. also Ibn al-Athīr, *An-nihāya*, II, p. 321, with slight textual variant.

124. *Ma'rifat 'ulūm ḥadīth*, p. 224: . . . az-zāhid alladhī bihi yuḍrabu 'l-mathalu fī 'z-zuhd.

125. *Lisān*, III, pp. 151f.

126. Attributed to Aḥmad b. Marwān ad-Dīnawarī (d. 310/922).

127. E.g. the rather laconic description Ibn aṣ-Ṣalāḥ (d. 643/1243) gives of this category from which I quote:

Wa 'l-wāḍi'ūna li 'l-ḥadīthi aṣnāfun wa-a'zamuhum ḍararan(!) qawmun mina 'l-mansūbīna ilā 'z-zuhdi(!) waḍa'ū 'i-aḥādītha' ḥiṣāban fīmā za 'amū fa-taqbalu 'n-nāsu mawḍū'ātihim thiqatan minhum bihim wa-rukūnan ilayhim. Thumma nahaḍat jahābi-dhatu 'l-ḥadīthi bi-kashfi 'awāriḥā wa-maḥwi 'āriḥā wa 'l-ḥamdu li 'llāh. Wa-fīmā rawaynā 'ani 'l-imāmi Abī Bakrin as-Sam'ānī [d. 510/1116? = Muḥammad b. Maṣṣūr b. Muḥammad b. 'Abd al-Jabbār, cf. Sam'ānī, *Ansāb*, printed edition, VII, p. 226?] *anna ba'ḍa 'l-Karrāmiyya dhaḥaba ilā jawāzi waḍ' i 'l-ḥadīthi fī bābi 't-targhibi wa 't-tarhib* (cf. his *Muqaddima*, pp. 212f.).

Another, more concise, qualification of a *zāhid*'s traditions is offered by Muḥammad b. Ishāq Ibn Manda (d. 395/1005; cf. *GAS*, I, pp. 214f.) who is cited in Ibn Rajab, p. 115, as having said: *Idhā ra'ayta fī ḥadīthin ḥaddathanā fulānun az-zāhidu fa 'ghsil yadaka minhu*. And Ibn 'Adī (d. 365/976) is recorded to have said: *Aṣ-ṣāliḥūna qad rasamū bi-hādha 'l-ismi an yarwū aḥādītha fī faḍā'ili 'l-a'māli mawḍū'atan bawāqila wa-yuttahamu jamā'atun minhum bi-waḍ'ihā* (ibidem).

128. E.g. a crossbreed of two categories of transmitters (no. 3, cf. *al-Manār*, III, 1315, pp. 546f., and no. 10, cf. ibidem, pp. 570f.) enumerated by Muḥammad Rashīd Riḍā (d. 1935).

the *Musnad* of Ibn Ḥanbal (d. 241/855);  
 the *Mustadrak* of Ḥākim an-Nīsābūrī (d. 405/1014);  
 the gigantic *Kitāb as-sunan al-kubrā* of Bayhaqī (d. 458/1066);  
 the *Mishkāṭ al-maṣābiḥ* of Muḥammad b. 'Abd Allāh al-Khaṭīb at-Tibrīzī (fl. 737/1536);  
 the *Majma' az-zawā'id* of al-Haythamī (d. 807/1405);  
*al-Jāmi' aṣ-ṣaghīr* of Suyūṭī (d. 911/1505);  
 and the gigantic, twenty-two volume *Kanz al-'ummāl fī sunan al-aqwāl wa 'l-af'āl* of 'Alī al-Muttaqī al-Hindī (d. 975/1567).  
 These are the better known ones. Other, less famous collections are, for example:  
 the *Musnad* of Ṭayālīsī (d. 204/819);  
 the *Ṣaḥīḥ* of Ibn Khuzayma (d. 311/924);  
 the *Musnad* of Abū 'Awāna (d. 316/928);  
 the *Ṣaḥīḥ* of Ibn Ḥibbān al-Bustī (d. 354/965);  
 various collections of Ṭabarānī (d. 360/971);  
 and the *Kashf al-aṣṭār 'an zawā'id al-Bazzār* of al-Haythamī.

One collection deserves to be commented upon in particular, *At-tarḥīb wa 't-tarḥīb* by 'Abd al-'Aẓīm b. 'Abd al-Qawī al-Mundhirī, who died in 656/1258. This is the collection containing precisely the sort of traditions dealt with above, brought into circulation by hundreds of pious Muslims who, through these traditions, sought to edify, perhaps also to proselytize. In his introduction the author enumerates what motivated him in compiling this collection in this fashion. He forgoes mentioning *isnāds*, and, following the *matn*, he briefly indicates an appraisal of the *isnād*. In this he does not strive after completeness; succinctness is his device. As long as the reader is vaguely aware of a tradition's status, that suffices; the reader is painstakingly protected from being force-fed with too extensive or too technical information that might bore him: the *matn* is centrally placed and is supposed to speak for itself. In several editions footnotes added by the editors clarify and enlarge on various ethical points. It is through a collection such as this, apart from the Six Books, that *ḥadīth* literature acquired its vast popularity in the Muslim world. And a comparison of the traditions in al-Mundhirī with those adduced in a collection of twentieth-century Egyptian Friday *khutbas* will reveal a remarkable similarity.<sup>129</sup>

That the book must have enjoyed, and still enjoys, a great popularity is, furthermore, attested in the relatively large number of different editions. The oldest listed in the biographical sources is a lithograph of Delhi 1300

129. Cf. *Zād al-khaṭīb*, a publication of the Egyptian ministry of *awqāf*. In modern times, however, a renewed interest in *ḥadīths* being forged seems discernible in the work of the Syrian scholar Muḥammad Nāṣir ad-Dīn al-Albānī who, for the last few decades, has devoted his energy to exposing *mawḍū'āt* and their pernicious influence – if any – on the masses, cf. his *Silsilat al-aḥādīth ad-da'ifa wa 'l-mawḍū'a wa-atharuhā as-sayyi' fī 'l-umma*, 1392–.



(1883) without commentary, edited by Talatüf Husayn, in 708 large pages. Then there are two editions, of 1324/1906 and 1326/1908 respectively, mentioned in Sarkis, column 1802. These two editions are also mentioned in *Fihris al-kutub al-'arabiyya al-mawjüda bi ['d-]Där [al-kutub]*, vol. 1, 1924, p. 96, each comprising two volumes. Whether one of these, or perhaps another edition yet to be mentioned, is identical with the edition listed in the British Museum catalogue of Arabic books (acquired during the years 1927-57) could not be ascertained. The two editions published virtually simultaneously are the one in four volumes printed at the Maṭba'at Muḥammad 'Alī Şubayḥ, without any commentary, Cairo 1352/1934, and the one in five volumes, printed at the Maṭba'at Muşţafâ 'l-Bâbî al-Ḥalabî, Cairo 1352/1933 (reprinted twice), with extensive commentary on edifying and ethical issues by Muşţafâ Muḥammad 'Umāra, this commentary being by far the most elaborate of all. Then the prolific editor Muḥammad Muḥyî 'd-Dîn 'Abd al-Ḥamîd presented yet another edition in six volumes in Cairo 1960-2, at al-Maktaba at-tijâriyya al-kubrâ. The next edition is the one made by Muḥammad Khalîl Harrâs, with commentary in four volumes, Cairo 1969-70, at Maktabat al-jumhûriyya al-'arabiyya. The last edition I could find a reference to is the one published by Wizârat al-Awqâf in al-Maktab al-fannî li-nashr ad-da'wa al-islâmiyya, four volumes, Cairo 1976. This bibliography does not have the pretence of being complete, but one thing may have become clear: the book must have sold pretty quickly and may have been available at times in more than one edition. (Moreover, the fairly large number of MSS listed in *GAL* permits the observation that it may always have been a popular collection.)

### *The collective ta'dil of the Companions*

Easily the most controversial issue in Muslim *rijâl* criticism, since, on various occasions, it has set pens and tongues into motion from the Middle Ages until this very day, concerns the *ta'dil* of the Companions, i.e. the declaration that all Muḥammad's Companions should be collectively deemed free of falsehood in transmitting *ḥadîth* from the prophet. This issue found its most extreme accentuation in the case of Abū Hurayra (d. 57/677), the Companion who allegedly transmitted more traditions from the prophet than any other. In an earlier publication I dealt with this issue extensively, especially in its setting in Egypt among present-day theologians and cultural historians.<sup>130</sup>

Indeed, approached from whatever angle, treating of the Companions of the prophet and their position in the early development of *ḥadîth* and investigating the way in which they were dealt with at the hands of early Muslim *rijâl* critics, will almost automatically elicit angry reactions and

130. See my *Authenticity*, chapters VI and VII, and also the index s.v. Abū Hurayra.

bitter criticism from all those for whom the collective *ta'dil* constitutes virtually an article of faith. Since in early Islam the idea took root and, subsequently, gained universal recognition that Companions were exempt from scrutiny, *isnād* experts simply left the *ṭabaqa* of the *aṣḥāb an-nabī* alone. The Companions, as a class of people, were collectively placed on a level higher than that of any other, later generation, and whoever casts, or tries to cast, the slightest blemish on the reputation of a single Companion runs the risk of being ostracized. Western as well as Oriental scholars have experienced – sometimes to their detriment – that the collective *ta'dil* of Muḥammad's Companions constitutes such a delicate issue that it seems to defy scholarly investigation even in the most cautious manner, unless accompanied by a firm declaration to the effect that the fundamental thesis of the collective *ta'dil* as such is not called into question.

This can be illustrated most eloquently by adducing the words of the president of the association of religious scholars in Iraq, Amjad az-Zahāwī, who said in a *fatwā* of May 30, 1967:

. . . *Ba'da ta'dili 'llāhi subḥānahu wa-ta'ālā lahum (sc. aṣ-ṣaḥāba) wa-thanā'ihī 'alayhim wa-i'lāni 'r-riḍā 'anhum lā majāla li-maqāli ayyi insānin mu'minin illā bi 't-tazkiyati wa 't-tashrīfi lahum wa-bayāni ḥusni 'tiqādihi fī 'umūmihim wa-khuṣūṣihim . . . wal-ya'lam anna kulla man yaqdaḥu fī aṣḥābihi 'alayhi 's-salāmu innamā yurīdu hadma ṣarḥi 'l-islāmi wa-lākinna ṣarḥa 'l-islāmi a'azzu min an yuh-dama wa-nūra 'l-islāmi a'lā min an yuṭfa'a "wa-ya'bā 'llāhu illā an yutimma nūrahu wa-law kariha 'l-kāfirūn (= Qur'an IX, 32)." (i.e. after God declared all Companions to be trustworthy, after He praised them and expressed His satisfaction with them, it is no longer possible for any believing person but to declare them pure, to hold them in esteem and to testify properly as to his belief in them, collectively as well as individually . . . Let everybody know that whosoever slanders the prophet's Companions, [obviously] only wants to demolish the fortress of Islam. But the fortress of Islam is too solid to be demolished and the light of Islam is too strong to be extinguished. 'God only wants to perfect His light, even if the infidels abhor this!')*<sup>131</sup>

Ironically, az-Zahāwī adduces besides the well-known Qur'anic verses alluded to above also a tradition from Tirmidhī (*manāqib* 59 = vol. v, p. 696, no. 3862) of which Tirmidhī himself says: *Hādḥā ḥadīth gharīb lā na'rifuhu illā min hādḥā 'l-wajh*. Investigating its *isnād* we read in Ibn Ḥajar's *Tahdhīb*, vi, pp. 176f., that the Successor, one 'Abd ar-Raḥmān b. Ziyād, is a totally unknown figure whose name is solely identified with this one tradition; in other words, he seems to have been invented for this one *isnād*. The next transmitter is one 'Ubayda b. Abī Rā'īṭa, also solely known for only this tradition; by sheer coincidence he shares with his namesake and contemporary 'Ubayda b. Ḥumayd dwelling place (Kūfa) as well as profession (both were called al-Ḥadhḥā'; cf. *Tahdhīb*, vii, pp. 82f.). Do we have here again a case of a fictitious figure who shares (part of) the name and possibly other features with a historical personality, such as set forth in the case of Ḥaṣḥ b. 'Umar in Chapter 4? The next transmitter is a well known Zuhri, Ya'qūb b. Ibrāhīm

131. Cf. al-'Izzī, *Difā' 'an Abī Hurayra*, pp. 483 and 488.

b. Sa'd (d. 208/823) on whose reputation there allegedly was no blemish. Finally, the last transmitter, who was Tirmidhi's master, was Muḥammad b. Yaḥyā b. 'Abd Allāh (d. 252-8/866-72), again an *amīr al-mu'minīn fī 'l-ḥadīth*, nicknamed *az-Zuhrī li-shuhratihi bi-ḥadīth az-Zuhrī* (see above Chapter 4). Summarizing the examination of this *isnād*, it is safe to say that it is a rickety one with two virtual *majhūls*; whether we should ascribe it to Ya'qūb or Muḥammad b. Yaḥyā is an open question, the latter seems to me the more likely candidate.

Although I am fully aware of the delicacy of this issue, as I tried to demonstrate in the introduction to this study, fundamental articles of faith also have historical facets and admit, therefore, of historical investigation. In what follows I have brought together evidence which may be taken to throw new light on the chronology of one of Islam's most basic tenets of faith. My conclusions are not to be interpreted as containing in any way a value judgement of this tenet.

First of all, the abundance of references to Abū Hurayra in the majority of early Muslim historical sources constitutes ample proof that Abū Hurayra played a significant role in the community of Medina, as soon as he had arrived there from the homeland of his tribe Daws in southwest Arabia. But he is far and away best known for his alleged role in transmitting traditions from the prophet to later generations. And it is this role, about which various observations could be made, which will presently be made the subject of discussion.

But Abū Hurayra's case, in spite of its far-reaching ramifications, would seemingly constitute only part of the overall issue of the collective *ta'dīl* of the Companions. That is, on the one hand, why it would seem more appropriate to deal with the latter subject first before concentrating on the former. On the other hand, a case could be made for the surmise that it was the emergence of critical appraisals of Abū Hurayra in particular which, through the *rijāl* critics' efforts to exonerate him, eventually led to the formulation of the collective *ta'dīl* of all of Muḥammad's Companions. The last suggestion, it appears to me, would seem more viable in view of the following considerations.

Nowhere in works from those exclusively dealing with, to those occasionally touching upon, *rijāl* criticism do we find any other Companion being exposed to speculations as to his veracity in transmitting the prophet's *aḥādīth* in quite the same manner as Abū Hurayra. Other Companions allegedly famous for the vast numbers of traditions they are reported to have transmitted on the prophet's authority, such as Anas b. Mālik, 'Abd Allāh b. 'Abbās, 'Abd Allāh b. 'Umar, 'Abd Allāh b. 'Amr, Jābir b. 'Abd Allāh or Abū Sa'īd al-Khudrī, are nowhere subjected to anything like the same scrutiny as was apparently the case with Abū Hurayra. Cases of Companions allegedly mistrusting one another for whatever reason are relatively rare and have never formed more than a flimsy argument in the

hands of those who, at one time or another, have sought to undermine the doctrine of the collective *ta'dīl*.

On only a limited number of occasions is the concept *kadhīb* associated with Companions in mutual controversies.<sup>132</sup> There is the well-known report preserved in Ibn Qutayba,<sup>133</sup> in which Abū Hurayra is allegedly taken to task by four Companions, but also other incidents reputedly having occurred between Abū Hurayra and others are found in small numbers and, subsequently, invalidated in, for example, Dhahabī's *Siyar a'lām an-nubalā'*.<sup>134</sup> Then there is the exchange between Fāṭima bint Qays and 'Umar b. al-Khaṭṭāb,<sup>135</sup> which may or may not have a variant reading with the verb *kadhaba*.<sup>136</sup> Also the case of al-Walīd b. 'Uqba, labeled *fāsiq* in Qur'ān XLIX, 6, could be taken as broaching the *kadhīb* issue.<sup>137</sup> Once Samura b. Jundab's veracity was doubted;<sup>138</sup> 'Ā'isha called Ibn 'Umar a liar;<sup>139</sup> both cases of innuendo were neutralized by Ibn 'Abd al-Barr as having originated in anger.<sup>140</sup> Other cases concern Ibn 'Abbās, Ibn 'Umar himself, Ibn az-Zubayr, al-Mughīra b. Shu'ba, Abū Muḥammad Mas'ūd b. Aws<sup>141</sup> and, finally, Ibn Mas'ūd.<sup>142</sup>

As is to be expected, Abū 'l-Qāsim al-Balkhī seems to have realized the potentiality of this issue. That is why he leaves one with the impression that he pounces on Abū Hurayra. In the most important, central, and also by far the longest, part of his *Qabūl al-akhbār* etc. (pp. 56–167), dealing with separate *tarjamas* of all those transmitters – from Companions to coryphaei such as Yaḥyā b. Ma'in, Mālik b. Anas and Shu'ba b. al-Ḥajjāj – with whom he could find fault (even the most futile and downright ludicrous faults) we find at the very beginning a lengthy *tarjama* of almost five pages solely devoted to Abū Hurayra. In it we read all those anecdotes, albeit without extenuating additional remarks, which are also featured in, for example, Dhahabī's *Siyar* (see note 134 above). Besides those, we find a few

132. Sibā'ī, one of the participants in the contemporary discussion referred to in note 130 on p. 190 above, denies that these incidents, true or false, should be interpreted as pointing to *wad'* having originated during the prophet's lifetime, cf. pp. 216ff. of his book.

133. *Ta'wīl mukhtalif al-ḥadīth*, p. 27.

134. II, pp. 429–53; see also note 130 on p. 190 above. Other instances of Abū Hurayra being questioned are, for instance, found in the *Jāmi'* of Ibn Wahb, pp. 91f.; Rāmāhurmuzī, p. 291, where the editor, Muḥammad 'Ajjāj al-Khaṭīb, refers to other publications of his on the subject in which he defends Abū Hurayra efficiently; Ibn Ḥanbal, *'Ilāl*, I, no. 2628; Ibn 'Abd al-Barr, *Jāmi'*, II, p. 154 (ult.).

135. E.g. Muslim, *ṭalāq* 46 (= II, p. 1119), cf. also no. 40.

136. Cited in Aḥmad Amin, *Fajr al-islām*, Cairo 1959, p. 216; Sibā'ī (p. 243) says that it was taken from the unauthoritative *Musallam ath-thubūt* by 'Abd ash-Shakūr al-Bihārī.

137. Cf. my translation of Muslim's introduction in *JSAI*, v (in the press); also Nūr ad-Dīn 'Itr, *Manhaj an-naqd fi 'ulūm al-ḥadīth*, pp. 73f.

138. Cf. Ibn 'Abd al-Barr, *Jāmi'*, II, p. 154 (5th line from the bottom).

139. *Ibidem*, p. 155; cf. a less direct version in ar-Rabī' b. Ḥabīb's *Jāmi'*, II, pp. 350f.

140. *Ibidem*. 141. *Ibidem*. 142. Ibn Qutayba, *Ta'wīl*, pp. 30f.

which, until now, could not be traced also to another source. One of these deserves to be quoted in full:

*Ibn Abī Khaythama qāla ḥaddathanā ‘Abd Allāh b. Muḥammad b. Abī Shayba ḥaddathanā*<sup>143</sup> *Abū Mu‘āwiya ‘ani ‘l-A‘mash ‘an Abī Razīn annahu ra‘ā Abā Hurayrata yaḍribu bi-yadihi thumma yaqūl: yā ahla ‘l-‘Irāq, taz‘amūna annī akdhibu*<sup>144</sup> *‘alā Rasūli ‘llāhi (ṣ) li-yakūna lakumu ‘l-ma‘na’ wa-‘alayya ‘l-ma‘tham, i.e. Ibn Abī Khaythama [d. 279/892, very often quoted also by Ibn Ḥajar] said: ‘Abd Allāh b. Muḥammad b. Abī Shayba [d. 235/849, reliable transmitter] related to us: Abū Mu‘āwiya [Muḥammad b. Khāzīm aḍ-Ḍarīr, d. 193/809 or 195/811, a leading Murjī‘ite and veritable A‘mash expert] related to us on the authority of A‘mash on the authority of Abū Razīn [Mas‘ūd b. Mālik, d. ca 85/704, confused with namesake] that he [once] saw Abū Hurayra make a gesture [of despair, indignation?]<sup>145</sup> saying: ‘O people of Iraq, you claim that I put lies into the mouth of the Messenger of God in order that that be an easy success for you and a sin on my conscience.’ Abū ‘l-Qāsim adds: ‘That proves that at that time they used to take him for a liar.’<sup>146</sup>*

Most significant, it seems to me, in this statement is the fact that Abū ‘l-Qāsim, who died in 319/931, may have become acquainted with the doctrine of the collective *ta‘dīl*, which as I tried to demonstrate elsewhere<sup>147</sup> may have been definitively developed in the course of the final decades of the third/ninth and the first few decades of the fourth/tenth centuries. Theoretically, the addition (‘That proves . . .’) could be ascribed to Ibn Abī Khaythama, but nothing in the biographical notices devoted to him (e.g. Ibn Ḥajar, *Lisān*, I, no. 556, and al-Khaṭīb, *Ta‘riḫ Baghdād*, IV, pp. 162ff.) could be construed as pointing to his possibly having been a particularly severe *riḡāl* critic for whom the *kadhīb* issue was important enough to include also Companions in his incriminations. In other words, Abū ‘l-Qāsim quotes a statement of Ibn Abī Khaythama concerning Abū Hurayra probably in order to question the adage of the collective *ta‘dīl*, while failing to indicate in what context – if any at all – Ibn Abī Khaythama had placed this statement.

From a quotation in Ibn Hibbān’s *Kitāb al-majrūhin* ascribed to Abū Ḥātim (d. 277/890) one may perhaps draw the conclusion that he was the first to have formulated the adage (cf. I, p. 24), no earlier formulation having survived until this day. Condensed in one sentence we read: *Inna ‘llāha tabāraka wa-ta‘ālā nazzaha aqdāra aṣḡābi rasūlihi (ṣ) ‘an thalbin qādiḡ* (i.e. God has made the Companions

143. MS.: *wa-ḥaddathanā*.

144. The word *akdhibu* is in the MS. preceded by the word *kadhḡāb*, seemingly a slip of the pen of the *nāsikh* and duly crossed out . . . Of all the numerous deletions in the MS., this particular one seems to be one of the very few that make some sort of sense.

145. For this interpretation, see Lane, s.v. *qaraba*.

146. *Qabūl*, p. 58. 147. Cf. my *Authenticity*, p. 79.

exempt from slanderous vilification); his son promoted this opinion by incorporating it in the introduction of his *Taqdima*. He says on p. 7: *Fa-nafā* (sc. God) 'anhumu 'sh-shakka wa 'l-kadhiba wa 'l-ghalaṭa wa 'r-raybata wa 'l-ghamza wa-sammāhum 'udūla 'l-umma (i.e. God has immunized them against doubt, falsehood, mistake, suspicion and calumny and has called them the 'righteous of the community'). Al-Khaṭīb al-Baghdādī (d. 463/1071) formulated it as follows: *Kullu ḥadīthini 'uṭaṣala isnāduhu bayna man rawāhu wa-bayna 'n-nabiyyi (ṣ) lam yalzami 'l-'amalu bihi illā ba'da thubūti 'adālati rijālihi wa-yajibu 'n-nazaru fī aḥwālihim siwā 'ṣ-ṣaḥābiyyi 'lladhī raḥa'ahu ilā rasūli 'llāh (ṣ), li-anna 'adālatu 'ṣ-ṣaḥābati thābitatun ma'lūmatun bi-ta'dīli 'llāhi lahum wa-ikhbārīhi 'an ṭahāratihim wa 'khtiyārīhi lahum fī naṣṣi 'l-qur'ān (Kifāya, p. 46).*

This reads in translation: No tradition whose *isnād* is uninterrupted between the person who relates it and the prophet has got to be put into practice<sup>148</sup> except after establishing the reliability of its transmitters. It is imperative that their biographies be scrutinized *except* [that of] the Companion who 'raises' the tradition 'to the level' of the Messenger of God. Indeed, the reliability of the Companions is [an] established and well-known [doctrine] on account of the fact that God has declared all of them to be trustworthy. He has revealed their purity and He has chosen [to mention] them in the [very] text of the Qur'ān.

The Qur'ān text referred to by al-Khaṭīb comprises two verses: *Kuntum khayra ummatin ukhrijat li 'n-nās* (III, 110) (i.e. you are the best people to be sent forth to mankind) and: *Wa-kadhālika ja'alnākum ummatan wasaṭan* (II, 143) (i.e. thus we have made you a people in the middle); when we check these verses in the oldest *tafsīr* works available, we see that nowhere among the numerous explanations is the issue of the collective *ta'dil* in *ḥadīth* matters hinted at, although in the case of the word *wasāṭan* (II, 143) a generally recognized interpretation was that it meant 'adl, plural 'udūl, in bearing witness (*shahāda*) to the prophet's message (cf. Mujāhid b. Jabr (d. 104/727), *Tafsīr*, I, pp. 133 and 90; Ṭabarī (d. 310/923), *Tafsīr*, IV, pp. 43ff. and II, pp. 6ff.). It can, indeed, be maintained that the concept 'adl = trustworthiness in *ḥadīth* transmission was derived from, or evolved out of, the concept 'adl = reliability in bearing witness (*shahāda*) in the *qāḍi*'s court (cf. also al-Khaṭīb, *Kifāya*, pp. 84f.). But Ṭabarī himself still thought of *wasāṭ* as something in the middle between two outermost parts (*wa-ana arā anna 'l-wasaṭa fī hādihā 'l-mawḍi' huwa 'l-wasaṭu 'lladhī bi-ma'nā 'l-juz'i 'lladhī huwa bayna 'ṭ-ṭarafayn* (II, p. 6, last paragraph), in other words: no hint yet at the collective *ta'dil* in *ḥadīth* transmission.

After the adage had been firmly established and universally recognized through *ijmā'*, reports incriminating Abū Hurayra and his allegedly doubtful role in the spreading of Muḥammad's *aḥādīth* decreased and were, in any case, never left uncommented upon or unrefuted. Abū 'l-Qāsim's innuendo may possibly be considered as the last serious endeavour at the hands of a *muḥaddith* of the Middle Ages to question the collective *ta'dil* by adducing as his main argument this alleged *kadhīb* of Abū Hurayra.<sup>149</sup>

148. For the translation of *lam yalzami 'l-'amal bihi* etc., cf. *ibidem*, index s.v. *sunna 'amaliya*.

149. Although we occasionally encounter as late as seventh century people who, apparently, cannot leave the matter alone, cf. Ibn Ḥajar, *Lisān*, I, no. 784, where we read how one Aḥmad b. Malī al-Anṣārī (d. 699/1300) . . . *kāna . . . yatakallamu fī 'ṣ-ṣaḥāba*.

For centuries the Companions' *ta'dil* remained unchallenged until, in the late fifties of this century, a new 'attack' on Abū Hurayra was launched and the matter of the *ta'dil* was brought into the limelight again.<sup>150</sup> In different words, the *ta'dil* may be taken as having been left alone from the fourth/tenth century onwards, but Abū Hurayra and his alleged role in *ḥadīth* never wholly disappeared from the scene of discussion and controversy.

Now, in view of the findings of Chapter 1, such as the proposed chronology of the birth of the *isnād* in the eighties of the first/seventh century, approximately one quarter of a century after Abū Hurayra's death, or the phenomenon of *raf'* increasingly resorted to as from the second/eighth century onwards, as well as the wholesale *isnād* fabrication (= *wad'*) especially practised in Iraq, all these findings seem to point to one conclusion only: *neither Abū Hurayra, nor for that matter any other Companion, can possibly be held responsible for the isnāds in which he/she occurs.*<sup>151</sup>

With regard to this conclusion, it may perhaps be of interest to point out that *isnāds* ending in the older, more revered Companions, such as the four rightly-guided caliphs and Ibn Mas'ūd, yield on the whole much higher percentages of 'weakness' than those ending in the younger Companions such as the other 'Abādila and Abū Hurayra.<sup>152</sup> This phenomenon reveals in my opinion the confusion still prevailing with certain key Successors and the generation following them in putting together *isnāds* via Companions to the prophet, in which the in later times so elaborately defined rules concerning *mu'āshara* (contemporaneity) and *samā'* were not yet applied so strictly. Thus we still encounter in Ibn Ḥanbal's *Musnad* an *isnād* with Ḥasan al-Baṣrī 'an Abū Bakr, for which either Ḥasan's pupil Yūnus b. 'Ubayd or the latter's pupil Ibn 'Ulayya may be held responsible, that is, if we rule out the possibility of a simple scribal mistake.<sup>153</sup>

Returning now to Abū Hurayra's remark as such, the contention could be made that these words should not be ascribed to Abū Hurayra but are probably a concoction of one of the transmitters of the *isnād* or someone anonymous using any one of these transmitters' names. If, for the sake of argument, we rule out the latter possibility, it is perhaps interesting to try to select a likely candidate from its *isnād*'s alleged transmitters. This search has proved, unfortunately, unsuccessful but, nevertheless, may deserve to be described here in a few details, because it illustrates a method which, in a number of other cases, yielded all sorts of gratifying results.

Starting at the end of the *isnād*, it is probably safe to pass over Ibn Abī

150. Cf. my *Authenticity*, pp. 12f.

151. Another of Abū 'l-Qāsim's innuendoes, namely that Abū Hurayra committed *tadlis* like other Companions such as Ibn 'Umar, is futile in view of this tenet, cf. *Qabūl*, p. 218, but also in view of orthodox Islam's collective *ta'dil*. Cf. also below p. 201.

152. Cf. my paper entitled Aḥmad Muḥammad Shākir (1892-1958) and his edition of Ibn Ḥanbal's *Musnad*, pp. 227f. and 247. 153. Cf. *Musnad*, ed. Shākir, no. 38.

Khaythama himself (cf. p. 194 above) and his immediate predecessor Ibn Abī Shayba, who seems to have been nothing but an industrious collector of traditions and author of books (cf. Ibn Ḥajar, *Tahdhīb*, vi, pp. 6ff.). Abū Mu'āwiya the Blind was a generally recognized expert in A'mash traditions; his biographical notices do not contain a single clue why he might have found it necessary to express himself in such a manner but, also on the basis of corroborative evidence to be discussed below, his lifetime fits exactly the time in which the *kadhib* issue became topical (see Chapter 3 above). A'mash is an unlikely candidate. He had died before the *kadhib* issue had attained noticeable proportions, and he was known as the transmitter of countless traditions traced back to the prophet via a mostly totally obscure Successor – as in this case – and Abū Hurayra. Whether A'mash is himself responsible for all these *isnāds* is then, again, something for which we will probably never find conclusive evidence, but to maintain that A'mash would suspect Abū Hurayra of *ḥadīth* fabrication and, at the same time, be a transmitter of hundreds of those *ḥadīths*, seems a bit far-fetched. Finally, the Successor Abū Razīn is one of those countless transmitters of his generation about whom there is so much controversy that they can safely be ruled out as *majhūlūn* or, simply, fictitious (see previous chapter). In sum, even if we are unable to point to any one of these transmitters as probably having set this alleged statement of Abū Hurayra into circulation, its place of origin is most probably Kūfa, since the *ahl al-'Irāq* are addressed and all the *isnād*'s transmitters after Abū Hurayra himself are said to hail from Kūfa (with the exception of Ibn Abī Khaythama who lived in Bagdad). Finally, for the assumption that it may have originated in a time coinciding with Abū Mu'āwiya's lifetime at least, another piece of evidence deserves to be adduced here.

There is an interesting anecdote describing a clamorous dispute in front of Hārūn ar-Rashīd, which merits to be paraphrased here in toto, also because it supports a tentative chronology for the above saying as possibly having originated in the course of the second half of the second/eighth century.

'Umar b. Ḥabīb (d. 206/821) related to us saying: I was present at a court session of Hārūn ar-Rashīd [ruled from 170/786 until 193/809] at which a problem arose over which those present started to quarrel. They raised their voices. One adduced a tradition which Abū Hurayra had transmitted on the prophet's authority as argument, another produced an uninterrupted *isnād*<sup>154</sup> [for it]; arguments pro and con flew backwards and forwards, until some disputants said: 'This prophetic tradition does not constitute a permissible argument, for Abū Hurayra is suspect in his transmission!'

154. The Arabic reads *rafa'a*; although the context makes the insertion of a verb like 'to reject' or 'to dismiss' almost imperative, I could not locate such a connotation for *rafa'a* in any authoritative dictionary. Perhaps it is better to read *dafa'a* instead (= to reject).



indicating in so many words that they thought him a liar. I (sc. 'Umar b. Ḥabīb) saw that ar-Rashīd tended to take the latter's side and that he supported their opinion. Then I said: 'This tradition is genuinely on the authority of the Messenger of God, and Abū Hurayra is a trustworthy transmitter, veracious (*ṣadūq*) in what he transmits from him as well as from others.' Ar-Rashīd cast me an angry look. I stood up, left the court and went home. After a short time a messenger was announced at the door. He entered my house and said: 'Prepare yourself for death before the *amīr al-mu'minin*.' I prayed: 'Oh, my God, You know that I [only] defended a Companion of Your prophet; I revere Your prophet too much to let his Companions be defamed [without challenging this]. Please, deliver me from his (sc. ar-Rashīd's) hands.' Then I was led into the presence of ar-Rashīd. He was seated on a golden throne, with bare arms, a sword in his hand; in front of him was the leather mat.<sup>155</sup> When he noticed me he said to me: 'O 'Umar b. Ḥabīb, nobody has ever confronted me with arguments refuting and rejecting my opinion as you have!' I retorted: 'O Prince of the believers, verily, in what you said, and in the argument you used, there lay disrespect for the Messenger of God and for what he has brought us; if his Companions are thought of as liars, the whole *sharī'a* becomes null and void; the inheritance prescriptions (*farā'id*), as well as the rulings concerning fasting, the prayer ritual, divorce and marriage, all these ordinances will then be abolished and will no longer be accepted.' Ar-Rashīd lapsed into silence, then he said to me: 'You have really given me new insights,<sup>156</sup> may God grant you a long life, 'Umar b. Ḥabīb!' And he ordered 10,000 dirhams to be given to me.<sup>157</sup>

This incident, if historically genuine, may well have taken place exactly about the time that the *kadhīb* issue resulted in the *man kadhaba* saying, as proposed in Chapter 3. If the story, however, is thought to be apocryphal, or in any case greatly embellished, smacking among other things of Hārūn glorification, it may well be taken to have originated more or less during 'Umar b. Ḥabīb's lifetime, something which places its fabrication also sometime in the course of the last quarter of the second/eighth century. And if it is taken to be a clear forgery of a date much later than Hārūn's reign, it may very well be considered as a story invented in order to support the doctrine of the collective *ta'dīl*. But this third possibility seems to me the least likely of the three.

155. In Arabic *naḥ*, used for executions.

156. In Arabic: *ahyaytānī*. . . *ahyāka llāh*, i.e. you have given me new life, may God give you the same.

157. Al-Khaṣīb, *Ta'rīkh Baghdād*, xi, p. 197. Another incident during which a *ḥadīth* forger was called a *kadhīb* in front of an early 'Abbāsīd caliph is the well-known story of Ghiyāth b. Ibrāhīm, who tried to cajole a reward out of al-Mahdī (reigned from 158/774-169/785) by including pigeons among those animals on which one is allowed to place bets, cf. Ibn al-Jawzī, *Kitāb al-mawḍū'āt*, iii, p. 78.

At any rate, genuine or not, the anecdote seems to convey that the discussion about the alleged *kadhib* of Abū Hurayra may more or less have coincided with the general awareness that mendacity in *ḥadīth* transmission had grown to dangerous proportions, something which resulted in, among other things, the *man kadhaba* dictum. If it is assumed that the collective *ta'dīl* became definitively established during the last few decades of the third/ninth century, as intimated above, and that the discussion about it really got under way during the last few decades of the second/eighth century, the conclusion seems to suggest itself that this all-important adage took something like one whole century to evolve from a vague, undefined misgiving into a fundamental and far-reaching doctrine with ramifications in Islam's entire religious literature. The undermining of this doctrine became tantamount to unbelief and, in any case, to jeopardizing the entire structure of Muslim *rijāl* criticism on which the whole *ḥadīth* literature is built.

It is no wonder, therefore, that an anecdote as the one paraphrased above could only be preserved seemingly intact because of the turn for the good the story is supposed to have taken. If genuine, and if Hārūn had not given in to 'Umar b. Ḥabīb's persuasive arguments,<sup>158</sup> al-Khaṭīb would surely not have included it in his *Ta'rikh* without adding his comments, the contents of which, on the basis of the tone he sets in, for example, his *Kifāya*, are not difficult to guess.<sup>159</sup>

Another piece of evidence corroborating the chronology of the first so-called association of Abū Hurayra with *kadhib* is provided by a report in Abū 'l-Qāsim,<sup>160</sup> which, with minor textual variants, has another version in Ibn Ḥanbal.<sup>161</sup> Both versions have as last common link (cf. the last section of this chapter) Ḥammād b. Usāma Abū Usāma (d. 201/817), an almost exact contemporary of 'Umar b. Ḥabīb; after Abū Usāma the *isnāds* branch out. The crucial statement in this report ascribed to Ibrāhīm b. Yazīd an-Nakha'ī runs: *Kānū yatrūkūna ashya'a min aḥādīth Abī Hurayra* (Ibn Ḥanbal) and: *Kānū yatrūkūna shay'an min qawl Abī Hurayra* (Abū 'l-Qāsim) (i.e. they used to leave some of the traditions (resp. sayings) of Abū Hurayra alone). Even so, a few different versions of the same report,

158. Even so, 'Umar was thought of as a poor transmitter himself, cf. al-Khaṭīb, *Ta'rikh Baghdād*, xi, pp. 199f.

159. Proof for my surmise that later sources 'polished' certain 'rough passages' from earlier sources can, for example, be distilled from the fact that Abū 'l-Qāsim's version of a certain anecdote contains some 'damaging' material about the Companion Samura b. Jundab, well-known allegedly for his great mass of prophetic traditions. Abū 'l-Qāsim (*Qabūl*, pp. 60f.) relates the story of how Muḥammad said at one time: 'The last of the three people (who are now present here in this house) to die will go to Hell.' Those present were Abū Hurayra (who died first), Abū Maḥdhūra (who died second) and Samura. The last person in the version Ibn Ḥajar gives (*Tahdhīb*, xii, p. 223) is first called: *Fulān* and then: *dhālika 'r-rajul* instead of Samura . . .

160. *Qabūl*, p. 58. 161. *'Ilal*, 1, no. 866.

again with slight textual variants, have in their respective *isnāds* a much earlier link in common, the same Ibrāhīm an-Nakha'ī. Thus, if we set store by common links (to be discussed further below) as a useful tool to determine *termini post quem*, we could conclude that the earliest association of Abū Hurayra with unusable traditions – only those dealing with Paradise and Hell from Abū Hurayra did he not reject<sup>162</sup> – was probably due to Ibrāhīm (d. 96/715). And since A'mash occurs in more than one *isnād* too, he may also be credited with having promoted this opinion rather than with merely having transmitted it. In short, there are too many possible candidates as common links in this case for us to be absolutely certain about the *matn's* chronology.

Summarizing the above and enlarging on it somewhat still, the following points are perhaps significant. The Companions have, from the beginning, been exposed to disparaging remarks. First, as we saw above, they allegedly did not see eye to eye with one another sometimes. Then they became divided into political factions which led to mutual reviling as exemplified in the Abū Bakr/Alī *faḍā'il*, which, in turn, led to the formal cursing of either 'Uthmān, or the first three rightly-guided caliphs at the hands of the Shī'at 'Alī. This political cursing became in due course something which was also associated with lack of reliability in *ḥadīth* transmission. This is eloquently illustrated in the *tarjama* of a notorious Rāfiḍite, Yūnus b. Khabbāb (fl. ± 125/743). Ibn Ma'in is reported to have said of him: *rajulu saw'in wa-kāna yashtimu 'Uthmān* (i.e. a wicked man who used to curse 'Uthmān), and al-Jūzajānī called him a *kadhḥāb muftarī* (i.e. an inveterate liar); Abū Dāwūd as-Sijistānī labeled him a *shattām as-ṣaḥāba* (i.e. a curser of the Companions). And apart from being characterized also as *ṣadūq* and *thiqa* by various *rijāl* experts – his traditions, after all, do occur in four of the Six Books – al-Ḥākim an-Nisābūrī concluded that no one who insulted the Companions deserved to be accepted as transmitter.<sup>163</sup> Another early controversial transmitter, on the one hand thought to be *wari'* (here: piously reserved) in *ḥadīth*, *ṣadūq*, *min awthaqi 'n-nās* (i.e. the most reliable of the people) and, on the other hand, Rāfiḍite, insulting the Companions, was Jābir b. Yazīd al-Ju'fī (d. 127–32/745–50) possibly the creator of the Shī'ite *isnād* par excellence: Ja'far aṣ-Ṣādiq – other *imām(s)* – Ḥusayn and/or Ḥasan – 'Alī – prophet.<sup>164</sup>

Differently put, apart from the above mentioned political cursing, a

162. Cf. Dhahabī, *Siyar*, II, p. 438.

163. Cf. Ibn Ḥajar, *Tahdhīb*, XI, p. 438: *Kāna yashtimu 'Uthmāna wa-man sabba aḥadan mina 'ṣ-ṣaḥāba fa-huwa ahlun an lā yurwā 'anhu*.

164. Cf. Dhahabī, *Mizān*, I, pp. 379–84; Ibn Rajab, p. 99; Abū Ḥanīfa, for once, participates in *rijāl* criticism; whereas he does not know of a man more excellent than the Meccan *ra'y* expert 'Aṭā' b. Abī Rabāḥ (d. 114/732), the most despicable liar is in his opinion Jābir al-Ju'fī (cf. Ibn 'Abd al-Barr, *Jāmi'*, II, p. 153), probably because he had no use for traditions, let alone those of Jābir (see Chapter 3, pp. 114 and 120, note 107 above).

doctrinal form of cursing emerged which, as late as the middle of the second/eighth century, may have inspired the well-known Abū 'Awāna al-Waḍḍāḥ b. 'Abd Allāh (d. 176/792) to compose a book on the *ma'āyib aṣḥāb rasūli 'llāh*, the vices of the Companions. A certain Sallām b. Abī Muṭṭī' (d. 164-73/780-9) tore it up in front of Abū 'Awāna's eyes.<sup>165</sup> After that, *ḥadīth* fabrication and *kadhīb* became associated. At first the culprits were also sought among the Companions, in which Abū Hurayra's reputation had to suffer the heaviest attacks. But gradually all the Companions were exonerated and this resulted in the doctrine of the collective *ta'dīl* which was formulated in its definitive form sometime towards the end of the third/ninth century.

Abū Hurayra's alleged reputation gradually suffered less and less. To two Successors is ascribed the statement: *Laysa aḥadun yuḥaddithu 'an Abī Hurayrata illā 'alimnā a-ṣādiqun huwa am kādhīb*,<sup>166</sup> i.e. there was nobody who transmitted Abū Hurayra's traditions about whom we did not know whether he spoke the truth or lied. By any standard, this sounds like a boastful statement, if we assume, for the sake of argument, that the two Successors, al-A'raj and one otherwise unknown Abū Ṣāliḥ,<sup>167</sup> were aware of the colossal numbers of alleged pupils. Abū Hurayra is said to have transmitted traditions to more than eight hundred people; this is at least what Bukhārī is alleged to have said.<sup>168</sup> Also the concept *tadlīs* (which, as we have seen, acquired a downright pejorative flavour, not as bad as *kadhīb* but perhaps just as denigrating as the concept *ḍa'if*) when applied to Abū Hurayra and other Companions, through the doctrine of the collective *ta'dīl*, also *tadlīs* lost its sting. When Dhahabī mentioned Abū Hurayra's putative *tadlīs*, he added that there was absolutely no harm in *tadlīs* among Companions since they were all 'udūl.<sup>169</sup> Furthermore, a tradition whose *isnād* ended in a statement like . . . 'an rajul mina 's-ṣaḥāba 'ani 'n-nabī' (i.e. on the authority of a certain Companion from the prophet) was not automatically rejected because one of its transmitters was *majhūl*; an unknown Companion was just as reliable as one mentioned by name thanks to the adage of the collective *ta'dīl*.<sup>170</sup>

Abū Hurayra has never ceased to speak to the imagination of later generations. The man who allegedly preserved more traditions from the prophet for posterity than any fellow-Companion prompted many people to lose themselves in conjectures of how to reconstruct his life's history. That is, I think, one of the main reasons why the biographical notices devoted to him show so many lively incidents as well as contain so much controversial – and

165. Cf. Ibn Ḥanbal, 'Ilal, 1, no. 347. 166. Cf. Ibn Hajar, *Tahdhīb*, vi, pp. 290f.

167. In Dhahabī, *Siyar*, II, p. 422 (penult.) 'only' five Abū Ṣāliḥs are enumerated, but among the other hundreds of pupils there must have been a considerably larger number of people who also shared this popular *kunya*.

168. Cf. Dhahabī, *Siyar*, II, p. 423.

169. *Siyar*, II, pp. 437f. 170. Cf. al-Khaṭīb, *Kifāya*, p. 415.

contradictory – material. That is why, perhaps, Abū Hurayra's real name (*ism*) does not seem to have been preserved; on the contrary, a host of different names are ascribed to him,<sup>171</sup> proof for the surmise that many different people's views about Abū Hurayra gained some sort of recognition.

The doctrine of the collective *ta'dil* of the Companions has also enhanced the status of Companion, a status exalted enough to instil in the following generation the wish to acquire the – admittedly lesser – status of Successor. In a great many *tarājim* we read, for example, the statement that such and such a person did admittedly not transmit traditions from one or more Companions, but he is reported to have 'seen' a famous Companion, something which might lend his status, which just fell short of Successorship, a little extra glow, if not additional prestige.<sup>172</sup> A good example of such a person is – again – A'mash.<sup>173</sup> During the first few decades after the prophet's death we witness how large numbers of people sought to acquire the coveted status of Companion in order to become eligible for a stipend from the Treasury.<sup>174</sup> In later times we may discern the same ambition with a great many people to earn the status of Successor, especially in view of the prestige gained from being mentioned at the Successors' level in an *isnād*.<sup>175</sup> This is again, perhaps, an example of how a phenomenon in the political thinking of early Islamic society finds a reflection in the development of *isnāds*.

Perhaps one al-Hārith b. 'Abd Allāh al-A'war (d. 65/685) constitutes a case in point: he allegedly reported traditions from some famous Companions, but his reputation suffered because of his having been an extreme 'Alī partisan (*ghālin fi 't-tashayyu'*). One reads how in his *tarjama* in Ibn Hajar, *Tahdhīb*, II, pp. 146f., various people suspected him of *kadhīb*, but then, eventually, this *kadhīb* was placed in a less harsh light by the 'restriction' of it to his *ḥikāyāt*; no *kadhīb* in his *ḥadīth*, was the verdict. But what these *ḥikāyāt* (lit. stories) may have consisted of is

171. Cf. Dhahabī, *Siyar*, II, p. 417.

172. This is illustrated in the following statements: *Kafā bi 'l-muḥaddīthi sharafan an yakūna 'smuhu maqrūnan bi 'smi 'n-nabī (ṣ) wa-dhikruhu muttaṣilan bi-dhikrihi wa-dhikri ahli baytihi wa-aṣḥābihi and awwalan uḥibbu an yajtami'a 'smi wa 'smu 'n-nabī (ṣ) fi saṭrin wāḥid*, taken from Rāmāhurmuzī's introduction, p. 161.

173. Cf. Ibn Hajar, *Tahdhīb*, IV, pp. 222f., where we read among other things: *lam yaḥmil 'an Anas innamā ra'āhu yakḥḍību* (sc. his beard, the well known controversial issue) *wa-ra'āhu yuṣalli*; and: *qad ra'ā Anas b. Mālik illā annahu lam yasma' minhu wa-ra'ā Abā Bakrāta aih-Thaqāfi* (the Companion Nufay' b. al-Hārith who died in 50–2/670–2) *wa-akhadha lahu bi-rikābihi* (an impossibility since A'mash was born circa 60/680); and: *... 'ani 'l-A'mash ra'aytu Anas b. Mālik wa-mā mana'ani an asma'a minhu illā 'stighnā'i bi-aṣḥābi*.

174. Cf. Miklos Muranyi, *Die Prophetengenossen in der frühislamischen Geschichte*, chapters II and III, and also Gerd-Rüdiger Puin, *Der Dīwān von 'Umar b. al-Ḥaṭṭāb. Ein Beitrag zur frühislamischen Verwaltungsgeschichte*.

175. Cf. Ibn Ḥazm, *Al-ihkām fi uṣūl al-ahkām*, V, pp. 90f., for a clear exposé on the dividing line between Companions and Successors.

hard to establish; his expertise in specific subjects figuring in *ḥadīths* is attested in, for instance, Dārimī, *farā'id* 3, 6 and 15 (= pp. 385, 387 and 391), and Nasā'ī, *zīna* 25 (= VIII, pp. 147f.); furthermore, he was known as *aḥṣab an-nās* (expert in *ḥisāb*), *aḥṣab an-nās ta'allama 'l-farā'id min 'Alī* (i.e. most learned in 'Alī's inheritance decisions), as well as *aḥṣab an-nās* (i.e. the most skilful *ḥisāb*). If he was thought of as a liar, but this *kadhīb* did not include his alleged traditions, what else was there to be mendacious in? Propaganda for the Shī'a? More likely, it seems to me, is to consider the 'restriction' of al-A'war's *kadhīb* to his *ḥikāyāt* as an attempt to extenuate the harsh accusation of *kadhīb*. In sum, it could be argued that, in this man's *tarjama*, the accusation of *kadhīb* seems to have been wielded by political opponents and also, in some haphazard fashion, by his *ḥadīth* colleagues, which led, consequently, to confusion: politics and *ḥadīth* transmission going awkwardly hand in hand, resulting in a differentiation between *ḥikāyāt* and *ḥadīth*.

Reading through the *tarājim* of Abū Hurayra's alleged pupils, three features deserve to be mentioned.

In the first place, it may strike one that so many 'pupils', who in one way or another may have claimed Successorship because of traditions they claim to have heard with Abū Hurayra, are probably fictitious people of whom, in many cases, it is not even known in which *ḥadīth* centre they operated. In other words, it is the inventor of *isnāds* ending in an obscure transmitter 'an Abū Hurayra, who should be held responsible for the 'creation' of this Successor. Reading through hundreds of Successors' *tarājim* equips one with a relatively reliable sense of distinction between fictitious and probably historical figures. A major tool is here the absence of an unambiguous indication as to where a certain Successor operated. Furthermore, the absence of, or considerable uncertainty about, someone's precise year of death is also a reliable means to determine whether we are reading the *tarjama* of a historical or an imaginary person. Often a person is simply branded *majhūl*, but we frequently read a few – in various cases even quite a few – conflicting statements about the main facts of a certain person's life, which can be considered as being tantamount to branding him *majhūl*.

In the second place, we may be struck by the fact that the list of names from Dhahabī's *Siyar*, when compared with Abū Hurayra's alleged pupils in Ibn Ḥajar's *Tahdhīb*, is not complete by a long shot. We may conclude from this, it seems to me, that the 'ilm *ar-rijāl*, in particular that branch of the 'ilm *ar-rijāl* occupied with sorting out and classifying all the transmitters from the *isnāds* of the Six Books, was a science still showing growth as late as the eighth/fourteenth century, the time namely between the respective dates of death of Dhahabī (d. 748/1348) and Ibn Ḥajar (d. 852/1448).<sup>176</sup>

176. This feature also struck the modern author al-'Izzī, about whom more will be said below (cf. his *Difā'*, pp. 315f.). His estimate that perhaps some thirty alleged pupils of Abū Hurayra could be unearthed from the *Tahdhīb*, who are not listed in the *Siyar*, is too low in my opinion. The figure is nearer one hundred according to my counts. Additional proof for this tenet is provided by a quick comparison of Dhahabī's *Al-kāshif fi ma'rifaṭ man lahu riwāya fī 'l-kutub as-sitta* with Ibn Ḥajar's *Tahdhīb*.

Thirdly, Abū Hurayra's alleged pupils were supposedly active in all the *ḥadīth* centres of the Islamic empire. Most of them supposedly lived in Medina, but fair proportions are reported to have settled in Baṣra, Kūfa, Damascus and other places. The conclusion seems to be that Abū Hurayra cannot be 'claimed' exclusively by one centre but should rather be considered as 'belonging' to every *ḥadīth* centre. That, as I intimated above, the historical figure Abū Hurayra cannot be held responsible for the material that goes under his name, can be amply demonstrated by comparing respectively the materials preserved in the different centres. It will appear that Abū Hurayra traditions supposedly transmitted to Ḥijāzī pupils differ considerably – in some cases even widely – from Abū Hurayra traditions allegedly transmitted in, for example, Kūfa or Baṣra. Why Abū Hurayra should transmit traditions of a certain tenor to a pupil hailing from a certain city, and transmit fundamentally different traditions to a pupil hailing from another city, is a question for which anybody, who sets store by the alleged position of the historical *ḥadīth* transmitter Abū Hurayra in *isnāds*, should try to find an answer. Above (Chapter 1, pp. 67f) I have asked the same question in the case of Anas b. Mālik.

That the controversy about Abū Hurayra is not yet settled definitively may be evidenced in the fact that still as short a time ago as 1973 a large, 500-page study was published in Bagdad with the significant title *Difā' 'an Abī Hurayra* (i.e. defense of Abū Hurayra). Its author, 'Abd al-Mun'im Šāliḥ al-'Alī al-'Izzī, recapitulates once more all the 'attacks' on Abū Hurayra and refutes them in a manner strongly reminiscent of all those works published as from the late fifties of this century also in 'defense' of Abū Hurayra (see my *Authenticity*, pp. 39ff.). Al-'Izzī's work, however, contains something that was lacking in all previously published books on Abū Hurayra, something which may prove a convincing as well as a comparatively handy tool in sorting out Abū Hurayra *isnāds*, and reaching overall conclusions supporting the main tenets of the present study. Al-'Izzī has gone to the considerable trouble of charting *all* the *isnāds* ending in Abū Hurayra occurring in Bukhārī and Muslim, thus creating an apparatus which enables the student to see in one glance the multiple ramifications of *isnāds* from Abū Hurayra through, for example, a host of obscure Successors, to one or a few key figures, to fan out once more to large numbers of middle and late second/eighth century transmitters.

Schematically, this can be condensed in the diagram of fig. 8.

Who actually are responsible for *isnāds* fitting in this pattern cannot be concluded from this with certainty, but one is on safe ground with the suggestion that either the key figures themselves or anonymous people out of their entourage may be thought of as, in all likelihood, the earliest possible candidates to have created them. Since in al-'Izzī's charts references to the actual *matns* these *isnāds* support are lacking, they do not serve to solve provenance and authorship problems of particular *ḥadīths*, but what

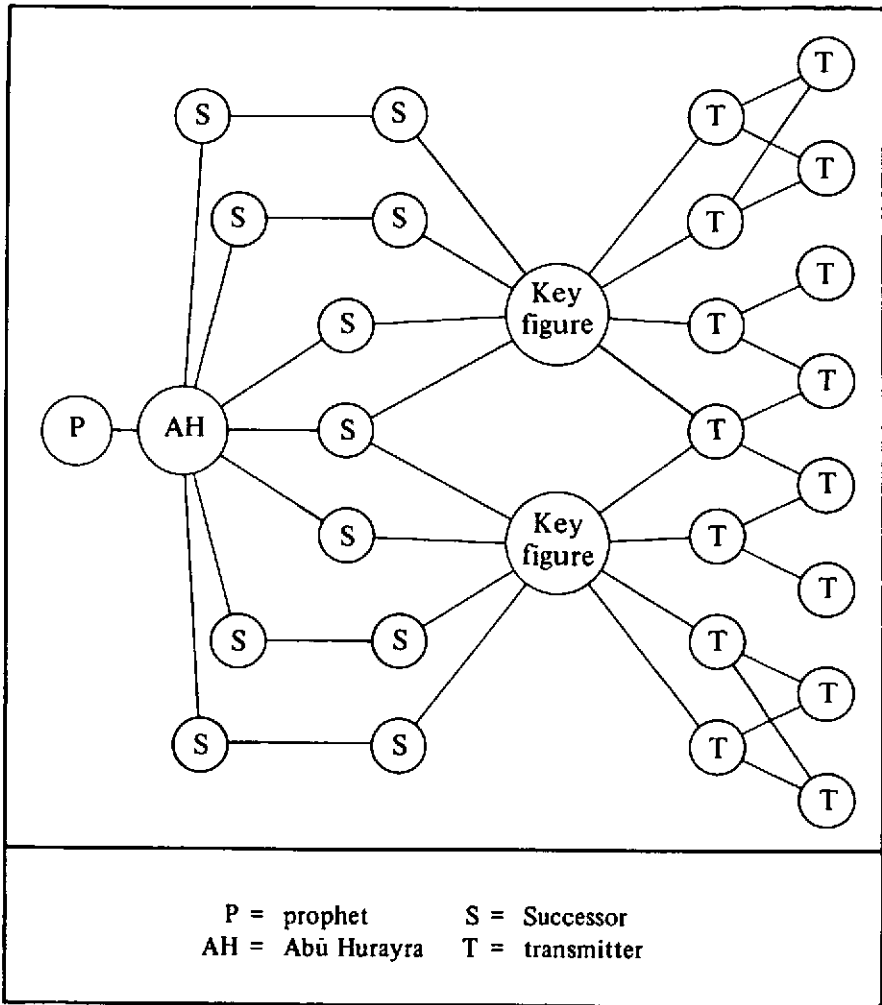


Figure 8

they do provide is an abstracting and, therefore, enlightening insight into the phenomenon of the *isnād*. Perhaps I should repeat that al-'Izzī's is a wholly traditional view; he is firmly convinced of the historical role of Abū Hurayra in *ḥadīth* transmission, and his intention with these painstakingly compiled charts, showing an infinite number of *isnād* details, was to indicate how Abū Hurayra's traditions proliferated and found their way to following generations all over the Islamic empire.

To me these charts convey more or less the same idea but for the two – sometimes three – oldest links. In my view these oldest links are the result of *isnād* fabrication roughly divided into *waq'* and *raf'*.



Had this book been published earlier, it would certainly have played an important part, even though its author does not hail from Egypt, in my *Authenticity*. Al-'Izzī participated with gusto in the controversy created by Maḥmūd Abū Rayya's *Aḍwā' 'alā 's-sunna al-muḥammadiyya*, Cairo 1958, over *ḥadīth* authenticity and, in particular, Abū Hurayra's alleged role in spreading forged traditions. While criticizing Abū Rayya (who did not live to see this book), al-'Izzī also attacks studies of various *mustashriqūn*, but closer inspection of these attacks reveals that he is only vaguely familiar with Goldziher's *Muhammedanische Studien*, vol. II, and this only on the basis of the works of the authors who, immediately upon the publication of Abū Rayya's book, plunged into elaborate refutations and who 'refuted' Goldziher in passing. Al-'Izzī leaves Schacht's *Origins* unmentioned. He does mention Helga Hemgesberg's doctoral dissertation on Abū Hurayra (Frankfurt 1965, cf. my *Authenticity*, p. 63, note 2) on page 11, but he could not obtain a copy. In spite of his claim that his book forms an improvement on all the previously published works on the subject of Abū Hurayra, but for the *isnād* charts, it does not offer essentially new ideas.

Another study by a modern author is *Manhaj an-naqd fī 'ulūm al-ḥadīth* by the Damascene scholar Nūr ad-Dīn 'Itr (Damascus 1972). In this book too one searches in vain for a trace of Schacht's ideas, and Goldziher's *Muhammedanische Studien* seems only partly known to the author through an Arabic translation made by a colleague of various extracts from Léon Bercher's French translation (*Etudes sur la tradition islamique*, Paris 1952) of the German original. The Arabic rendering seems to leave something to be desired; for the German (p. 149): Abū Hurejra ist der Genosse, der diese Worte unmittelbar aus dem Munde des Propheten gehört haben muss, the French translation reads (p. 182): . . . qui doit avoir entendu . . . ; the Arabic translation, quoted on p. 446 of 'Itr's book, has for this: . . . *wa-qad wajaba* (sic) *an yakūna Abū Hurayra* . . . (cf. my *Authenticity*, p. 107, for another not altogether flawless, partial Arabic translation). Even if Goldziher's *Muhammedanische Studien* is repeatedly refuted in the Middle East, nobody seems to have an adequate Arabic version of it at his disposal.<sup>177</sup>

Another most important use can be made of al-'Izzī's charts: they will play a crucial role in the final section of this chapter on Schacht's common-link theory.

### *The common-link theory of J. Schacht*

When Schacht published his *Origins* in 1950, western scholars seem to have been awed. Hesitantly, some accepted a few of his more detailed theories, others seemed to agree with some of his more general conclusions, but no one has ever seriously taken issue with more than one or a few relatively minor points.<sup>178</sup> In the Islamic world his book remained largely unnoticed.

177. Although the intention to produce an adequate translation of *Muhammedanische Studien*, vol. II, accompanied by extensive refutations was at one time contemplated (cf. my *Authenticity*, p. 36), it was the far less unpalatable *Vorlesungen* which was eventually published in an annotated Arabic translation. Cf. p. 2 above.

178. Cf. my paper *The date of the great fitna*, p. 142.

To my knowledge, until the present day, it is only the book by M. M. Azmi, referred to above, in which Schacht's ideas about the origins of *ḥadīth* – legal *ḥadīth*, that is – are extensively criticized.<sup>179</sup> Moreover, in studies such as al-'Izzī's the author does not let out that he has heard of the book. In the West two major hypotheses of Schacht's book emerge here and there in works of later scholars, but without adverse criticism or even modifying comments being brought to the fore. These hypotheses are that *isnāds* have a tendency to grow backwards, with which I dealt in this study in Chapters 1 and 3, and his 'common-link' theory, on various occasions referred to also in previous chapters, with which it is proposed to conclude the present chapter.

Now, it must be conceded first of all that, in my opinion, the common-link theory is a brilliant one. That it, however, never seemed to have caught on on an extensive scale is due, perhaps, to the fact that this theory did not receive the attention, elaboration or, simply, the emphasis that a theory such as that seems to deserve, not even at the hands of Schacht himself (cf. his *Origins*, pp. 171ff.). That is why it may be appropriate to illustrate in the following the common-link theory with a few slightly more spectacular examples than had hitherto been tried.

In al-Khaṭīb's *Ta'riḫ Baghdād* and Ibn al-Jawzī's *Kitāb al-mawḏū'āt* we find a tradition which is convenient for our purpose for various reasons: a. the *matn* conveys clearly in what period and where it originated; b. the numerous *isnāds* have one common link, who happens to be one of the most celebrated traditionists of his day and whose biography clearly indicates a possible motive for him to have brought this saying into circulation; and c. in their extensive commentaries on the *isnāds* al-Khaṭīb and Ibn al-Jawzī have preserved a few clues which also point to this traditionist as the probable originator, as well as transparently unsuccessful endeavours to obfuscate this fact. Unfortunately, the *isnāds* in the *Ta'riḫ Baghdād* edition are not always clear and those in the *Mawḏū'āt* edition currently available are put together in such a haphazard way by its editor<sup>180</sup> that for the sake of clarity and brevity it seems better to draft a schematic pedigree rather than a detailed one containing all the names with dates of death.

179. I only know of the Bagdad periodical *Al-aqlām. Majalla fikriyya 'amma*, 1965, 1, no. 5, in which we encounter an article entitled *Maẓāhir ta'thīr 'ilm al-ḥadīth fi 'ilm at-ta'riḫ 'inda 'l-muslimīn*, pp. 22–41, in which Schacht's book is frequently cited.

180. In vol. 1, p. 27, the editor, 'Abd ar-Raḥmān Muḥammad 'Uthmān, explains the methods followed in his edition. It appears that he could only make use of one manuscript from the Azhar library. He does not indicate the state in which he found this manuscript. It is possible to distil from his words that it shows a great many lacunae which are difficult to emend. Judging by the *isnāds* in this edition, we might hope that one day, we will have a new edition based, preferably, on other MSS. as well (cf. *GAL*, G 1, p. 503), with somewhat effort being bestowed upon the restoration of the *isnāds*.

Also, because of the overall obscurity of the transmitters in the later tiers, this seems the most suitable procedure.

The tradition itself deals with Bagdad and bespeaks the misgivings of the originator about the builders and future rulers of this city, the 'Abbāsīd caliphs in fact. It has numerous variant readings, but a version with as many significant variants indicated as possible might run as follows:

A city will be built between [the rivers] Dījla and Dujayl [and Qaṭrabull and aṣ-Ṣarāt] in which the treasures of the earth will be amassed [and in which the kings and tyrants of the earth will assemble]; verily, it will go under, go to ruin, perish, suffer disgrace, be devastated (etc.) more quickly than an iron pin, an [iron] ploughshare, a piece of [heated] iron, a *kuhl* stick, a pickaxe in unfirm, soft earth; . . . than a dry pin in moist earth.<sup>181</sup> In the following this amalgam of variants will be called version A.

Among these variants one very important one was so far not incorporated, for it deserves to be quoted separately:

. . . *la-hiya asra'u, ashaddu rusūkhan(!) fī 'l-arḍ min [as-]sikka[ṭ] [al-]ḥadīd[a]*, i.e. it will be more firmly implanted(!) in the earth than an [iron] ploughshare.<sup>182</sup> This variant will be referred to as version B. .

The eighteen *isnāds* – two via Anas b. Mālik and Abū 'Ubayda (who is in this context no other than Ḥumayd aṭ-Ṭawīl)<sup>183</sup> and sixteen via Jarīr b. 'Abd Allāh, Abū 'Uthmān 'Abd ar-Raḥmān b. Mull and 'Āṣim b. Sulaymān al-Aḥwal – all, but for a few to be discussed below, converge then in one man, a **common link**, the noted traditionist Sufyān ath-Thawrī (d. 161/776). After him the *isnāds* fan out once more to a dozen or so alleged pupils. These *isnāds* can schematically be represented in the diagram of fig. 9 (F standing for *fulān*).

It should be clear from this diagram that Sufyān ath-Thawrī is not unequivocally the common link of all the *isnāds*; various transmitters from the generation after Sufyān are also reported to have heard the tradition directly from 'Āṣim b. Sulaymān al-Aḥwal (d. 141–3/758–60), Sufyān seemingly being skipped over. That he, nonetheless, seems the much more likely

181. In Arabic: *Tubnā madīnatun bayna Dījla wa-Dujayl [wa-bayna Qaṭrabull wa 'ṣ-Ṣarāt] yujbā ilayhā, yujma'u fihā khazā'inu, kunūzu 'l-arḍi [wa-yajjami'u fihā mulūku ahli 'l-arḍi wa-jabābiratu ahli 'l-arḍi] la-hiya asra'u [bihim] dhahāban, hūnan, khasfan, ḥalākan, ḥaraban, kharāban min [al-] watad al-ḥadīd, [as-]sikka[ṭ] [al-ḥadīd], al-ḥadīd[a] [al-muḥmāt], al-mirwad, al-mi'wal fī 'l-arḍi 'r-rakhwati; . . . mina 'l-watad al-yābis fī 'l-arḍ ar-rāṭba, cf. Ibn al-Jawzī, *Kitāb al-mawḍū'āt*, II, pp. 62–8; al-Khaṭīb, *Ta'rikh Baghdād*, I, pp. 27–38; 'Alī b. Muḥammad b. 'Irāq al-Kinānī (d. 963/1556), *Tanzīh ash-sharī'a al-marfū'a 'an al-ḥadīth ash-shanī'a al-mawḍū'a*, II, p. 52.*

182. Ibn al-Jawzī, pp. 67f.

183. This seems a clear-cut example of a well-known form of *tadlīs*, naming someone by a relatively little-known *kunya* and not by his more commonly known *ism* plus *laqab* with the sole purpose of mystification, cf. Nawawī in *JA*, XVI, 1900, p. 528; Ibn aṣ-Ṣalāḥ, p. 167.

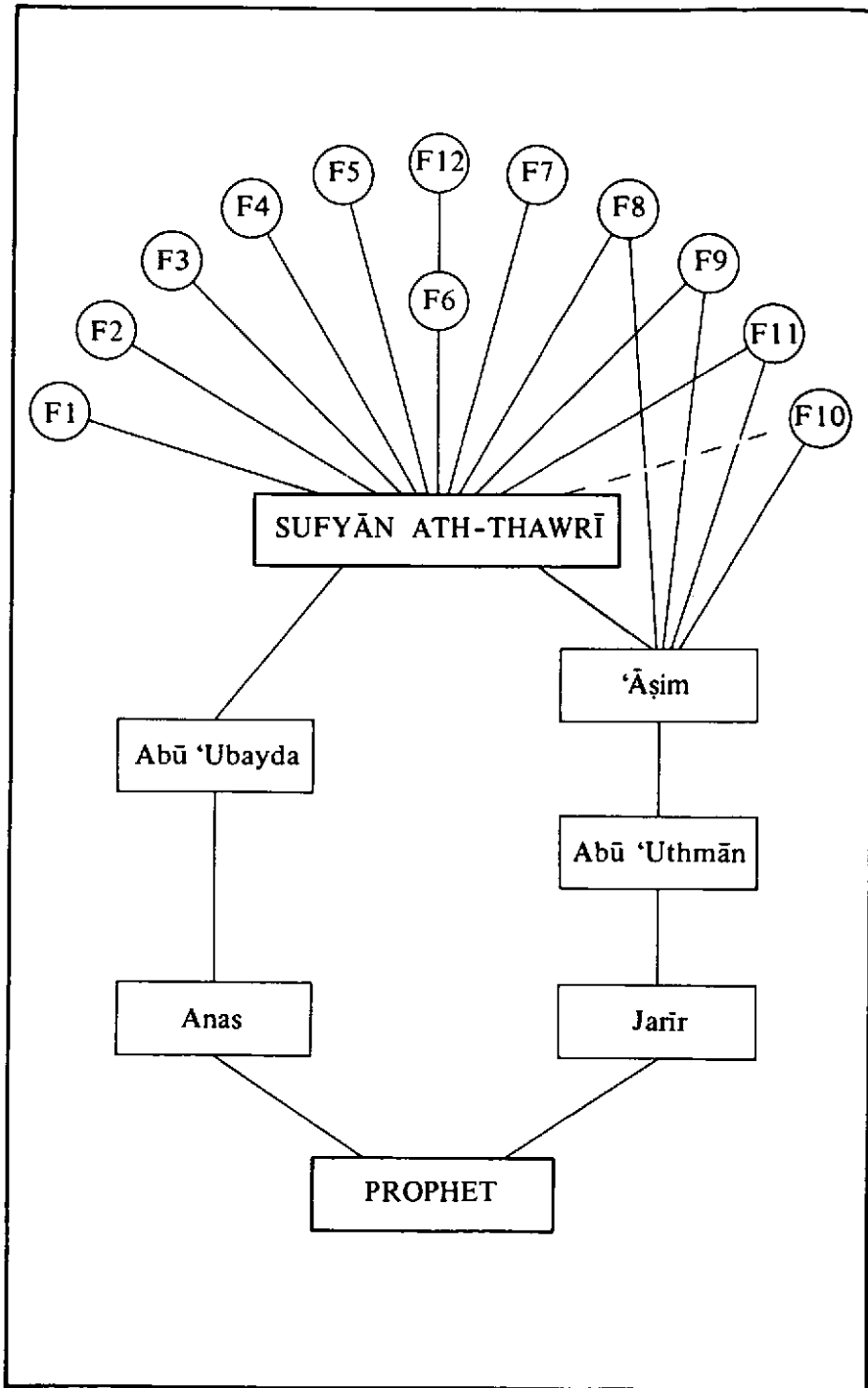


Figure 9

candidate as a common link than any other transmitter in this web of *isnāds* can perhaps be demonstrated in the following analysis.

The persons in the diagram marked F, who are reported to have heard this tradition (version A) only via Sufyān are Šāliḥ b. Bayān (F1),<sup>184</sup> Hammām b. Muslim (F2)<sup>185</sup> (declared *da'if* and *majhūl* respectively by al-Khaṭīb),<sup>186</sup> Ismā'il b. Abān (F3),<sup>187</sup> 'Abd al-'Azīz b. Abān (F4),<sup>188</sup> Ismā'il b. Yahyā<sup>189</sup> or b. Najīḥ (F5)<sup>190</sup> and 'Ammār b. Sayf (F8)<sup>191</sup> or – erroneously – b. Yūsuf.<sup>192</sup>

Other transmitters, who allegedly also related version A, but not unequivocally on the authority of Sufyān ath-Thawrī, are again 'Ammār b. Sayf (F8) who is reported to have said: I heard Sufyān ath-Thawrī ask 'Āšim al-Aḥwal about this tradition, so 'Āšim related it, while I was present, on the authority of Abū 'Uthmān . . . (follows the tradition).<sup>193</sup> But 'Ammār is also mentioned in the straightforward *isnād*: 'Ammār b. Sayf 'an 'Āšim 'an Abī 'Uthmān etc.<sup>194</sup> Then again another *isnād* with 'Ammār reads: Someone asked 'Ammār: 'Did you hear this tradition from 'Āšim?', whereupon 'Ammār said: 'No, . . . some *thiqa* did . . .'<sup>195</sup> This apparent mystification about a transmitter between 'Ammār and 'Āšim, who is hinted at as possibly being Sufyān, is given once more in slightly different terms, but because of the poor condition of the text, that is left untranslated here.<sup>196</sup>

The above can be summarized as follows: so far we have met various transmitters unambiguously transmitting the tradition in question on the authority of Sufyān and one, 'Ammār b. Sayf, who is also mentioned in *isnāds* in which Sufyān seems to have been skipped, although it is hinted that he may have had a hand in its transmission.

There are also other transmitters appearing in *isnāds* in which Sufyān does not emerge (F8–11). It can be maintained, however, that at an earlier stage Sufyān may have indeed been part of these transmitters' *isnāds* for reasons, and on the basis of evidence, detailed in the following.

In the first place, there is the transmitter Sayf b. Muḥammad (F9) who is

184. Cf. Dhahabī, *Mizān*, II, p. 290, where this is confirmed.

185. Cf. Ibn al-Jawzī, II, p. 62, lines 8 and 11f.; al-Khaṭīb, I, p. 33, lines 13 and 15.

186. *Ibidem*, line 19.

187. Ibn al-Jawzī, p. 66, line 13, and al-Khaṭīb, p. 31, line 19; Dhahabī, *Mizān*, I, p. 211: . . . 'an Ibn Ma'in qāla: waḍā'a aḥādīth 'alā Sufyān lam takun.

188. Cf. Ibn al-Jawzī, p. 66, line 18; al-Khaṭīb, p. 32, line 1; identified as transmitter of this *ḥadīth* also in *ibidem*, X, p. 445.

189. Ibn al-Jawzī, p. 67, line 2. 190. Cf. al-Khaṭīb, p. 32, line 6.

191. Cf. al-Khaṭīb, p. 31, lines 6 and 13. 192. Cf. Ibn al-Jawzī, p. 66, line 6.

193. Cf. al-Khaṭīb, p. 28, lines 1 and 2, also the last two lines; Ibn al-Jawzī, p. 63, lines 4f., also *ibidem*, last lines.

194. Cf. al-Khaṭīb, p. 28, lines 7f., 15f., p. 29, line 6; Ibn al-Jawzī, p. 63, line 12, p. 64, line 6.

195. Cf. al-Khaṭīb, p. 29, lines 16ff.

196. Cf. al-Khaṭīb, p. 29, lines 12f.; Ibn al-Jawzī, p. 64, lines 11f.

alleged to have heard the tradition under scrutiny directly from 'Āṣim.<sup>197</sup> Coincidence or no coincidence, he is reported to have been a nephew of Sufyān, the son of a sister.<sup>198</sup> Secondly, we encounter Muḥammad b. Jābir (F10) 'an 'Āṣim,<sup>199</sup> a blind transmitter, who often, automatically, transmitted traditions which had come to his notice, which he had 'stolen' from others.<sup>200</sup> Thirdly, we find the *isnād* Abū Shihāb 'an 'Āṣim.<sup>201</sup> This Abū Shihāb (F11) is either 'Abd Rabbihi b. Nāfi' al-Ḥannāṭ or Mūsā b. Nāfi' al-Ḥannāṭ,<sup>202</sup> and al-Khaṭīb insists that he related the tradition not 'an 'Āṣim but 'an Sufyān ath-Thawrī 'an 'Āṣim.<sup>203</sup>

The conclusion seems to suggest itself that in the last four *isnāds* discussed (one of 'Ammār and three of Sayf b. Muḥammad, Muḥammad b. Jābir and Abū Shihāb respectively) Sufyān's name was purposefully deleted, since the identification of that celebrated transmitter with *isnāds* supporting this commonly recognized forgery was felt to be irreconcilable with his reputation. And there seems to have been another endeavour to wash Sufyān's character clean: version B, with the crucial term *rusūkhan* (steadfastness – a truly more glorious lot for Bagdad!) instead of terms such as *dahāban*, *halākan* etc. Two transmitters are recorded as having transmitted this version on the authority of Sufyān, the equally famous 'Abd ar-Razzāq b. Hammām (F6) (d. 211/827),<sup>204</sup> the author of the *Muṣannaf* (see p. 188 above), and one Abū Sufyān 'Ubayd Allāh (in Ibn al-Jawzī erroneously: 'Abd Allāh) b. Sufyān,<sup>205</sup> who is indicated in the diagram as F7.

In the *isnād*-critical comments al-Khaṭīb and Ibn al-Jawzī add to those traditions one overwhelmingly relevant feature strikes the sceptical reader before anything else: with the exception of 'Abd ar-Razzāq (F6) all the transmitters of that *ṭabaqa*, namely F1–5 and F7–11, are outright or in covert terms accused of having fabricated it, and in the case of the 'Abd ar-Razzāq *isnād* it is the latter's pupil, one Aḥmad b. Muḥammad b. 'Umar al-Yamānī (F12), who is labeled unreliable.

In different terms: according to a multitude of references to such early critics as Aḥmad Ibn Ḥanbal, Yaḥyā b. Ma'īn and others, al-Khaṭīb and Ibn al-Jawzī want us to believe that a dozen or so obscure transmitters, in ignorance of each other, separately and individually, forged one and the

197. Cf. al-Khaṭīb, p. 30, line 6; Ibn al-Jawzī, p. 64, line 19.

198. Dhahabī, *Mizān*, II, pp. 256f., calls him also a 'dirty liar' who transmitted on the authority of his *khāl* traditions labeled *bāṭil*.

199. Cf. al-Khaṭīb, p. 30, line 16; Ibn al-Jawzī, p. 65, line 7.

200. Ibn Ḥajar, *Tahdhīb*, IX, p. 90; furthermore: . . . kāna . . . yulḥiqu fi kutubihī(!) mā laysa min ḥadīthihī.

201. Cf. al-Khaṭīb, p. 30, last line; Ibn al-Jawzī, p. 65, line 13.

202. Cf. Dhahabī, *Mizān*, IV, p. 536.

203. Cf. al-Khaṭīb, p. 30, line 1.

204. Cf. al-Khaṭīb, p. 32, last line; Ibn al-Jawzī, p. 67, line 19.

205. Cf. al-Khaṭīb, p. 32, line 14; Ibn al-Jawzī, p. 67, line 11.

same tradition which they all, again in ignorance of one another, separately and individually, claim to have heard from one and the same famous man. The sheer, unfathomable coincidence obviously never caused any of the early critics to think twice, whereas the later authors simply copied and never applied *ḥadīth* criteria of their own.<sup>206</sup> Only one calamity had to be avoided at all costs: *Sufyān himself could not possibly be saddled with this tradition*. It is for this all-important reason that, apparently, Ibn Ḥanbal, in a – psychologically transparent – effort to exonerate Sufyān, said: *Kullu man ḥaddatha bihi fa-huwa kadhdhāb – ya'nī 'an Sufyān(!)*,<sup>207</sup> i.e. everyone who transmits this is a liar – to wit, on the authority of Sufyān.<sup>208</sup>

At this stage, it may arguably be conceded that version B is indeed probably not of Sufyān's making, although he might have brought it into circulation himself for his own protection, but the conclusion that, in any case, version A originated in his mind is, I believe, obvious, not to say inevitable. Additional, circumstantial evidence for this surmise can be gleaned from Sufyān's biography.

It is recorded that, towards the end of his life, he had offered some criticism of the 'Abbāsids and, consequently, had aroused the anger of al-Manṣūr. The reasons for this anger given in his biography may be perfectly valid but do not include Sufyān's spreading of anti-Bagdad, and thus anti-'Abbāsīd, traditions. But it is reported that he had to flee from Kūfa in 153/769, and that, while in Mecca in 158/774, he went into hiding after having been warned by al-Manṣūr's governor that the caliph wanted him captured and executed.<sup>209</sup> The historical data are confused and somewhat contradictory, but the gist of it seems to be that Sufyān harboured anti-'Abbāsīd feelings which he might very well have moulded into a *ḥadīth*, or more than one for that matter, which was or were felt as openly critical of

206. This is all the more bizarre if it is realized that, for example, in the official, Muslim illustration of the term *tawātur* the concept *tawāṭu' 'alā kadhib*, i.e. perchance agreeing on a falsehood, plays a significant role; a *ḥadīth mutawātir* is normally defined as a tradition which has been transmitted via such a high number of channels (*туруq*) that its transmitters' *tawāṭu' 'alā kadhib* has got to be considered preposterous or inconceivable (*muḥāl*), cf. e.g. Nūr ad-Dīn 'Itr, *Manhaj an-naqd fī 'ulūm al-ḥadīth*, p. 380, where older authorities are quoted. But, in the present issue, a dozen or so transmitters coinciding in 'inventing' the same *matn*, each under his own steam, apparently never caused any *ḥadīth* expert to bat an eyelid.

207. Ibn Ḥanbal, *'Ilal*, I, no. 2553.

208. In *Qabūl*, p. 111, we read about an enigmatic attitude adopted by Yahyā b. Sa'īd al-Qaṭṭān who '... censured those who reported on Sufyān's authority that he had told them: "Everything I related to you is false." Could there be a connection between this report and the theory outlined in the foregoing that he can indeed be considered as having brought traditions of his own making into circulation? Al-Qaṭṭān had much respect for Sufyān, and the above report could not be traced in any other source. Why Abū 'l-Qāsim adduced it is, I think, obvious.

209. Cf. H. P. Raddatz, *Die Stellung und Bedeutung des Sufyān al-Tawrī (gest. 778). Ein Beitrag zur Geistesgeschichte des frühen Islam*, pp. 35–50.

the 'Abbāsids' policies. In his days the manufacturing of traditions was a recognized weapon in the hands of those who sought to air political – or, for that matter, any other – ideas. Thus we read in Sufyān's own words: . . . *wa-ıyyāka wa'l-umarā'a wa 'd-dunuwwa minhum wa-an tukhālītahum fī shay'in mina 'l-ashyā'*, i.e. beware of these princes, do not seek to approach them, do not get caught up in anything they do (cf. Ibn Abī Ḥātim, *Taq-dima*, p. 88).

Moreover, Sufyān's own, often ascetic, statements are preserved in a source such as al-Māwardī's *Al-amthāl wa 'l-ḥikam* (in which we also find so many aphorisms ascribed to Ḥasan al-Baṣrī, Wahb b. Munabbih and other respected contemporaries). That many of Sufyān's own sayings, through no effort of himself, were eventually provided with *isnāds* going back to the prophet, is perfectly feasible. It could even be maintained that *Tubnā madīnatun* etc. started life as Sufyān's own (pessimistic) views on the building activities going on in the vicinity of his own city and that later *ḥadīth* transmitters were in actual fact responsible for the *isnād* links between Sufyān and the prophet.

Looking again at the exact wording(s) of the tradition, we read that it was predicted that 'treasures would be amassed there' (sc. in Bagdad). If it is assumed that the tradition originated in precisely the time that this was in actual fact being carried out, we are probably not far wrong in dating the tradition in the late forties or early fifties (765–70) or, at any rate, before Sufyān's death in 161/776. The building of Bagdad began in 145/762,<sup>210</sup> and was more or less completed at colossal expense<sup>211</sup> some four years later.<sup>212</sup>

Summarizing the above, we have seen how an anti-Bagdad tradition depicting the initial stages of the building of that city is supported by sixteen *isnāds*, the majority of which converge in Sufyān ath-Thawrī and the rest of which present transmitters who had conceivably strong connections with him. Ruling out the coincidence that a dozen traditionists invented individually a saying which they then, quite by chance, all attributed to the same master, we have to come to the inescapable conclusion that it is Sufyān himself who has to be held accountable for it. A motive for bringing it into circulation may be sought in his anti-'Abbāsīd attitude, while the most likely period of his life, in which he might have invented it, coincides more or less exactly with various facets of Bagdad's building-history, seemingly 'predicted' by Sufyān but arguably a simple *vaticinatio post* – or perhaps better: *per – eventum*.

The foregoing example of a common link is relatively rare because of its clarity and its seemingly, irrefutably strong evidence. In most cases *isnāds* supporting a certain tradition apparently converging for a part in a common link, often have also one or a few other transmitters in the *ṭabaqa* of that

210. Cf. Yāqūt, *Mu'jam al-buldān*, 1, p. 68. 211. Ibidem, pp. 682f.

212. Cf. al-Khaṭīb, *Ta'riḫ Baghdād*, 1, p. 67.



common link. Thus we frequently read about traditions with numerous different *isnāds* which are on the whole so varied, or differently put, in which there are so many likely candidates whom only a few of the many *isnāds* have in common (moreover often in more than one *ṭabaqa* of the *isnāds*) that it is absolutely impossible to decide on a common link at all. Conspicuous examples of such traditions are the sayings ascribed to the prophet: He who guides a blind man forty steps will certainly go to Paradise,<sup>213</sup> and: Search for benefits (or: charity) with those who have handsome faces.<sup>214</sup>

Besides, apart from the relatively clear-cut case dealt with above, as indicated more than once before, it is mostly impossible to prove with uncontrovertible certainty that *isnāds* are *not* invented in their entirety. Thus the common link, if there is one, is often only a useful tool from which to distil an approximate chronology and possible provenance of the *ḥadīth*. But that is certainly better than nothing, and may form a suitable starting point for further investigation.

A less self-evident but nonetheless sufficiently interesting example of a tradition whose *isnāds* seem to have a common link is what one might call a legal maxim concerning the minimum amount of a dowry plus an *idrāj*. The prophet is reported to have said: *Lā mahra dūna 'asharati darāhim*, i.e. no dowry less than ten dirhams, which in two other versions is preceded by the *idrāj*: *Lā yankahū 'n-nisā'a illā 'l-akfā'u wa-lā yuzawwijūhunna illā 'l-awliyā'u*,<sup>215</sup> i.e. women should be married only to husbands of equal social status and exclusively through the intervention of their guardians. Via the Companion Jābir b. 'Abd Allāh and various Successor links, the *isnāds* converge in Mubashshir b. 'Ubayd; the maxim *lā mahra . . .* on its own is then transmitted further by one 'Abd al-Quddūs b. al-Ḥajjāj and this maxim together with two versions of the *idrāj* (with irrelevant textual variants) first converge in the controversial Syrian transmitter Baqiyya b. al-Walid to fan out again after him.

Schematically, these *isnāds* can be represented in the diagram of fig. 10. Interesting is the fact that Ibn al-Jawzī then quotes the early *rijāl* critic Abū Aḥmad 'Abd Allāh b. 'Adī (d. 365/976) who said: *Hādihā 'l-ḥadīth ma'a 'khtilāfi alfāzihi fī 'l-mutūni wa 'khtilāfi isnādihi bāṭilun lā yarwihi illā Mubashshir*,<sup>216</sup> i.e. in addition to its *matn*'s different wordings and its *isnād*'s heterogeneity this tradition is null and void, Mubashshir being its sole transmitter. Taken literally that means that Ibn 'Adī described Mubashshir, who is indeed a transmitter with a questionable reputation,<sup>217</sup> as a 'common link', as someone whom all the *isnāds* supporting this tradi-

213. Ibn al-Jawzī, *Kitāb al-mawḍū'āt*, II, pp. 173-6, with more than a dozen different *isnāds*.

214. Ibidem, pp. 159-62, with fourteen different *isnāds*.

215. Cf. Ibn al-Jawzī, *Kitāb al-mawḍū'āt*, II, p. 263; as is to be expected, no element of these maxims is traceable in *Concordance* etc.

216. Ibidem, penult.

217. Cf. Ibn Ḥajar, *Tahdhīb*, X, pp. 32f.

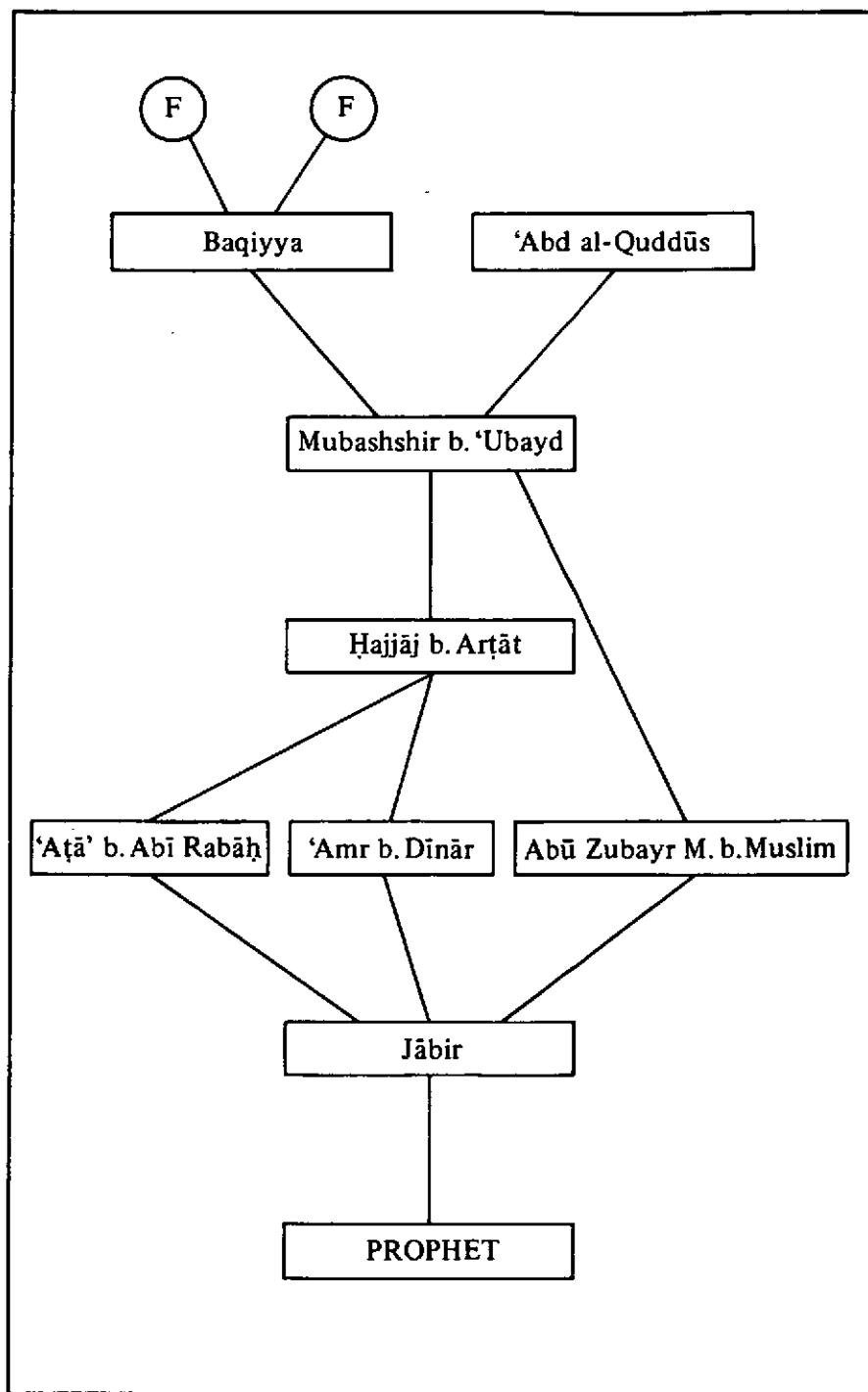


Figure 10

tion have in common. We might conclude from this (a) that the common link as phenomenon must have struck medieval Muslim *ḥadīth* experts too; but (b) that they never took the issue any further but for hints at it in the case of auspicious *ḥadīth* forgers or allusions to certain key figures (cf. Chapter 1, p. 44).

To be sure, as could be illustrated in the previous common link example, a man such as Sufyān ath-Thawrī could not possibly be identified with the phenomenon for fear of causing irreparable damage to his reputation. In other words, the common link as conspicuous feature of an *isnād* may have been familiar also to early Muslim *ḥadīth* experts, but they never extended their comprehension of it also to include reputable traditionists.

Furthermore, we cannot be far wrong if we assume that the *idrāj* of this maxim is due to Baqiyya.<sup>218</sup> Often we find in the fanning out of an *isnād* after a common link one or more partial common links, who are responsible for an *idrāj*, deletion, simplification or other alteration. A particularly clear example of this is provided by the multiple *isnāds* of a tradition concerning the alleged location of the grave of Moses analysed by a colleague.<sup>219</sup>

Finally, on the basis of some additional information given by Ibn al-Jawzī, we might decide on Sha'bī as the probable originator of the maxim.<sup>220</sup> He is reported to have said on the authority of 'Alī b. Abī Tālib: *Lā ṣadaqqa aqallu min 'asharati darāhim*, i.e. no dowry can be less than ten dirhams. *Samā'* between 'Alī and Sha'bī is out of the question (see also Chapter 1, p. 20), so it is feasible that the well-known *faqīh* Sha'bī himself ruled in these terms. That this ruling never caught on is proved by the absence of this maxim, in whatever form, in any of the canonical collections.

Summarizing this section, it could be maintained that the relative rarity of clear-cut examples of common links means that it deserves no more of our attention than, at most, that given to a bizarre but uncommon phenomenon. That it nevertheless is entitled to our most painstaking scrutiny may perhaps be inferred from the observation that, during the early stages of *ḥadīth* evolution, the frequency of the common link phenomenon must have been much higher. It is because of insertions, interpolations, deletions and simplifications in *matns* that additional *isnāds* supporting these alterations became so complex and variegated that the initial *isnād* or proto-*isnād*, clearly showing up a common link, supporting the *ḥadīth* without

218. Baqiyya b. al-Walīd (d. 197/813), generally praised for his traditions from reliable masters, but taken to task for his countless traditions on the authority of unknown and weak masters, cf. Ibn Ḥajar, *Tahdhib*, 1, pp. 473–8; Ibn Sa'd, vii 2, p. 172; Ibn Hibbān, *Kitāb al-majrūhīn*, 1, p. 79.

219. Cf. Amikam Elad in an as yet unpublished paper entitled Some aspects of the Islamic traditions regarding the site of the grave of Moses.

220. Ibn al-Jawzī, *ibidem*, p. 264.

accretions was no longer separately discernible. The common link phenomenon, in other words, was buried under the accretions. How common the common link must have been, is beautifully illustrated by the *isnād* charts al-'Izzī has incorporated in his book discussed in the previous section of this chapter. These charts show more than anything else how crucial the role was played by the key figures in the *isnāds*. Regrettably, we will never be able to establish in the case of every *isnād* whether it was invented in its entirety or whether, as in the Sufyān ath-Thawrī *isnād* analysed above, it contains genuinely historical data from which provenance and chronology can be inferred. But al-'Izzī's charts prove to us what *isnāds*, and the position of the key figure(s) in them, looked like and, if nothing else, are irrefutable proof of the phenomenon of key figures, key figures who in a few isolated cases were allowed to remain undeniably responsible for certain sayings having come into circulation and they can therefore rightfully be considered at the same time also as common links.

APPENDIX I

A cross section of Ḥasan's most notorious pupils in alphabetical order

Abân b. Abi 'Ayyâsh (d. 138/756), *mawlâ*, *Tahdhîb*, I, pp. 97-101; he made Ḥasan's utterances via an *isnâd* with Anas into prophetic sayings; it is stated that a total number of 1,500 traditions were brought into circulation in this manner, cf. also Ibn Ḥibbân, *Kitâb al-majrûhîn*, I, p. 56; Shu'ba is alleged to have said: *la-an ashriba min bawli ḥimâri aḥabbu ilayya min an aqûla ḥaddathanî Abân*; Abû 'Awâna could kill him, he said, for his deceit, cf. Ibn Rajab, p. 116.

'Abbâd b. Kathîr ath-Thaqafî (d. 140-50/758-67), *Tahdhîb*, v, pp. 100ff., . . . *ḥaddatha 'ani . . . 'l-Ḥasan . . . bi 'l-mu'qilât*; see further under 'Abbâd b. Rashîd with whom he probably was confused.

'Abbâd b. Manşûr (d. 152/769), *Tahdhîb*, v, pp. 103ff.; he was *dâ'iya* of the *qadar* doctrine.

'Abbâd b. Rashîd, *mawlâ*, *Tahdhîb*, v, pp. 92f., . . . *rawâ 'ani 'l-Ḥasan qâla ḥaddathanî sab'atun mina 'ş-şahâba minhum 'Abd Allâh b. 'Umar wa-'Abd Allâh b. 'Amr wa-Abû Hurayra wa-ghayruhum fi 'l-ḥijâma wa-qad rawâ 'ani 'l-Ḥasan bi-hâdhâ 'l-isnâdi ḥadîthan (awilan aktharuhu mawqû'*.

'Abbâd b. Maysara, *Tahdhîb*, v, pp. 107f., mentioned in one breath with the three previously-mentioned 'Abbâds as 'not strong', but it is advised to copy his *ḥadîth*.

'Alî b. Zayd ibn Jud'ân (d. 129/746), *Tahdhîb*, vii, pp. 322ff., was blind and *kathîr al-ḥadîth*; he was reputed to have a bad memory, but even so his *ḥadîth* should be copied as long as it is not adduced as argument; was also a noted *raffâ'* (see p. 32, note 103 above).

'Amr b. 'Ubayd, *mawlâ* (d. 143/760), *Tahdhîb*, viii, pp. 70-5, the famous *dâ'iya* of the *qadar* doctrine is *expressis verbis* accused of having put false words into Ḥasan's mouth, cf. e.g. Ibn Ḥanbal, *'Ilal*, I, nos. 818f.; in Ṭabarî, *Ta'riḫ*, III, p. 2490, we read an enigmatic report in which 'Amr said: *Mâ kunnâ na'khudhu 'ilma 'l-Ḥasan illâ 'inda 'l-ghadâb (= à contre-cœur?)*; in Râmahurmuzî, p. 319, it is implied that . . . 'Amr 'ani 'l-Ḥasan . . . was a generally accepted indication of forgery.

'Awf b. Abî 'l-Jamîla al-A'râbî (d. 146/763); some people thought highly of him because he transmitted from Ḥasan certain reports nobody else did (*Tahdhîb*, viii, p. 167).

Bakr b. al-Aswad Abû 'Ubayda, the *zâhid*, *mawlâ*, *Lisân*, II, p. 47; Abû Nu'aym, *Ḥilya*, II, pp. 145f., Qadarite, transmitted Ḥasan's *mawâ'iz* as well as prophetic traditions via Abû Hurayra.

Al-Faql b. Dalham, *Tahdhîb*, viii, pp. 276f., sympathized with the Mu'tazila; especially his traditions from Ḥasan were frowned upon.

Ḥamza b. Dînâr, *mawlâ*, Dhahabî, *Mîzân*, I, p. 607; Ḥasan was once censured for a *qadar ḥadîth*, whereupon he said: 'It was a *maw'iza*, which they made into [an article of] faith', implying that this Ḥamza was to be held responsible for this.

Hishâm b. Ḥassân, *mawlâ* (d. 146-8/763-5), *Tahdhîb* XI, pp. 34-7; according to

Ibn 'Uyayna he was the greatest expert in traditions from Ḥasan, but others, such as Ibn Abī Shayba, Ibn al-Madīnī, Shu'ba and others did not think much of him.

Hishām b. Ziyād, *mawlā*, *Tahdhīb*, xi, pp. 38f., considered *ḍa'if*, he transmitted *mawḍū'āt* from otherwise reliable people and was thought to have transmitted *manākīr* which he reported on the authority of Ḥasan.

Hurayth b. as-Sā'ib, see *Tahdhīb*, ii, p. 234, for the *munkar* tradition he allegedly reported on Ḥasan's authority.

Ishāq b. ar-Rabī', *Tahdhīb*, i, no. 430; he transmitted a *munkar* tradition on the authority of Ḥasan listed in *Tahdhīb* but also other traditions considered *ḥasan*; *kāna shadīda 'l-qawl fi 'l-qadar*.

Ismā'il b. Muslim al-Makkī, *mawlā*?, was responsible for *manākīr* traditions which he provided with *isnāds* featuring Ḥasan 'an Samura, cf. Ibn Ḥanbal, 'Ilal, i, no. 2465.

Kathīr b. Ziyād, *Tahdhīb*, viii, p. 413, was considered to be one of Ḥasan's major pupils, but is also accused of having transmitted *maqlūbāt* on the authority of Ḥasan and the *ahl al-'Irāq*.

Khālid al-'Abd, *Lisān*, ii, p. 393; Dhahabī, *Mizān*, i, p. 649, noted forger, especially of traditions on the authority of Ḥasan.

Khālid b. Shawdhab, *Lisān*, ii, p. 378, Abū Nu'aym, *Ḥilya*, ii, p. 154, unreliable, transmitted *maqāṭī'* on Ḥasan's authority.

Mubārak b. Faḍāla, *mawlā* (d. 166/783), *Tahdhīb*, x, pp. 28–31, one of Ḥasan's most respected pupils, but the majority of critics considered him *ḍa'if*; was also known for *raf*.

Muḥammad b. 'Amr al-Anṣārī, *Tahdhīb*, ix, pp. 378, reported unusual stories (in Arabic: *awābid*) on the authority of Ḥasan. Is he the same man as as-Sumay'ī from Ibn Sa'd, iii 1, p. 215(19)?

Muḥammad b. 'Umar b. Šāliḥ, *Lisān*, v, pp. 318f., is reported to have transmitted *manākīr* from otherwise reliable transmitters, and also forged traditions on the authority of Ḥasan.

Qatāda b. Di'āma, *mawlā* (d. 127/745), *Tahdhīb*, viii, pp. 351–6, the notorious *mudallis*, a key figure in Baṣran *ḥadīth* transmission; Qadarite, allegedly one of Ḥasan's most important pupils; it is not likely that what is reported 'an Qatāda 'an Ḥasan is, in reality, Qatāda's responsibility but rather that of the transmitters in the tier above Qatāda, e.g. cf. Ibn Ḥanbal 'Ilal, i, no. 1159, Ibn Ḥibbān, *Kitāb al-majrūhīn*, i, pp. 60, 72.

Ar-Rabī' b. Barra, *Lisān*, ii, no. 1817, *dā'iya* of the *qadar* doctrine.

Ar-Rabī' b. Šabīḥ, *mawlā* (d. 160/777), *Tahdhīb*, iii, pp. 247f., often compared with Mubārak as to reliability, on the whole considered to be very weak.

Sahl (or Suhayl) b. Abī Farqad, *Lisān*, iii, p. 122, transmitted *munkar* traditions and is reported to have heard Ḥasan say that he had met 300 Companions, among whom there were seventy who had fought at Badr, and that he had heard traditions with each one of them; this obvious falsehood may well be taken as having lain at the basis of a multitude of forged sayings put into Ḥasan's mouth brought into circulation by Sahl as well as others. The many cases of disputed *samā'* may also have had their origin in remarks such as this.

Sahl b. Abī 'š-Šalt, *Tahdhīb*, iv, pp. 254f., Mu'tazilite, responsible for various *munkar* statements put into Ḥasan's mouth.

Sālim b. 'Abd Allāh al-Khayyāṭ, *mawlā*, *Tahdhīb*, iii, pp. 439f., spread traditions with the *isnād* Ḥasan–Abū Hurayra–prophet, although *samā'* from Abū Hurayra was generally considered never to have taken place.

Ṭarīf b. Shihāb, *Tahdhīb*, v, pp. 11f., transmitted highly doubtful material supported by impeccable *isnāds*.

Wāṣil b. 'Abd ar-Raḥmān (d. 152/769), *Tahdhīb*, xi, pp. 104f., his traditions from Ḥasan were disputed, otherwise held to be weak transmitter.

Yazīd b. Abān, *qāṣṣ, zāhid* (d. 110–20/728–738), *Tahdhīb*, xi, pp. 309ff., converted sayings of Ḥasan into traditions traced back via Anas to the prophet; Shu'ba was particularly vociferous in criticizing his reliability, cf. Abān b. Abī 'Ayyāsh above.

## APPENDIX II

The following list contains a sample of Anas' most notorious 'pupils', probably responsible – or people using their names – for the majority of the obviously fabricated material that goes under Anas' name:

- Abān b. Abī 'Ayyāsh (*Tahdhīb*, I, no. 174);  
'Abd al-Ḥakam b. 'Abd Allāh (*Tahdhīb*, VI, no. 216);  
'Abd al-Ḥamid b. Dīnār (*Tahdhīb*, VI, no. 227);  
Abū 'Ātika (*Tahdhīb*, XII, no. 676);  
Abū 'z-Zinād 'Abd Allāh b. Dhakwān (*Tahdhīb*, V, no. 351);  
Aḥmad b. 'Ubayd Allāh (*Lisān*, I, no. 676);  
al-'Alā' b. Zayd (*Tahdhīb*, VII, no. 327);  
'Alāq b. Abī Muslim (*Tahdhīb*, VIII, no. 357);  
'Alqama b. Abī 'Alqama (*Tahdhīb*, VII, no. 482);  
'Aṭā' b. as-Sā'ib (*Tahdhīb*, VII, no. 385);  
Bashīr b. al-Muhājir (*Tahdhīb*, I, no. 867);  
Dāwūd b. 'Affān (Ibn al-Jawzī, *Kitāb al-mawḍū'āt*, I, p. 119);  
Farqad b. Ya'qūb (*Tahdhīb*, VIII, no. 486);  
Hilāl b. Abī Hilāl (*Tahdhīb*, XI, no. 142);  
Hilāl b. Zayd (ibidem, no. 126);  
Humayd aṭ-Ṭawīl (*Tahdhīb*, III, no. 65);  
Ibrāhīm b. Hudba (*Lisān*, I, no. 370; he lived until 200 A.H.);  
'Isā b. Tahmān (*Tahdhīb*, VIII, no. 398);  
Iyās b. Mu'āwiya (*Tahdhīb*, I, no. 720);  
Kathīr b. 'Abd Allāh (*Tahdhīb*, VIII, no. 746);  
Kathīr b. Sulaym (ibidem, no. 745);  
Khālid b. 'Ubayd (*Tahdhīb*, III, no. 191);  
Khuṣayf b. 'Abd ar-Raḥmān (*Tahdhīb*, III, no. 275);  
Maṭar b. Maymūn (*Tahdhīb*, X, no. 320);  
Maṭar al-Warrāq (ibidem, no. 316);  
Muḥammad b. Juḥāda (*Tahdhīb*, IX, no. 120);  
Muḥammad b. Tamīm (Ibn al-Jawzī, *Kitāb al-mawḍū'āt*, I, p. 135);  
al-Mukhtār b. Filfil (*Tahdhīb*, X, no. 118);  
Mūsā b. 'Abd Allāh aṭ-Ṭawīl (*Lisān*, VI, no. 424);  
Nāfi' b. Hurmuz (ibidem, no. 512);  
an-Naḥhās b. Qahm (*Tahdhīb*, X, no. 863);  
Nufay' b. al-Ḥārith (*Tahdhīb*, X, no. 847);  
Qatāda b. Dī'āma (*Tahdhīb*, VIII, no. 635);  
Sharīk b. 'Abd Allāh an-Nakha'ī (Ibn Ḥibbān, *K. al-majrūḥīn*, I, p. 59);  
'Umar b. 'Abd Allāh (*Tahdhīb*, VII, no. 783);



- 'Uthmān b. 'Āṣim (ibidem, no. 269);  
'Uthmān b. Sa'd (ibidem, no. 253);  
'Uthmān b. 'Umayr (ibidem, no. 292);  
Yaḥyā b. Abī Kathīr (*Tahdhīb*, xi, no. 539);  
Yazīd b. Abān (ibidem, no. 597);  
Yazīd b. Ibrāhīm (ibidem, no. 598);  
Zayd b. al-Hawārī (*Tahdhīb*, iii, no 746);  
Ziyād b. 'Abd Allāh (*Tahdhīb*, iii, no. 687);  
Ziyād b. Maymūn (*Lisān*, ii, no. 1955).

### APPENDIX III

In the following list the earliest *qādīs* are enumerated under the provinces or urban areas where they allegedly held office. The geographical names are arranged in alphabetical order and in each centre the *qādīs* are listed in roughly chronological order (in as far as this could be ascertained). It will be noticed that sometimes also judges who lived during the second half of the third/ninth century will be listed, this in contrast to the procedure followed in Chapter 2. I thought it better at times to include a late judge than no judge at all. The circumstances of these late judges may, after all, give an idea of how their predecessors (if any) had gone about their business.

I certainly do not claim that I unearthed all the *qādīs* to be found in the sources, but I did find a great many more than in the admirable study on the development of the Shāfi'ite *madhhab* which claims to include also many of the earliest judges belonging to other *madhāhib* (Heinz Halm, *Die Ausbreitung der šāfi'itischen Rechtsschule von den Anfängen bis zum 8./14. Jahrhundert*, Wiesbaden 1974, in *Beihefte zum Tübinger Atlas des vorderen Orients*, Reihe B, no. 4, henceforth quoted as Halm). It will appear that I have even been fortunate in locating *qādīs* for cities that are not even listed in Halm.

If a *qādī* allegedly held office in more than one centre, he is listed under the name of the city or the region that comes first in the alphabetical order, irrespective of the fact whether it was there that he was first appointed. In such cases under the other centre(s) a reference will be found to the first. Sometimes I have not deemed it necessary to list any *qādīs* at all, when I thought that merely a reference to Halm or suchlike sources would suffice.

Whenever possible or relevant, I shall give references to Wakī', Halm, the *Ta'rikkh Baghdād*, Ibn Ḥajar's *Tahdhīb* or *Lisān* and/or Ibn Sa'd's *Ṭabaqāt*, and I shall summarize the most important features listed there in connection with the judges' preoccupation with *ḥadīth*.

#### ABĪWARD

'Abd ar-Raḥmān b. Muḥammad b. 'Alawayh (d. 342/953), also *qādī* in Ṭūs and Bukhārā; late but very important judge; he used to fit fictitious *isnāds* to the *matns* he had at his disposal; he transmitted forgeries and was blamed for that, although nobody in Hamadhān, where he was staying at the time, had sufficient knowledge to distinguish true from false; *Lisān*, III, p. 430.

#### 'ADAN

al-Hakam b. Abān al-'Adanī (d. 154/771), *thiqa*, *ṣāliḥ*, *ṣāhib sunna*; according to Abū Makhrama, *Kitāb ta'rikkh thughr 'Adan*, ed. O. Löfgren, there were no other

*qādīs* in the earlier period; al-Ḥakam is, at least, the only one mentioned, p. 64; cf. also al-Ja'dī, *Ṭabaqāt fuqahā' al-Yaman*, p. 66, *Tahdhīb*, II, pp. 423f.

#### AHWĀZ

Ash'ath b. Sawwār, *mawlā* (d. 136/754), generally held to be a weak transmitter; cf.

Wakī', III, p. 320, *Tahdhīb*, I, pp. 352ff., Ibn Sa'd, VI, p. 249.

Sālim b. Abī Sālim, held office under 'Umar II; wrote his sentences down; cf. Wakī', III, p. 320.

Hudba b. al-Minhāl; cf. Wakī', III, p. 320.

'Amr b. al-Walīd al-Aghḍaf (fl. 178/794), he directed the Ahwāzīs' attention to the *sunna*, 'hopefully' there was nothing wrong with his traditions; cf. Wakī', III, p. 320, *Lisān*, IV, p. 378.

Ibn Musallih; cf. Wakī', III, p. 320.

'Amr b. an-Naḍr al-Bazzār (fl. 196/812); cf. Wakī', III, p. 320.

'Alī b. Rūh (or Rawḥ); Wakī', III, p. 320.

Isrā'īl b. Muḥammad Abū Tammām; Wakī', III, p. 320.

Yaḥyā b. 'Abd ar-Rahmān al-Arḥabī, no great master in *ḥadīth* but reliable enough; cf. Wakī', III, p. 320, *Tahdhīb*, XI, p. 250.

Muḥammad b. 'Umar b. Hayyāj (d. 255/869), *thiqa*, harmless transmitter; Wakī', III, p. 320, *Tahdhīb*, IX, pp. 362f.

Muḥammad b. Manṣūr; cf. Rāmahurmuzī, *Al-muḥaddith al-fāsil*, p. 530, Wakī', III, pp. 317f.

Mūsā b. Ishāq Abū Bakr al-Khaṭmī (d. 297/910), also *qādī* in Rayy; the people used to write down many of his traditions; cf. *Ta'rikh Baghdād*, XIII, pp. 52ff., Halm, p. 154.

#### 'AMMĀN

'Umar b. Ḥafṣ (fl. 150/767), also *qādī* in Balqā', nothing much known about him, at times confused with Ḥafṣ b. 'Umar (cf. under ḤALAB); cf. *Lisān*, IV, p. 300.

#### ANBĀR

al-'Alā' b. Hārūn, *layyin*, *muḍṭarib al-ḥadīth*; cf. Wakī', III, p. 318, *Lisān*, IV, pp. 186f.

#### ANṬĀKIYA

Sallām b. Razīn (fl. 160/777), his traditions considered null and void, transmitted from al-A'mash; cf. *Lisān*, III, p. 57.

'Umar b. Ṣadaqa; cf. Wakī', III, p. 220.

#### ARMĪNIYĀ

al-Hārith b. 'Amr al-Asadī, held office under 'Umar II; cf. Wakī', I, p. 264.

'Alī b. Mushir (d. 189), also *qādī* of Mawṣil, collected *ḥadīth* and *fiqh*, generally held to be reliable; cf. Ibn Sa'd, VI, p. 270, Wakī', III, pp. 219f., *Tahdhīb*, VII, pp. 383f.; according to al-Azdī, *Ta'rikh Mawṣil*, p. 248, he was in office from 167/784 to 175/791 under al-Mahdī; he was the successor of Yaḥyā Abū Kurz; Halm, p. 190.

#### ASWĀN (AL-QULZUM)

Aḥmad b. Marwān al-Mālikī ad-Dīnawarī (d. 333/944), forged *ḥadīth*, but was otherwise also known as *thiqa*, *kathīr al-ḥadīth*; cf. *Lisān*, I, no. 931.

#### BA'LBAKK

al-'Abbās b. Nu'aym al-Awzā'ī, held office under 'Umar II; cf. Wakī', I, p. 264.

## BALKH

- 'Umar b. Maymūn (d. 191/807; according to Ibn Abi 'l-Wafā', *Al-jawāhir al-muḍī'a*, I, no. 1105; 171/787), was judge for more than 20 years and was famous for his *ḥilm* and vast knowledge; cf. *Tahdhīb*, VII, pp. 498f., Halm, p. 74.
- al-Ḥakam b. 'Abd Allāh Abū Muṭī' al-Balkhī (d. 199/815), very important judge and *faqīh*; although he transmitted traditions which he claimed to have heard with numerous famous masters, he hated the *sunna* and much preferred Abū Ḥanifa's *ra'y*; committed plagiarism and fabricated *ḥadīths*; was leading Murjī'ite; cf. *Lisān*, II, pp. 334ff., Ibn Sa'd, VII 2, p. 105, Halm, pp. 73f., *Ta'rikh Baghdād*, VIII, pp. 223ff., Nagel, *Rechtleitung*, pp. 343f.
- Abū 'Alī Ishāq b. Ibrāhīm (fl. 180/796), no *tarjama* on him could be found in any of the major sources; he is only mentioned in passing in *Tahdhīb*, VI, p. 460.

## BALQĀ' (cf. also 'AMMĀN)

- Khālid b. Yazīd b. Šālih (d. 167/784), *thiqa*, no objections to his *ḥadīth*; cf. *Tahdhīb*, III, p. 125f.

## BUKHĀRĀ (cf. also ABĪWARD)

- al-Haytham b. Abi 'l-Haytham (fl. 150/767), there seemed to be confusion with four other people with that name; cf. *Tahdhīb*, XI, pp. 99f.
- For a list of other *qāḍīs* of Bukhārā, see Narshakhī, *The history of Bukhara*, pp. 4ff.

## DĪNĀWAR

- 'Amr b. Ḥamid (fl. 190/806), a liar who forged traditions; cf. *Lisān*, IV, p. 362.

## FĀRS

- az-Zubayr b. 'Adī (d. 131/749), *thiqa*, *ṣāhib sunna*, also *qāḍī* of Rayy; he once asked for a miracle and was granted one; cf. Waki', III, p. 318, Ibn Abi Ḥātim, *Taqdima*, pp. 80f, 83, *Tahdhīb* III, p. 317, Ibn Sa'd, VI, p. 230.
- Muḥammad b. Ibrāhīm (d. 182/798), *mawlā*, *thiqa*, intelligent, *Tahdhīb*, IX, no. 16.

## FILASTĪN

- 'Ubāda b. aṣ-Šāmit, cf. Ibn Bāṭīsh, II, p. 263; Abū Zur'a, *Ta'rikh*, p. 205.
- an-Naḍr b. Maryam, held office under 'Umar II; cf. Waki', I, p. 264.
- 'Abd Allāh b. Mawhab, also under 'Umar II, *thiqa*, *majhūl*, someone allegedly rather died than submit to his jurisdiction; Waki', III, pp. 213f., *Tahdhīb*, VI, p. 47.
- Ayyūb b. Bashīr b. Ka'b (d. 119/737), *majhūl*; cf. *Tahdhīb*, I, p. 397.
- 'Abd ar-Raḥmān b. Ibrāhīm Duḥaym (d. 245/859), *mawlā*, also *qāḍī* in Urdunn and Tabariyya; later he became *qāḍī 'l-quḍāt* in Egypt; reasonably reliable; cf. Ibn Abi Ḥātim, *Taqdima*, p. 361, Dhahabī, *Tadhkirat al-ḥuffāz*, II, p. 480, *Tahdhīb*, VI, pp. 131f.

## ḤĀLAB

- Ḥaṣṣ b. 'Umar (fl. 150/767), transmitted forgeries from reliable transmitters; cf. *Lisān*, II, pp. 326f., Ibn Ḥibbān, *Kitāb al-majrūhīn*, I, p. 17.
- al-Ḥusayn b. 'Abd ar-Raḥmān (fl. 220/835), *thiqa* but not an important transmitter; cf. *Tahdhīb*, II, p. 343.
- 'Abd as-Salām b. 'Abd ar-Raḥmān (d. 247/861), *qāḍī* of Raqqa but possibly also of Halab and Harrān; his *ḥadīths* were thought to be *munkar*, but he also received the predicate *ṣālih*; cf. Waki', III, pp. 277f., *Tahdhīb*, VI, pp. 322f.

## HAMADHĀN (see also QAZWĪN)

- al-Qāsim b. al-Ḥakam (d. 208/823), *thiqa* but not free from mistakes; his traditions containing *manākīr*, they could not be adduced as arguments; cf. Halm, p. 141, *Tahdhīb*, viii, pp. 311f.
- 'Abd Allāh b. Muḥammad b. Abī 'l-Aswad (d. 223/838), generally considered a reliable transmitter, but his material from Abū 'Awāna was weak; cf. *Tahdhīb*, vi, p. 6.
- Aṣram b. Hawshab (fl. 225/840), a wicked liar who spread fabricated traditions on the authority of *thiqāt*; he tinkered with Zuhri *isnāds*, but his material was nevertheless sometimes copied; cf. Ibn Sa'd, vii 2, p. 110, *Lisān*, i, pp. 461f.
- Aḥmad b. Badīl (d. 258/872), made some mistakes in his otherwise slight tradition material, also *manākīr* ascribed to him; cf. Halm, p. 176 (as *qāḍī* of Kūfa only), *Tahdhīb*, i, pp. 17f., *Ta'riḫ Baghdad*, iv, pp. 49-52, Wakī', iii, pp. 196ff.
- 'Abbās b. Yazīd (d. 258/872), some critics held him to be strictly reliable, others considered him a liar; cf. *Tahdhīb*, v, pp. 134ff.
- Ismā'il b. al-Ḥakam (fl. 250/864), was judge during al-Wāthiq; his traditions were of passing reliability (expressed by the term *ṣuwayliḥ*) and he was known for his Shī'ite tendencies; cf. *Lisān*, i, p. 398.

## HARĀT

- Musha'ith b. Ṭarīf (fl. 70/689), no older *qāḍī* known in all of Khurāsān except Yahyā b. Ya'mar (cf. Marw); was considered to be an outstanding judge, but of his traditions only one is known; cf. *Tahdhīb*, x, p. 156.
- Zayd b. al-Ḥawārī, *mawlā* (fl. 110/728), is reputed to have transmitted fabricated traditions on the authority of Anas b. Mālik, was therefore considered weak and his *ḥadīth* could not be adduced as argument; cf. Ibn Sa'd, vii 2, p. 9, *Tahdhīb*, iii, pp. 407ff.
- Mālik b. Sulaymān al-Harawī (fl. 160/777), weak, transmitted *manākīr*, made mistakes and was Murji'ite; cf. *Lisān*, v, p. 4.

## ḤARRĀN (see also ḤALAB)

- Khaffāb b. al-Qāsim (fl. 120/738), *munkar al-ḥadīth*, weak; cf. *Tahdhīb*, iii, pp. 146f.
- Yūnus b. Rāshid (fl. 130/748), propagandist for the Murji'ites, but his traditions were deemed reliable enough to be copied; cf. *Tahdhīb*, xi, p. 439.
- 'Uthmān b. 'Amr b. Sāj (fl. 140/757), also *qāḍī* of the Jazīra; *mawlā* of the Umayyads; his traditions were not trusted; cf. *Tahdhīb*, vii, no. 291.
- Muḥammad b. 'Abd Allāh b. 'Ulātha (d. 168/784); his traditions were said to show his mendacity, but he was also thought of as *thiqa*; he later became *qāḍī* in Bagdad, cf. *Tahdhīb*, ix, no. 446.
- Ziyād b. 'Abd Allāh b. 'Ulātha (fl. 168/784), succeeded his brother Muḥammad in office; one reliable tradition is traced to him in which the prophet invokes God's wrath upon locusts; cf. *Tahdhīb*, iii, pp. 377f.
- Sulaymān b. 'Abd Allāh b. 'Ulātha, is credited with only a few traditions but was skilled improviser; cf. Wakī', iii, pp. 217ff., Ibn Sa'd, vii 2, p. 181.
- Muḥammad b. 'Ubayd Allāh b. Yazīd, *mawlā* (d. 268/881), was not a strong traditionist; cf. *Tahdhīb*, ix, p. 325.
- Ibn Abī 'Umayra, totally unknown figure, cf. Wakī', iii, p. 216.

## ḤIMṢ

- 'Abd ar-Rahmān b. Abī 'Awf (fl. 60/680), Successor, *thiqa*, *majhūl*; cf. Wakī', iii, p. 213, *Tahdhīb*, vi, p. 246.

- 'Imrān b. Sulaym (fl. 100/718), allegedly excellent *qāḍī*, only listed in Bukhārī, *At-ta'rikh al-kabīr*, III 2, no. 2818, and Ibn Abī Ḥātim, *Al-jarḥ wa 't-ta'dīl*, III 1, p. 299.
- 'Abd al-A'lā b. 'Adī al-Bahrānī (d. 104/722), unknown Successor, cf. *Tahdhīb*, VI, p. 97.
- Yahyā b. Jābir (d. 126/744), *thiqa*, but only a limited number of *ḥadīth*s is traced to him; cf. Wakī', III, p. 213, Ibn Sa'd, VII 2, p. 164, *Tahdhīb*, XI, p. 191.
- Asad b. Waḍā'a (d. 136/754), insignificant Successor, transmitted traditions on the authority of Abū 'd-Dardā', cursed 'Alī; Nasā'ī deemed him reliable; cf. Abū 'l-Qāsim, *Qabūl al-akhbār*, p. 175, Ibn Sa'd, VII 2, p. 166, *Lisān*, I, p. 385, Ya'qūb b. Sufyān al-Fasawī, *Ma'rifa*, I, p. 117.
- 'Umar b. Ḥubaysh (fl. 140/757), unorthodox in his transmission of *ḥadīth*, Wakī', III, p. 213.
- al-Ḥārith b. Muḥammad (fl. 140/757); cf. Wakī', III, p. 213.
- Ibn Qunbul b. Kathīr Abū 'l-Ma'shaq (?) (fl. 140/757); cf. Wakī', III, p. 209.
- Muḥammad b. al-Walīd b. 'Āmir (d. 148/765), very much favoured among Zuhri's pupils, one of the most learned people of his time in *fatwā* and *ḥadīth*, also a great *faqīh*, but his reliability remained a matter of doubt; cf. Ibn Sa'd, VII 2, p. 169, *Tahdhīb*, IX, pp. 502f.
- an-Naḍr b. Shufayy (v.l. an-Naṣr), held office under the early 'Abbāsids; was thought to be a *kadhhdhāb*, cf. *Lisān*, VI, pp. 161f.; in Wakī', III, p. 209, he is mentioned in an *isnād* supporting a statement attributed to 'Umar b. al-Khaṭṭāb.
- al-Ḥārith b. 'Ubayda (d. 186/802), weak, unreliable; cf. *Lisān*, II, p. 154.
- Khālid b. Khalī (fl. 197/813), of average reliability; cf. *Tahdhīb*, III, p. 86.
- al-Ḥasan b. Mūsā al-Ashyab (d. 209/824), reliable transmitter, also *qāḍī* in Mawṣil from 199 to 206 and after that in Ṭabaristān; cf. Azdī, *Ta'rikh Mawṣil*, p. 335, Ibn Sa'd, VII 2, p. 79, *Tahdhīb*, II, p. 323.

### ḤĪRA

- Yahyā b. Sa'īd al-Anṣārī (d. 144/761), the famous *faqīh*, reliable traditions, some *tadlīs*, cf. *Tahdhīb*, XI, p. 223.
- HĪT (township on the Euphrates near Anbār, cf. Yāqūt, *Mu'jam al-buldān*, IV, pp. 997f.)
- al-Qāsim b. Mihrān (sometimes confused with al-Qāsim b. Bahrām); cf. *Tahdhīb*, VIII, p. 339 but also *Lisān*, IV, no. 1417.

### ḤULWĀN (Iraq)

- 'Amr b. Jamī' (fl. 160/777), wicked liar, transmitted fabricated traditions in the mosque; cf. *Ta'rikh Baghdād*, XII, pp. 191f., *Lisān*, IV, pp. 358f.
- Muḥammad b. 'Abd Allāh b. al-Mubārak (d. 254/868), very reliable; cf. *Tahdhīb*, IX, pp. 272ff.

### IFRĪQIYĀ

- Abū 'Alqama (fl. 60/680), a *mawlā* of Ibn 'Abbās; was good *faqīh* and allegedly related reliable traditions; cf. *Tahdhīb*, XII, no. 817.
- 'Abd ar-Rahmān b. Rāfi' (d. 113/731), *faqīh* sent by 'Umar II to instruct the people, transmitter of *manākīr* traditions; cf. Abū 'l-'Arab, *Ṭabaqāt 'ulamā' Ifriqiyyā*, p. 233, *Tahdhīb*, VI, pp. 168f.
- 'Abd Allāh b. al-Mughīra b. Abī Burda; cf. Abū 'l-'Arab, p. 234.
- Ismā'il b. 'Ubayd Allāh b. Abī 'l-Muhājir, *mawlā* (d. 131/749), *qāḍī* under 'Umar II, converted the Berbers, was also governor of the region which in those days was a function combined with that of *qāḍī*; was wholly reliable in his *ḥadīth* according to

- the critics; *faqih*; cf. Wakī', I, p. 264, Abū 'l-'Arab, p. 20, *Tahdhīb*, I, pp. 317f., Ibn Sa'd, v, p. 251.
- Khālid b. Abī 'Imrān at-Tujībī, *mawlā* (d. 125/743), *faqih* and *muftī*, did allegedly not commit *tadlīs* and was 'hopefully' a *thiqa*; cf. Abū 'l-'Arab, pp. 245ff., *Tahdhīb*, III, pp. 110f., Ibn Sa'd, VII 2, p. 207.
- Yazīd b. at-Tufayl at-Tujībī; cf. Abū 'l-'Arab, p. 234.
- 'Abd ar-Rahmān b. Ziyād Ibn An'um, Successor (d. 156/773), *da'if*, *munkar*, traced his traditions back to the prophet without much to-do, committed *tadlīs*; cf. Wakī', III, p. 215, Abū 'l-'Arab, p. 234, *Tahdhīb*, VI, pp. 173-6.
- Māti' b. 'Abd ar-Rahmān ar-Ru'aynī; cf. Abū 'l-'Arab, p. 234.
- 'Abd ar-Rahmān b. Kurayb, pious and reliable; cf. Abū 'l-'Arab p. 234.
- 'Abd Allāh b. Farrūkh (d. 175/791), was only for a short time in office, very pious, but spread *manākīr* traditions, also suspected of Qadarite sympathies; cf. Abū 'l-'Arab, p. 235, *Tahdhīb*, v, pp. 356f.
- 'Abd Allāh b. 'Umar b. Ghānim (d. 190/806), *faqih*, but generally considered a weak transmitter; transmitted material allegedly from Mālik, which Mālik had never been known for; he misused the golden *isnād*: Mālik - Nāfi' - Ibn 'Umar - prophet; was thought of as an upright judge; cf. Abū 'l-'Arab, p. 235, *Tahdhīb*, v, pp. 331f.
- Asad b. Furāt (d. 213/828); cf. Abū 'l-'Arab, p. 235, *faqih*, *sālih*, Yāqūt, *Buldān*, III, p. 407.
- Muḥammad b. 'Abd Allāh Abū Muḥriz; cf. Abū 'l-'Arab, p. 235.
- Aḥmad b. Abī Muḥriz; cf. Abū 'l-'Arab, p. 235.

### İŞFAHĀN

See Halm, p. 149 and the reference quoted there to Abū Nu'aym's *Akhbār İşbahān*.

JABBUL (on the Tigris near Wāsiṭ, cf. Yāqūt, *Mu'jam al-buldān*, II, p. 23)

'Abd ar-Rahmān b. Mushir, notorious figure, generally believed to be simple-minded; he used to praise himself, because the people refused to do so; when he was dismissed from his post through the machinations of Abū Yūsuf, he spread the word around that Abū Yūsuf had the same *kunya* as the Dajjāl; cf. Wakī', III, pp. 317f., *Lisān*, III, pp. 437ff.

### JAZĪRA (see also HARRĀN)

Maymūn b. Mihrān (d. 116/734), *mawla*, held office under 'Umar II, *thiqa*, but only a few traditions, cf. *Tahdhīb*, x, pp. 390ff., Ibn al-Jawzī, *Sirat 'Umar b. 'Abd al-'Azīz*, p. 99.

'Adīb. 'Adīb. 'Amīra (d. 120/738), *qādī* during the reign of 'Umar II, *faqih*, known for his ascetic disposition and 'hopefully' *thiqa*; cf. Wakī', I, p. 264, Rāmahurmuzī, p. 244, Ibn Sa'd, VII 2, p. 179, *Tahdhīb*, VII, pp. 168f.

Ismā'il b. Muslim al-'Abdī (fl. 110/728), *thiqa*, credited with some 40 *ḥadīths*; cf. Ibn al-Madīnī, *Ilal*, p. 69, *Tahdhīb*, I, p. 331.

'Abd Allāh b. Muḥarrar (d. between 150 and 160/767-777), liar, a weak traditionist; transmitted from Zuhri, Qatāda and others *manākīr* traditions; cf. Ibn Sa'd, VII 2, p. 181, *Tahdhīb*, v, pp. 389f.

Khuzaym b. Abī 'Amra; cf. Wakī', III, p. 217.

Shurayḥ b. 'Abd Allāh; cf. Wakī', III, p. 220.

JUNDAYSĀBŪR (a city in Khūzistān of which Yāqūt found hardly a trace, cf. *Mu'jam al-buldān*, II, p. 130)

Shu'ayb b. Ayyūb (d. 261/875), also *qādī* in Wāsiṭ (cf. Halm, p. 179), made mistakes, committed *tadlīs*, *manākīr* attributed to him; cf. *Tahdhīb*, IV, p. 348.

JURJĀN (see Halm, pp. 125f., for more *qādīs* than listed here)

'Abīda (not 'Ubayda as in Halm, p. 125) b. Rabī'a, a Successor who transmitted traditions from Ibn Mas'ūd; cf. Sahmī, *Ta'rikh Jurjān*, p. 238, *Tahdhīb*, vii, p. 83, Ibn Sa'd, vi, p. 139.

'Awwād b. Nāfi', also a Successor who allegedly transmitted from Ibn Mas'ūd; cf. Sahmī, pp. 240f., Halm, p. 125.

Bukayr b. Ja'far, transmitted *manākīr* from well-known traditionists, considered unreliable therefore; cf. Sahmī, pp. 127f., Halm, p. 125, *Lisān*, ii, p. 61.

'Anbasa b. al-Azhar Abū Yahyā (fl. 140/757), made mistakes and therefore his traditions were not adduced as arguments; transmitted from among others Abū Ishāq as-Sabī'i; cf. Sahmī, p. 239, *Tahdhīb*, viii, pp. 153f.

'Amr b. al-Azhar al-'Atakī (fl. 150/767), liar and weak transmitter, fabricated *ḥadīth*; is astonishingly enough not listed in Sahmī; cf. *Lisān*, iv, pp. 353f.

'Abd al-Karīm b. Muḥammad al-Jurjānī (d. 175/791), famous Murji'ite, fled to Mecca for judgeship; cf. Sahmī, pp. 196ff., *Tahdhīb*, vi, pp. 375f.

'Affān b. Sayyār al-Bāhili (d. 181/797), was not known for a great number of *ḥadīths*; cf. *Tahdhīb*, vii, pp. 229f., Halm, p. 126, Sahmī, pp. 239f.

### JŪZAJĀN

'Abd Allāh b. 'Uthmān 'Abdān, *mawlā* (d. 221/836), hated his office and used tricks until he was deposed, *thiqa*, was *imām* of the *muḥaddithūn* of his region; cf. *Tahdhīb*, v, pp. 313f.

### KHURĀSĀN

'Abd Allāh b. Burayda (d. 115/733), also *qādī* of Marw, *yaṭūfu 'l-qurā yaqḍī bayna 'n-nās*, many claims of *samā'* doubted, *ḍa'if*, *munkar*; cf. Wakī', i, pp. 14f., iii, p. 306, *Tahdhīb*, v, pp. 157f.

al-Jarrāḥ b. 'Abd Allāh, *qādī* under 'Umar II, was also governor and *'āmil*; cf. Wakī', i, p. 264, Ibn Sa'd, v, p. 251 and p. 285.

'Isā b. al-Musayyab al-Bajalī (fl. 140/757), also *qādī* of Kūfa, weak transmitter who made so many mistakes that his traditions were no longer adduced as arguments, but is also thought of as a fair transmitter; cf. Wakī', iii, p. 22, *Lisān*, iv, p. 405, Ibn Sa'd, vi, p. 241.

### KHWĀRIZM

Ibrāhīm b. Bayṭār (fl. 150/767), doubtful transmitter of *manākīr* traditions; cf. *Lisān*, i, pp. 41f.

'Abd Allāh b. Abī 'l-Qāḍī al-Khwārizmī (fl. 220/835), cf. *Tahdhīb*, v, no. 241, seems an unknown figure.

### KIRMĀN

Ḥassān b. Ibrāhīm (d. 186/802), not a very strong but harmless transmitter of many *afrād* traditions; cf. *Tahdhīb*, ii, pp. 245f.

Hāmid b. 'Umar (d. 233/848), *thiqa*; cf. *Tahdhīb*, ii, p. 169.

### MADĀ'IN

Jabr b. al-Qash'am; cf. Wakī', ii, pp. 184f.

'Āṣim b. Sulaymān al-Aḥwal, *mawlā* (d. 142/759), Successor from Baṣra, famous for the great number of traditions he transmitted, *thiqa*, one of the four *ḥuffāz*, was also overseer of the markets (*muḥtasib*); cf. Wakī', iii, p. 304, Ibn Sa'd, vii 2, p. 20, *Ta'rikh Baghdād*, xii, pp. 243-7, *Tahdhīb*, v, pp. 42f.



- Ḥammād b. Dulayl (fl. 160/777), was a follower of Abū Ḥanīfa's *ra'y*, was not considered a traditionist because he had only two; cf. Wakī', III, p. 304, *Ta'rikh Baghdād*, VII, pp. 151ff., *Tahdhīb*, III, p. 8.
- Yahyā b. Zakariyyā' b. Abī Zā'ida (d. 182-4/798-800), *mawlā*, was the first traditionist in Kūfa to compile a written collection, considered a good *faqīh*, was like a perfumed bride in *ḥadīth*, cf. *Tahdhīb*, XI, no. 349, *Ta'rikh Baghdād*, XIV, pp. 114ff.
- Muḥammad b. Yazīd b. Muḥammad b. Kathīr (d. 248/862), weak transmitter, Qur'ān scholar; cf. *Tahdhīb*, IX, pp. 526f.
- Ism'īl b. Muḥammad b. Abī Kathīr (fl. 282/895); cf. *Tahdhīb*, I, p. 330.

## MARW (see also KHURĀSĀN)

- Yahyā b. Ya'mar (d. 129/747), Successor from Baṣra, *faqīh*, grammarian, *thiqa*, traveled from place to place holding court on the back of a donkey; cf. Wakī', III, p. 305, Ibn Sa'd, VII 2, p. 101, *Tahdhīb*, XI, pp. 305f.
- Abū Manāzil ibn ukht 'Amr, cf. Abū Zur'a, *Ta'rikh*, p. 207.
- 'Amr b. Sālim Abū 'Uthmān (fl. 100/718), most people held him to be reliable; cf. Wakī', III, pp. 306f., *Tahdhīb*, XII, pp. 162f.
- Muḥammad b. Zayd b. 'Alī (fl. 110), inconspicuous transmitter; cf. *Tahdhīb*, IX, p. 173.
- 'Abd Allāh b. Muslim as-Sulamī, *mawlā* (fl. 110/728), his traditions were written down but could not be adduced as arguments because he was known to make mistakes; cf. *Tahdhīb*, VI, p. 30.
- Ya'qūb b. al-Qa'qā' (fl. 120/738), *thiqa*; cf. Ibn Sa'd, VII 2, p. 103, *Tahdhīb*, XI, pp. 393f., Raddatz, *Die Stellung und Bedeutung des Sufyān al-Ṭaurī* etc., p. 13.
- Muḥammad b. Thābit(?), cf. Abū Zur'a, *Ta'rikh*, p. 207, p. 560.
- al-Ḥusayn b. Wāqid, *mawlā* (d. 159/776) when he administered justice he was sometimes known to make mistakes; Ibn Ḥanbal disliked his *ḥadīth* and suspected unpermissible additions, but could not pinpoint them; on the whole a fair transmitter; cf. Wakī', III, p. 306, Ibn Sa'd, VII 2, p. 104, *Tahdhīb*, II, pp. 373f.
- 'Abd al-Mu'min b. Khālid (fl. 140/757), harmless transmitter; cf. *Tahdhīb*, VI, pp. 432f.
- Yūnus b. Nāfi' (d. 159/776), the first master of Ibn al-Mubārak; he sometimes made mistakes; cf. *Tahdhīb*, IX, p. 449.
- Nūḥ b. Abī Maryam, *mawlā* (d. 173/789), colourful figure, liar, fabricated traditions; committed *tadlis* on the authority of Zuhrī; a *Kitāb faḍā'il al-qur'ān* full of forged *ḥadīth* is ascribed to him; cf. Halm, p. 88, Ibn Sa'd, VII 2, p. 104, Gruber, *Verdienst und Rang. Die Faḍā'il* etc., pp. 88f., *Tahdhīb*, X, pp. 486ff.
- Muḥammad b. Ishāq b. Rāhawayh (d. 294/907), also *qāḍī* of Nisābūr, he did not meet with general approval as a judge, but his *ḥadīth* was deemed reliable; cf. *Lisān*, V, pp. 65f.

## MAṢṢĪṢA

- Bishr b. al-Mundhir (fl. 180/796), reasonably reliable; cf. *Lisān*, II, p. 34.
- Mūsā b. Dāwūd aḍ-Ḍabbī (d. 217/832), also *qāḍī* of Ṭarasūs, Tustar and the *thughūr*; in spite of occasional confusion a reliable transmitter, *ṣāhib ḥadīth*, ascetic life-style, wrote books; cf. Wakī', III, p. 321, Ibn Sa'd, VII 2, p. 85, Ibn Abī Ḥātim, *Taqdima*, pp. 30, 323, *Tahdhīb*, X, pp. 342f.
- Dāwūd b. Maṣṣūr (d. 223/838), *thiqa* but there was doubt about some of his traditions; cf. *Tahdhīb*, III, pp. 202f.
- Hārūn b. 'Abd Allāh b. Muḥammad az-Zuhrī (fl. 230/845), one of the *fuqahā'* among the adherents of Mālik, learned in controversies concerning Mālik's utterances;

was also *qādī* in Raqqa and Bagdad; cf. Waki', III, pp. 273-7, *Ta'rikh Baghdād*, XIII, pp. 13f., *Lisān*, VI, p. 180.

'Alī b. Muḥammad b. 'Alī (fl. 275/888), *thiqa*; cf. *Tahdhīb*, VII, pp. 380f.

#### MAWṢIL (cf. also ARMĪNIYĀ, HIMS)

Yahyā b. Yahyā b. Qays (d. 133/751), in Azdī, *Ta'rikh Mawṣil*, p. 3, only mentioned as *'āmil* and *amīr*, learned in *fatwā* and jurisdiction, *faqīh*, transmitter of only a limited number of *ḥadīths*; held office under 'Umar II; cf. Waki', I, p. 264, Ibn Sa'd, VII 2, p. 169, *Tahdhīb*, XI, pp. 299f.

Ma'mar b. Muḥammad, *mawlā* (d. 145/762), a few traditions from Mawṣil, *faqīh*; cf. Azdī, p. 173.

'Abd Allāh b. Idrīs b. Qādim, *mawlā* (fl. 145/762); cf. Azdī, p. 145.

al-Ḥārith b. al-Jārūd (fl. 147/764), nothing known about him; cf. Ibn Ḥanbal, *'Ilal*, I, no. 1770, *Lisān*, II, p. 148, Azdī, p. 199; for quotations from his writings, see *ibidem*, index s.n.

Bakkār b. Shurayḥ al-Khawlānī, judge from 153 to 163 (770-80); cf. Azdī, p. 217.

'Abd al-Ḥamīd b. Abī Rabāḥ, judge between 160/777 and 162/779; cf. Azdī, pp. 237, 239.

Yahyā b. 'Abd Allāh b. Kurz, judge in 163/780; for his successor, see under Armīniyā, seemingly confused with one 'Abd Allāh b. 'Abd al-Malik b. Kurz (cf. *Lisān*, III, no. 1289) whose Zuhri traditions did not even look like those from *thiqāt*; cf. Azdī, p. 244.

'Abbās b. al-Faḍl (d. 186/802), held office during the reign of Hārūn, weak transmitter whose mendacity made people keep aloof from him, cf. *Tahdhīb*, V, pp. 126f.

Ismā'īl b. Ziyād ad-Du'alī, judge from 175/791 to 181/797, *munkar al-ḥadīth*, some confusion as to his true identity, weak transmitter; cf. Azdī, p. 274, *Tahdhīb*, I, pp. 298-301.

'Abd Allāh b. al-Khaḥīl, judge from 181-95(?) (797-810), his conduct was disapproved of; cf. Azdī, pp. 288, 312.

'Amr b. Mihrān, judge from 195 to 197/811-13; cf. Azdī, pp. 324ff.

'Alī b. Ṭālib, judge from 206/821 onward; cf. Azdī, pp. 360, 365.

Muḥammad b. 'Umar Abū Bakr al-Ja'ānī (d. 355/966) (no judges to be found, it seems, between the foregoing and this one), wrote many books, claimed to know very many traditions; cf. *Lisān*, V, pp. 322ff.

#### NĪSĀBŪR (cf. also MARW; for more *qādīs*, apart from those mentioned here, see R. W. Bulliet, *The patricians of Nishapur*, p. 256).

Bukayr b. Ma'rūf Abū Mu'ādh (d. 163/780), harmless transmitter; cf. Ibn Ḥanbal, *'Ilal*, I, no. 2503, Halm, p. 67, *Tahdhīb*, I, pp. 495f.

Ḥafṣ b. 'Abd ar-Raḥmān (d. 199/815), *faqīh*, honest but confused in his *ḥadīth*, Murji'ite, follower of Abū Ḥanīfa; cf. Halm, p. 67, Ibn Sa'd, VII 2, p. 104, *Tahdhīb*, II, pp. 404f.

Ḥafṣ b. 'Abd Allāh (d. 209/824) (incorrect in Halm, p. 67), judge for twenty years, administered justice on the basis of *āthār*, never relying on his *ra'y*; cf. *Tahdhīb*, II, p. 403.

'Abd ar-Raḥmān b. 'Abd Allāh b. 'Abd Rabbih (fl. 170/786), *majhūl*; cf. *Tahdhīb*, VI, p. 208.

al-Ḥasan b. Bishr as-Sulamī (d. 244-858), was *mufīd* of the people of Rayy; nothing more definite known about him, no qualifications; cf. Halm, p. 68, *Tahdhīb*, II, pp. 256f.

Ishāq b. Mūsā (d. 244/858), *thiqa*, adherent of *sunna*; cf. *Tahdhīb*, I, p. 251.  
 Aḥmad b. Ḥafṣ b. 'Abd Allāh as-Sulamī, *mawlā* (d. 258/872), honest transmitter of only a few traditions; cf. Halm, p. 68, *Tahdhīb*, I, pp. 24f.

#### QAYS (a city in the Baṭā'ih)

Ismā'īl b. Muslim; cf. *Tahdhīb*, IV, pp. 129f.

#### QAZWĪN

Dāwūd b. Ibrāhīm (fl. 150/767), transmitted from Shu'ba, *kadhkhāb*, people kept aloof from him. *Lisān*, II, p. 414.

Sahl b. 'Abd ar-Raḥmān as-Sindī (fl. 170/786), the first *qādī* to hold office in Qazwīn and Hamadhān simultaneously; transmitted from Sharīk b. 'Abd Allāh; nowhere mentioned except in Ibn Bāfish, I, p. 169.

al-Ḥusayn b. 'Alī b. Muḥammad aṭ-Ṭanāfisi, nothing known about him, mentioned only in passing in *Tahdhīb*, VII, p. 379.

#### QINNASRĪN

al-Walīd b. Hishām, judge under 'Umar II, also *'āmil*, honest; cf. Wakī', I, p. 264, *Tahdhīb*, XI, p. 156.

#### QŪMIS

Aḥmad b. Abī Zabya (v.l. Tayyiba) (d. 203/819), according to Halm, p. 126, judge of Jurjān, the majority of his traditions were *gharā'ib* which he transmitted as the only master; cf. *Tahdhīb*, I, p. 45.

#### QURṬUBA

Mahdī b. Muslim; to him is ascribed a bizarre treatise, directed to the local prince, concerning the behaviour of *qādīs*, in which the term *sunna* is used once, but in which there is no trace of traditions; cf. Khushanī, *Quḍāt Qurṭuba*, pp. 20-5.

'Antara b. Fallāh, no traditions known of him; cf. Khushanī, pp. 26f.

Muhājir b. Nawfal, no traditions known of him; cf. Khushanī, p. 27.

Yahyā b. Yazīd at-Tujībī, no traditions; cf. Khushanī, pp. 28f.

Mu'āwiya b. Šāliḥ b. Ḥudayr (d. 158/775), the first to introduce *ḥadīth* in the region, pious but unsatisfactory traditionist of many traditions; cf. Ibn Sa'd, VII 2, p. 207, Khushanī, p. 31, *Tahdhīb*, X, pp. 209-12.

'Umar (according to Ḥumaydī's *Jadhwa*, p. 298: 'Amr) b. Sharāḥīl; cf. Khushanī, pp. 37ff.

'Abd ar-Raḥmān b. Tarīf, no traditions known; cf. Khushanī, pp. 39ff.

al-Muṣ'ab b. 'Imrān, was neither well-versed in the *'ilm as-sunan* nor in the transmission of *akhbār*; cf. Khushanī, pp. 42-6.

Muḥammad b. Bashīr al-Ma'āfirī, learned, former pupil of Mālik; cf. Khushanī, pp. 47ff.

#### RĀMAHURMUZ

'Amr b. Šāliḥ (fl. 160/777), used Fulān - Nāfi' - Ibn 'Umar - prophet *isnāds*, but his traditions were not followed; cf. *Lisān*, IV, pp. 367f.

#### RAQQA (cf. also MAṢṢ ĪṢA)

'Abd Allāh b. Bishr b. at-Tayyihān, transmitted from *thiqāt* fabricated material, liar, tinkered with Zuhri and A'mash traditions; known for his ascetic lifestyle; cf. *Tahdhīb*, V, pp. 160f.

Muḥammad b. al-Hasan Abū 'Abd Allāh ash-Shaybānī (d. 189/805), *mawlā*, judge also in Rayy and Bagdad; was first known for a great number of *ḥadīths* but later became an adherent of Abū Ḥanīfa; was subsequently decried a liar and a weak transmitter, but generally deemed a great *faqīh*; cf. Halm, pp. 136, 199, Ibn Sa'd, vii 2, p. 78, *Ta'rikh Baghdād*, II, pp. 172-82, *Lisān*, v, pp. 121f.

#### RAYY (cf. also AHWĀZ, FĀRS, JURJĀN and RAQQA)

'Abd Allāh b. 'Abd Allāh Abū Ja'far ar-Rāzī, *mawlā* (fl. 100/718), *thiqa*; cf. *Tahdhīb*, v, pp. 286f.

'Alī b. 'Abd al-A'lā (fl. 110/728), unreliable transmitter, *Tahdhīb*, vii, p. 359, no. 578.

Sa'īd b. 'Abd ar-Raḥmān b. 'Abd Allāh az-Zubaydī (d. 156/773), transmitted *maqāṭif*; was confused with one Sa'īd az-Zubayrī; cf. *Tahdhīb*, iv, pp. 56f.

'Ikrima b. Ibrāhīm al-Azdī (fl. 150/767), his traditions were not adduced as arguments because he mistook the one for the other and he automatically ascribed to the prophet what was only reported on the authority of Successors; cf. *Lisān*, iv, pp. 181f.

'Utba b. Sa'īd (fl. 150/767); cf. *Tahdhīb*, x, p. 271.

Shu'ayb b. Khālid (fl. 145/762), *qāḍī* of the Mājūs, *thiqa*; cf. *Tahdhīb*, iv, p. 352.

'Anbasa b. Sa'īd (fl. 145/762), *qāḍī* of the Muslims next to the foregoing; although he was known to make mistakes, he was deemed reliable; cf. *Tahdhīb*, viii, p. 151.

'Alī b. Mujāhid, *mawlā* (d. 181/797), a consummate liar who wrote a book on *maghāzī* inventing an *isnād* for every event; cf. *Tahdhīb*, vii, pp. 377f.

Jarīr b. 'Abd al-Ḥamīd (d. 188/804), *thiqa*, famous for his great number of traditions for which many people came to him; cf. *Tahdhīb*, II, pp. 75ff.

Salama b. al-Faḍl, *mawlā* (d. 190/806), transmitted *manākīr* and was therefore considered weak; his traditions were not adduced as arguments; cf. *Tahdhīb*, iv, pp. 153f.

Yaḥyā b. aḍ-Ḍurays, *mawlā* (d. 203/818), *thiqa*; cf. Ibn Sa'd, vii 2, p. 109, *Tahdhīb*, xi, pp. 232f.

Ja'far b. Yaḥyā b. al-'Alā' (fl. 200/815), transmitted traditions from his wholly unreliable and mendacious father; cf. *Lisān*, II, p. 132.

'Abbās b. al-Ḥusayn (fl. 200/815), unknown figure; cf. *Tahdhīb*, v, pp. 116f.

Khalaf b. Yaḥyā (fl. ± 250/864), a *kadhḥāb*, collected the *ḥadīth* of one Abū Muqātil as-Samarqandī (about him see Ibn Rajab, p. 118) who used to invent *isnāds* for *kalām ḥasan*, cf. *Lisān*, II, p. 322 (penult.) and II, no. 1665.

#### SĀM (a *qarya* of Damascus)

Muḥammad b. 'Uqba, unknown figure; cf. *Tahdhīb*, IX, p. 347.

#### ŠAN'Ā'

Ṭawūs b. Kaysān, *mawlā* (d. 106/724), *thiqa*, *faqīh*; cf. Ibn Sa'd, v, pp. 391-5, *Tahdhīb*, v, pp. 8ff., Ja'dī, p. 56.

'Abd Allāh b. Ṭawūs (d. 132/750), son of the foregoing, *thiqa*, *faqīh*; Ja'dī, p. 56, *Tahdhīb*, v, p. 267, Ibn Sa'd, v, p. 397.

Wahb b. Munabbih (d. 110/728), *thiqa*, Qadarite tendencies; some thought him *ḍa'īf*; *qāḍī* under 'Umar II; cf. Ja'dī, p. 57, Ibn Sa'd, v, pp. 395f., *Tahdhīb*, xi, pp. 166ff., Waki', III, pp. 303f., Ibn 'Abd al-Barr, *Jāmi' bayān al-'ilm*, I, p. 184, and especially R. G. Khoury, *Wahb b. Munabbih*, Teil I, pp. 194ff.

'Aṭā' b. Muslim aṣ-Šan'ānī (fl. 125/743), unknown figure; cf. *Tahdhīb*, vii, p. 212.

Ma'mar b. Rāshid (d. 154/770); according to ar-Rāzī aṣ-Šan'ānī, *Ta'rikh Šan'ā'*, p. 537, he was also *qāḍī* of Šan'ā', something which is not confirmed by Ja'dī.

Hishām b. Yūsuf (d. 197/813), generally held to be reliable, transmitted many traditions; cf. Ja'dī, p. 67, Ibn Sa'd, v, p. 398, *Tahdhīb*, xi, pp. 57f.

Mutarriḥ b. Māzin (d. 220/835), mentioned only in passing in *Tahdhīb*, x, p. 245, line 14.

#### SARAKHS

ʿĪsā b. Yazīd, unknown figure; cf. *Tahdhīb*, viii, p. 236.

Aḥmad b. Sa'īd (d. 253/867), *faqīh*, knew many traditions, cf. *Tahdhīb*, i, pp. 31f.

#### SARRA MAN RA'Ā

aṣ-Ṣalt b. Mas'ūd (d. 239/855), not entirely reliable; cf. Wakī', iii, pp. 321, 323, also *qādī* in Tustar; *Tahdhīb*, iv, p. 436.

#### SHIMSHĀṬ

Manṣūr b. Ziyād (fl. 160/777), no arguments to be derived from his *munkar* traditions; cf. *Lisān*, vi, p. 95.

#### SHĪRĀZ

Sa'd b. aṣ-Ṣalt (fl. 120/738), only mentioned in *Tahdhīb*, ix, p. 299 (ult.).

Yahyā b. Sa'īd al-Fārisī (fl. 160/777), transmitted from reliable transmitters worthless material; cf. *Lisān*, vi, pp. 258f.

ʿAbd Allāh b. Šāliḥ b. Muḥammad b. Muslim, *mawlā* (d. 220/835), some critics trusted him, others thought him a liar, still others thought that, if he lied, he did not do it deliberately; pious, *munkar*; cf. *Tahdhīb*, v, pp. 256-61.

Aḥmad b. ʿUmar b. Surayj (d. 306/918), only a few traditions; cf. Halm, pp. 20f., *Ta'rikh Baghdād*, iv, pp. 287-90.

#### SIJISTĀN

ʿAbd Allāh b. Ḥusayn Abū Ḥarīz (fl. 110/728), much controversy over him, *munkar*, *qa'if* but also *thiqa*; cf. Ibn Ḥanbal, *ʿIlal*, i, no. 2561, *Tahdhīb*, v, pp. 187f.

Ḥarīz b. Abī Ḥarīz (fl. 150/767), Shī'ite tendencies; cf. *Lisān*, ii, pp. 186f.

Zāfir b. Sulaymān (fl. 170/787), a number of contradictory opinions about him from *thiqa* to *qa'if*; cf. *Tahdhīb*, iii, p. 304.

#### SINJĀR

al-Ḥārith b. Asad (fl. 220/835 ?); cf. *Tahdhīb*, ii, p. 136.

#### ṬABARIYYA (cf. also FILASTĪN)

ʿUbāda b. Nusayy (d. 118/736), *thiqa*, according to Wakī', i, p. 264, judge in Urdunn; cf. Rāmahurmuzī, p. 243, Ibn Sa'd, vii 2, p. 162, *Tahdhīb*, v, pp. 113f.

#### ṬĀ'IF

Ibn Abī Mulayka ʿAbd Allāh b. ʿUbayd Allāh (d. 117/735), *qādī* for Ibn az-Zubayr, *thiqa*, *kathīr al-ḥadīth*; he was a Successor, cf. *Tahdhīb*, v, pp. 306f.

#### ṬABARISTĀN, see under ḤIMṢ

#### ṬARASŪS (cf. also MAṢṢĪṢA)

al-Qāsim b. Sallām Abū ʿUbayd (d. 224/839), *qādī* from 192/808 to 209/824, good *faqīh*, who hardly ever used traditions; famous for his common sense; author of many books; it was said that he did not need other people, but that the people needed him; he was excellent in everything except *ḥadīth*; cf. Halm, p. 234, Ibn Sa'd, vii 2, p. 93, *Tahdhīb*, viii, pp. 315-18.

Aḥmad b. al-Haytham b. Ḥafṣ (fl. 260/874), unknown figure, *Tahdhīb*, i, no. 154.

THUGHÛR, see MAŞŞĪŞA

ṬÛS, see ABĪWARD

TUSTAR, see MAŞŞĪŞA, SARRAMANRA'Ā

'UKBARĀ

Muḥammad b. al-Haytham Abū 'l-Aḥwaş, *mawlā* (d. 299/912), transmitter of very few traditions, *thiqa*; cf. *Tahdhīb*, ix, pp. 498f.

URDUNN (cf. also FILASTĪN, ṬABARIYYA)

Kurayb b. Sayf, cf. Abū Zur'a, *Ta'rikh*, p. 227.

Qays b. al-Ḥārith, *qāḏī* under 'Umar II, Successor, very few traditions; cf. *Tahdhīb*, viii, p. 386.

'Abd ar-Rahmān b. Maghrā' (fl. 160/777), belonged to that group of weak transmitters from whom one wrote down the traditions in spite of their reputation; *ṣāhib samar*; cf. *Tahdhīb*, vi, pp. 274f.

'Umar b. Abī Bakr (fl. 175/791), also *qāḏī* in Damascus; weak transmitter whose traditions were rejected; cf. *Lisān*, iv, p. 287.

al-Walid b. Salama, transmitted only *bāṭil* traditions; cf. *Wakī'*, iii, p. 215.

WĀSIT (cf. also JUNDAYSĀBÛR)

Husayn b. Ḥasan al-Kindī (fl. before 130/748); cf. Baḥshal, *Ta'rikh Wāsiṭ*, p. 137.

Hāshim b. Bilāl (fl. 130/748), 'hopefully' trustworthy transmitter; cf. *Wakī'*, iii, p. 315, *Tahdhīb*, xi, p. 17, Baḥshal, p. 137.

Hishām b. Yūsuf as-Sulamī (fl. 140/757), *thiqa*, *Tahdhīb*, xi, no. 98.

'Umar b. Mūsā b. Wajīh (fl. 158/775), unreliable transmitter who fabricated *isnāds* as well as *matns*; he hailed from Damascus, but since he also reported traditions on the authority of Kūfan traditionists, it was surmised that he came from there; cf. *Wakī'*, iii, p. 312, Baḥshal, p. 129; 'Amr, *Lisān*, iv, pp. 332ff.

Salama b. Šālīh, pretended to be a *mawlā* (fl. 130/748), very weak transmitter; cf. *Wakī'*, iii, p. 312, *Lisān*, iii, pp. 69f.

'Alī b. Harmala (fl. 160/777), pupil of Abū Ḥanifa and Abū Yūsuf; cf. *Wakī'*, iii, p. 312, *Ta'rikh Baghdād*, xi, p. 415.

Ibrāhīm b. 'Uthmān Abū Shayba, *mawlā* (d. 169/786), very unreliable transmitter of *manākīr*, but excellent and just *qāḏī*, who remained in this function for twenty-eight years; cf. Baḥshal, p. 105, *Wakī'*, iii, pp. 308-12, Ibn Sa'd, vi, p. 267, *Ta'rikh Baghdād*, vi, pp. 111-14, Ibn Abī Ḥātim, *Taqdima*, p. 132, *Tahdhīb*, i, pp. 144f., Bukhārī, *Kitāb aḏ-ḏu'afā' aṣ-ṣaghīr*, p. 13.

Sharīk b. 'Abd Allāh (d. 177/793), also *qāḏī* of Kūfa (cf. Halm, p. 176), eccentric, was observed drunk in the mosque, made jokes, was pro-Arab and anti-*mawālī*; transmitted very many traditions, but made a lot of mistakes and became confused, committed *tadlīs*, but was also deemed a good *faqīh*; cf. *Wakī'*, iii, pp. 149-75, Ibn Sa'd, vi, pp. 263f., *Ta'rikh Baghdād*, ix, pp. 279-95, *Tahdhīb*, iv, pp. 333-7.

Muḥammad b. al-Ḥasan b. 'Imrān, *mawlā* (fl. 175/791), harmless transmitter who automatically traced traditions ascribed to Companions or Successors back to the prophet; even so, some thought him a *thiqa*; cf. Ibn Sa'd, vii 2, p. 63, *Tahdhīb*, ix, pp. 118f.

Asad b. 'Amr (d. 188/804), very controversial figure; on the one hand hesitatingly called *thiqa*, on the other hand *kadhūb*; he apparently lost his reputation as a transmitter because of his preference for Abū Ḥanifa's *ra'y*, which he sought to

- substantiate through forged *ḥadīths*; cf. Wakī', III, p. 286, Ibn Sa'd, VII 2, p. 74, *Ta'rikh Baghdād*, VII, pp. 16-19, *Lisān*, I, pp. 383ff.
- Sa'd b. Ibrāhīm b. Sa'd az-Zuhri (d. 201/817), innocuous transmitter; cf. Wakī', III, p. 312, Ibn Sa'd, VII 2, p. 83, *Tahdhīb*, III, pp. 462f.
- Muḥammad b. al-Mustanir (d. 206/821), grammarian, not identified with *ḥadīth*; cf. Wakī', III, p. 307, *Ta'rikh Baghdād*, III, pp. 298f.
- 'Abd al-'Azīz b. Abān (d. 207/822), transmitter of many traditions, wicked liar who fabricated reports on the authority of Sufyān ath-Thawri, was notorious for this; cf. Wakī', III, pp. 312ff., Ibn Sa'd, VI, p. 282, *Ta'rikh Baghdād*, X, pp. 442-7, *Tahdhīb*, VI, pp. 329ff.
- Sayf b. Jābir Abū 'l-Muwaḥḥaq (fl. 208/823), *faqīh*; cf. Wakī', III, p. 313, Ibn Sa'd, VII 2, p. 187(?).
- Isrā'īl b. Muḥammad; cf. Wakī', III, p. 313.
- Ja'far b. Muḥammad b. 'Ammār; cf. Wakī', III, p. 313.
- al-Qāsim b. Suwayd; cf. Wakī', III, p. 313.
- al-Aḥmar, totally unknown figure, cf. Abū 'l-Qāsim, *Qabūl*, p. 176.

## YAMĀMA

- Ayyūb b. an-Najjār b. Ziyād (fl. 130/748), honest and reliable but also deemed very weak; cf. Ibn Sa'd, V, p. 405, *Tahdhīb*, I, pp. 413f.
- Ayyūb b. 'Utba Abū Yaḥyā (d. 160/777), could not distinguish sound from weak, *ḍa'if*; cf. Ibn Sa'd, V, pp. 404f., *Tahdhīb*, I, pp. 408ff.
- Muḥammad b. Muhājir (d. 264/878), unknown figure, *Tahdhīb*, IX, p. 478.

## YEMEN

- 'Urwa b. Muḥammad as-Sa'dī, held office under 'Umar II, had to use his *ra'y*, Ibn 'Abd al-Barr, *Jāmi'*, II, p. 60.

## ZABĪD

- Abū Qurra Mūsā b. Tāriq az-Zabīdī (fl. 175/791), probably reliable transmitter, who wrote a *Kitāb as-sunan* arranged in chapters; it is, however, doubtful whether he heard himself any of its traditions, cf. Ibn Hajar, *Tahdhīb*, X, p. 350; author nor book mentioned in GAS, I.

## APPENDIX IV

In the following list a number of people have been enumerated who appear time and again in the *Tahdhīb* (cf. note 5 of Ch. 4). They are arranged in chronological order according to the years in which they are reported to have died. I have tried in each case to collect the necessary evidence that points to their being the authors of books or treatises Ibn Ḥajar may have had at his disposal. Unfortunately, Ibn Ḥajar only rarely mentions the sources he quotes from by title. Ibn Ḥibbān's *Kitāb ath-thiqāt* is in this respect an exception. But in many cases it is obvious from what particular books he quotes. Thus, when he says: *qāla Ibn Sa'd*, he cites from the *Kitāb at-ṭabaqāt al-kabīr* and likewise when he says: *qāla Ibn Abī Ḥātim 'an abīhi* (or words to that effect) what follows can easily be traced to Ibn Abī Ḥātim's *Kitāb al-jarḥ wa't-ta'dīl*. Similarly, when he mentions Ya'qūb b. Sufyān (or simply: al-Fasawī), he quotes from this author's *Kitāb al-ma'rifa wa 't-ta'rikh*, recently edited by Akram Diyā' al-'Umarī, 3 vols, Bagdad 1974-6.

This list is confined to authors who flourished before 350/961 and whose works have not yet been made available in printed editions. I do not pretend that it is complete. On many occasions I came across names of people to whom no books on *ḥadīth* criticism in the widest sense of the word could be traced. Those people I have left out of consideration for the time being.

1. Yazīd b. Abī Ḥabīb (d. 128/746), *mawlā*, active in Egypt. His father was made prisoner during the conquest of Egypt (cf. Kindī, p. 13) He was the first to introduce 'ilm into Egypt (cf. *Tahdhīb*, XI, p. 319) which means in this context not *ḥadīth* but historical reports of any purport as can be demonstrated on the basis of the numerous reports ascribed to him in Kindī (cf. index, s.v.). These reports were either eyewitness accounts of anonymous persons concerning events that had occurred before his birth or accounts of events he had witnessed himself. Many of these reports were transmitted onwards by no. 2 of this list, Layth b. Sa'd, whose *mu'allim* he is called (cf. Kindī, p. 89). He is, furthermore, credited with having been the first to discuss *ḥalāl wa-ḥarām* matters and *masā'il*, which in this context may be tantamount to problems regarding general facets of human behaviour seen probably in the light of religion (cf. *Tahdhīb*, ibidem). In view of the above Sezgin may well be right in ascribing a book on the history of Egypt to him (cf. *GAS*, I, pp. 255, 341f.). Ibn Ḥajar seems to quote indirectly from it (cf. *Tahdhīb*, XII, p. 173, ult.). Even so, it remains a mystery that Ibn an-Nadīm does not mention him in his *Fihrist*.

2. Al-Layth b. Sa'd (d. 175/791), active in Egypt. Neither in *GAS*, I, p. 520, nor in the short biographies devoted to him in the *Tahdhīb* nor the *Ta'rikh Baghdād* is there a reference to the title of a book Ibn Ḥajar may have used directly or indirectly, but in *Fihrist*, p. 295, he is credited with a *Kitāb at-ta'rikh*, cf. R. G. Khoury, in *JNES*, XL, pp. 189ff. An indirect (?) quotation from this in *Tahdhīb*, XI, p. 222?

3. 'Abd Allāh b. al-Mubārak (d. 181/797), from Marw, active in Khurāsān and



Iraq. Although no *ta'rikh* or *'ilal* work is attributed to him *expressis verbis*, Ibn Ḥajar quotes him so often that he might have had a work of this sort at his disposal, something which may be corroborated by what Dhahabī says in his *Tadhkirat al-huffāz*: . . . *ṣāhib at-taṣānif an-nāfi'a dawwana 'l-'ilm fi'l-abwāb wa'l-fiqh wafi'l-ghazw wa'z-zuhd wa'r-raqā'iq wa-ghayri dhālik* (p. 275). For his creed concerning the acceptability of *ḥadīth*, see *Lisān*, 1, p. 13.

4. Ibrāhīm b. Muḥammad Abū Ishāq al-Fazārī (d. 188/804), active in Bagdad and Maṣṣiṣa. *GAS*, 1, p. 292: *Kitāb as-siyar fi'l-akhbār*, cf. *Tahdhīb*, 1, p. 152.

5. Muḥammad b. al-Fuḍayl (d. 195/811), *mawlā*, active in Kūfa, extreme Shi'ite; *ṣannafa muṣannafāt fi 'l-'ilm* (*Tahdhīb*, IX, p. 406; cf. *GAS*, 1, p. 96) from one of which Ibn Ḥajar seems to quote indirectly on p. 269 (ult) of *Tahdhīb*, x.

6. 'Abd ar-Rahmān b. Mahdī (d. 198/813), Baṣra and Bagdad. Although not mentioned in *GAS*, it says in *Tahdhīb*, VI, p. 281 (3rd line from the bottom): *kāna . . . mimman . . . ṣannafa*, and in the *Ta'rikh Baghdad* we read that he knew the *ṭuruq ar-riwāyāt wa-aḥwāl ash-shuyūkh* and that he was able to distinguish *ṣāhib* from other material as 'a doctor recognizes a lunatic' (x, p. 246; cf. *Tadh. huff.*, 1, p. 331).

7. Yahyā b. Sa'īd al-Qaṭṭān (d. 198/814), Baṣra. Although he was allegedly never seen with a book in his hand but exclusively relied on his memory (*Tahdhīb*, XI, p. 218), Ibn al-Madīnī is reported to have said (*Tadh. huff.*, p. 298): 'I have never seen anyone more learned in (the circumstances of) transmitters than he.' The fact that Ibn Ḥajar quotes him so frequently leads me to believe that, if he did not do so himself, one or more of his pupils might have preserved his expert knowledge in writing and that Ibn Ḥajar had this record at his disposal in one way or another. Once he mentions a *kitāb al-bayān* of his, cf. *Tahdhīb*, VIII, p. 304.

8. An-Naḍr b. Shumayl (d. 204/819), Khurāsān. He is credited with a number of works (cf. *Fihrist*, p. 83), about which is recorded in the *Tahdhīb*, x, p. 438, that he wrote about subjects in which nobody had preceded him. Furthermore, he was reputedly an expert in *ayyām an-nās*. Which of these books Ibn Ḥajar had at his disposal could not be ascertained, but the frequency with which he quotes from an-Naḍr makes it likely that he had at least something concerning *ḥadīth* transmitters.

9. Muḥammad b. 'Umar al-Wāqidi (d. 207/823), Medina, Bagdad. Ibn Ḥajar does not mention a title but it was probably from his *Kitāb at-ṭabaqāt*, with which he is credited in *GAS*, 1, p. 297, that he cited a passage (cf. *Tahdhīb*, IV, p. 34).

10. 'Abd al-'Alā b. Mushir Abū Mushir al-Ghaṣṣānī (d. 218/833), from Syria. According to *Tahdhīb*, VI, p. 99f., he was an expert in Syrian transmitters to whom his fellow traditionists applied for *jarḥ wa-ta'dīl* information. Ibn Ḥajar must have had some sort of record of this in view of the frequency with which he quotes from him.

11. Al-Faḍl b. Dukayn Abū Nu'aym (d. 219/834), active in Kūfa, also referred to as *amīr al-mu'minīn* (sc. *fi'l-ḥadīth*). In *GAS*, 1, p. 101, a *Kitāb at-ta'rikh* is attributed to him and in *Tahdhīb*, VIII, pp. 272f., we find the information that he was *a'lam bi-shuyūkh wa-ansābihim wa-bi'r-rijāl*, and that his book – what book is left unspecified – became an *imām* after his death. In *Tahdhīb*, V, p. 195 (ult.) his *Ma'rifat aṣ-ṣahāba* is mentioned.

12. Yahyā b. Ma'īn (d. 233/847), Bagdad. In *GAS*, 1, p. 107, a considerable list of *rijāl* works is attributed to him. From the *Tahdhīb* it appears that at least some of these must have reached Ibn Ḥajar in versions of Yahyā's numerous pupils, but sometimes he apparently quotes directly from Yahyā's works.

13. Ishāq b. Ibrāhīm Ibn Rāhawayh (d. 238/852). Nisābūr. According to *GAS*, 1, p. 110, he wrote a *musnad* and in *Tahdhīb*, 1, p. 219, we read that he was the author of books.

14. Muḥammad b. 'Abd Allāh b. 'Ammār (d. 242/856), active in Mawṣil. It says in *Tahdhīb*, ix, p. 265, that he had a collection of *su'ālāt fī l-'ilal wa'r-rijāl* which is confirmed in *Tadh. ḥuff.*, II, p. 494, where he is credited with a 'large book' on those subjects.

15. Al-Ḥasan b. 'Alī al-Ḥulwānī (d. 242/856), settled in Mecca. He was allegedly an expert on *rijāl* but did not use his expertise to his advantage (cf. *Tahdhīb*, II, p. 303); he also wrote a book on *sunan* (ibidem). In *Tahdhīb*, VIII, p. 5, we read a quote from his *Kitāb al-ma'rifa*. Another quote in ibidem, III, p. 294. Neither *GAS* nor the *Fihrist* lists this man.

16. Al-Ḥusayn b. 'Alī al-Karābīsī (d. 245/859), cf. *Tahdhīb*, II, pp. 359-362, *GAS*, I, pp. 599f., *Fihrist*, p. 270, active in Bagdad; great *faqih*. His *Kitāb al-mudallisīn* is an important source for Abū 'l-Qāsim's *Qabūl al-akhbār*, and is also cited in *Tahdhīb*, VIII, p. 66. He may have been the unknown *muḥaddith* whose innovative ideas about *mu'an'an isnāds* were so severely criticized by Muslim in the Introduction to his *Ṣaḥīḥ*, cf. my translation in *JSAI*, v.

17. Duḥaym 'Abd ar-Raḥmān b. Ibrāhīm (d. 245/859), Syria. According to *Tahdhīb*, VI, p. 132, people consulted him concerning the *jarḥ wa-ta'dīl* of Syrian transmitters. This expertise must have been recorded in a collection or a book from which Ibn Ḥajar quoted, although neither *GAS* nor *Fihrist* contains any pertinent evidence of such a book.

18. 'Amr b. 'Alī b. Baḥr al-Fallās (d. 249/963), active in Bagdad. Although not mentioned in *GAS*, in *Tahdhīb*, VIII, p. 81, works on 'ilal and *ta'rikh* are attributed to him as well as a *Musnad*.

19. Aḥmad b. al-Ḥasan at-Tirmidhī (d. before 250/864), Bagdad, Nisābūr. According to *Tahdhīb*, I, no. 31, he was a pupil of Ibn Ḥanbal and an expert in 'ilal and *jarḥ wa-ta'dīl*. On the basis of the numerous quotations from him in the *Tahdhīb* it is likely that Ibn Ḥajar had one or more books of his among his sources.

20. Ibrāhīm b. Ya'qūb al-Jūzajānī (d. 256/870), Damascus. According to *GAS*, I, p. 135, he wrote a book entitled *Ash-shajara fī aḥwāl ar-rijāl* which may or may not be the same book as the *Kitāb ad-du'afā'* mentioned in *Tahdhīb*, I, p. 182. He was particularly anti-'Alī and, therefore, very critical of Kūfan transmitters, to which quotations from him in the otherwise favourable *tarājim* of many Kūfan transmitters bear witness. Ibn Ḥajar takes issue with this, saying: *wa-ammā'l-Jūzajānī fa-lā 'ibrata bi-ḥaqqihi 'alā'l-Kūfiyyin*, *Tahdhīb*, I, p. 93, cf. *Lisān*, I, p. 16.

21. Muḥammad b. Yaḥyā b. 'Abd Allāh adh-Dhuhlī (d. 258/872), an *amīr al-mu'minīn fī l-ḥadīth*, Bagdad, Nisābūr. In the *Ta'rikh Baghdād* (III, p. 417), it is reported that Ibn Ḥanbal did not know of anyone who was a greater expert in Zuhri traditions, and in the *Tadh. ḥuff.*, II, p. 531, also *Tahdhīb*, v, pp. 356f. and VI, p. 296, his 'ilal [*ḥadīth*] *az-Zuhri*, which apparently had shortcomings, is mentioned. The books listed in *GAS*, I, pp. 134f., seem to fall outside the scope of tradition criticism. In *Tahdhīb*, VII, p. 14, the title (?) '*Adl ḥadīth az-Zuhri*' is mentioned.

22. Muslim b. al-Ḥajjāj (d. 261/875), Nisābūr. In *GAS*, I, p. 143, a *Kitāb al-kunū* is ascribed to him from which Ibn Ḥajar (e.g. *Tahdhīb*, v, p. 379, line 4) quotes. Also his *kitāb [al-munfaridāt wa-]l-wuḥdān* (cf. *GAS*, I, p. 143), VIII, p. 88. Cf. Abū Bakr b. Khayr, p. 225.

23. Aḥmad b. 'Abd Allāh b. Šāliḥ al-'Ijlī (d. 261/875), first active in Bagdad, after that he moved to the Maghrib as a fugitive of the *miḥna* (cf. *Ta'rikh Baghdād*, IV, p. 214). According to *Tahdhīb*, v, no. 449, he was the author of a *Ta'rikh*, which makes it as good as certain (cf. also *Tahdhīb*, v, p. 262, line 9) that he is the 'Ijlī who is so very often cited by Ibn Ḥajar. *GAS*, I, p. 143, only speaks of a *Thiqāt* work.

24. Ya'qūb b. Shayba (d. 262/876), Bagdad, Baṣra. *GAS*, I, p. 144, and *Ta'rikh Baghdād*, XIV, p. 281, credit him with *Al-musnad al-kabīr al-mu'allal* which is only partly preserved. He is very frequently quoted in the *Tahdhīb*.

25. 'Ubayd Allāh b. 'Abd al-Karīm Abū Zur'a ar-Rāzī (d. 264/878), the great friend of Abū Ḥātim. He was active in Rayy and Bagdad. Although he is not credited with having written books but for a *Kitāb az-zuhd* (cf. *GAS*, I, p. 145), he is often cited in the *Tahdhīb* as well as in Ibn Abī Ḥātim's *Al-jarḥ wa't-ta'dīl* concerning *rijāl* criticism, which makes it more than likely that Ibn Ḥajar had a source other than the last mentioned at his disposal, which recorded his views.

26. Aḥmad b. Maṣṣūr ar-Ramādī (d. 265/879), Bagdad. According to *Tahdhīb*, I, p. 84, and *Ta'riḫ Baghdād*, v, p. 151, he wrote a *Musnad*. Whether or not Ibn Ḥajar quoted from this work or any other(s) is not certain.

27. Aḥmad b. Sayyār (d. 268/881), active in Marw, Syria and Egypt. He wrote a *Ta'riḫ Marw*, from which Ibn Ḥajar quoted (cf. e.g. *Tahdhīb*, I, p. 448), *GAS*, I, p. 351, only lists two fragments.

28. Ḥanbal b. Ishāq (d. 273/886), Bagdad. We read in *Ta'riḫ Baghdād*, VIII, p. 287, that he wrote a *Kitāb muṣannaf fī't-ta'riḫ* in which he related material which he had received from Aḥmad ibn Ḥanbal. It is likely that Ibn Ḥajar quoted from this work rather than the books attributed to him in *GAS*, I, p. 510.

29. Aḥmad b. Zuhayr b. Abī Khaythama (d. 279/892), active in Bagdad. According to *GAS*, I, pp. 319f., *Fihrist*, p. 335 and *Tahdhīb*, IV, p. 346, he wrote a *Ta'riḫ*. Ibn Ḥajar mentions his name very frequently.

30. 'Abd ar-Raḥmān b. 'Amr Abū Zur'a ad-Dimashqī (d. 280/893), from Syria. In *GAS*, I, p. 302, he is credited with *al-aḥādīth wa'l-ḥikāyāt wa'l-'ilal wa's-su'ālāt*, and a *Ta'riḫ* which was recently published by Shukr Allāh b. Ni'mat Allāh al-Qūjānī, Damascus 1980.

31. Ismā'īl b. Ishāq al-Jahḍamī (d. 282/895); in *Tahdhīb*, VII, p. 507, there is a quotation from his *Kitāb aḥkām al-qur'ān*, cf. *GAS*, I, pp. 475f.

32. 'Uthmān b. Sa'id ad-Dārimī (d. 282/895), Jurjān, Harāt. Although he is very often mentioned in the *Tahdhīb*, in *GAS*, I, pp. 600f., there are only two books mentioned, neither one of which deals with *ḥadīth*. He reputedly was a pupil of Yaḥyā b. Ma'in and in the *Tadh. ḥuff.*, II, p. 622, it is confirmed that he had a collection of *su'ālāt 'an ar-rijāl li-Yaḥyā b. Ma'in*.

33. 'Abd ar-Raḥmān b. Yūsuf b. Khirāsh (or Hirāsh) (d. 283/896), Bagdad. In *Lisān*, III, no. 1732, a book entitled *Mathālib ash-shaykhayn* is ascribed to him. He allegedly was a rabid Shī'ite and Rāfiḍite, but he was also considered to be a reputable *rijāl* expert, a view which also Ibn Ḥajar must have shared otherwise he would not have mentioned him so frequently (but cf. *Lisān*, I, p. 16). In *Lisān*, III, p. 445, line 2, it is implied that he wrote a *Ta'riḫ*. He is also reputed to have doctored *isnāds* (*kāna yūṣilu* [or: *yuwaṣṣilu*] *al-marāsīl*, *ibidem*, p. 444).

34. Muḥammad b. an-Naḍr b. Salama b. al-Jārūd al-Jārūdī (d. 291/904), active in Rayy, was considered one of the most learned of his age; he went on (*alab*) journeys with Muslim. He adhered to a certain *niḥla* which he fanatically defended against attacks. His book on *ḍu'afā'* is mentioned in e.g. *Lisān*, III, p. 439, I, no. 62. Neither in *GAS*, I, nor in *Fihrist*. Cf. *Tahdhīb*, IX, no. 799.

35. Aḥmad b. 'Amr b. 'Abd al-Khāliq al-Bazzār (d. 292/905), Baṣra, Bagdad. According to *Lisān*, I, p. 238, he wrote a *Musnad* in which he examined the 'ilal of the traditions. *Tadh. ḥuff.*, II, p. 654, calls him the author of *Al-musnad al-kabir al-mu'allal*.

36. Aḥmad b. Hārūn al-Bardījī (d. 301/914), Bagdad. In *Tahdhīb*, VIII, p. 66, it is said that he was the author of a *marāsīl* collection, which is not mentioned in *GAS*, I, pp. 166f. Cf. Abū Bakr b. Khayr, p. 207.

37. Aḥmad b. 'Alī b. Shu'ayb an-Nasā'ī (d. 303/916), Iraq, Syria and Egypt. It is implied in, for example, *Tahdhīb*, VIII, p. 276 and IX, p. 47, that he wrote a *kitāb al-kunā*, which is not mentioned in *GAS*; also some sort of *mashyakha* work, cf. *Tahdhīb*, I, no. 154.

38. Zakariyyā' b. Yahyā as-Sājī (d. 307/920), Baṣra. He is credited with a number of works from which Ibn Ḥajar might have quoted. *Lisān*, II, pp. 488f.: *ikhtilāf*, *'ilal*, *rijāl* and *aḥkām al-qur'ān*; *GAS*, I, p. 350: *du'afā'* and *Fihrist*, p. 314: *ikhtilāfī 'l-fiqh*.

39. Muḥammad b. Aḥmad b. Ḥammād ad-Dūlābī (d. 310/922), Rayy, Egypt. Quotations from a *Kitāb at-ta'riḫ* attributed to him occur in Ibn Ḥubaysh's work on *maghāzī* (cf. L. Caetani, *Annali*, 12, par. 16f.) and also often in the *Tahdhīb*. See also *GAS*, I, p. 172.

40. Muḥammad b. 'Amr b. Mūsā al-'Uqaylī (d. 322/934), active in the Hijāz. Ibn Ḥajar quotes extensively from his *Kitāb ad-ḡu'afā'* (cf. *GAS*, I, p. 177).

41. Abū 'l-'Arab Muḥammad b. Aḥmad (d. 333/945), active in Qayrawān. His *Kitāb ad-ḡu'afā'* (cf. *GAS*, I, p. 357) is often cited in the *Tahdhīb*.

42. Yazīd b. Muḥammad b. Iyās Abū Zakariyyā' (d. 334/946), Mawṣil. Ibn Ḥajar quotes from his *Ta'riḫ Mawṣil* (e.g. IX, p. 266). Cf. *GAS*, I, p. 350.

43. Aḥmad b. Muḥammad Abū Ja'far an-Naḥḥās (d. 338/950). In *Tahdhīb*, VIII, p. 40, his *Ma'ānī 'l-qur'ān* mentioned, cf. *GAS*, I, p. 49.

44. 'Abd ar-Raḥmān b. Aḥmad b. Yūnus (d. 347/958), active in Egypt, cf. *GAS*, I, pp. 357f. In *Tahdhīb*, VII, p. 328, his *Kitāb al-ghurabā'* is cited and his *Kitāb Miṣr* in VII, p. 243.

45. Maslama b. al-Qāsim al-Qurtubī (d. 353/964), traveled all over the Islamic empire and then went back to Andalus, cf. *Lisān*, VI, pp. 35f., where a few of his works are enumerated; to these may be added a *Kitāb aṣ-ṣila* mentioned in *Tahdhīb*, VIII, p. 234. This man is not dealt with in *GAS*.

46. Sulaymān b. Aḥmad aṭ-Ṭabarānī (d. 360/971); in *Tahdhīb*, VIII, p. 5, a *Musnad ash-Shāmiyyin* is mentioned which is not listed among his works enumerated in *GAS*, I, pp. 195ff.

47. Abū 'l-Faṭḥ al-Azdī (d. 367/977 or 374/984). In *Tahdhīb*, IX, p. 7, a *Kitāb ad-ḡu'afā'* of his is mentioned which Sezgin (*GAS*, I, pp. 199f.) does not list.

Finally, who is the man called al-Bāwardī who, according to *Tahdhīb*, I, p. 342, wrote about the Companions?

And who is al-Ḥusaynī who wrote a *Rijāl al-musnad*, cf. *Tahdhīb*, VIII, p. 88?

## APPENDIX V

On pp. yff. of his introduction, the editor of Ibn Abī Ḥātim's *Kitāb al-jarḥ wa 't-ta'dīl*, 'Abd ar-Raḥmān b. Yaḥyā al-Mu'allimī al-Yamānī (cf. my *Authenticity*, index, s.v.), enumerates along which channels the author received the *rijāl* information which he incorporated in his work. This information can be condensed into the pedigree of fig. 11. It shows how virtually all *rijāl* data, amassed in barely a century and a half, were in the hands of a handful of people who passed them on to following generations. Karābisī, Abū 'l-Qāsim al-Balkhī and various less severe critics who operated in Syria such as Ibrāhīm b. Ya'qūb al-Jūzajānī and Ya'qūb b. Sufyān al-Fasawī are conspicuously absent. How much Ibn Abī Ḥātim owed his father and the latter's life-long friend and colleague Abū Zur'a is nowhere better illustrated than in the former's *Ilal al-ḥadīth*.

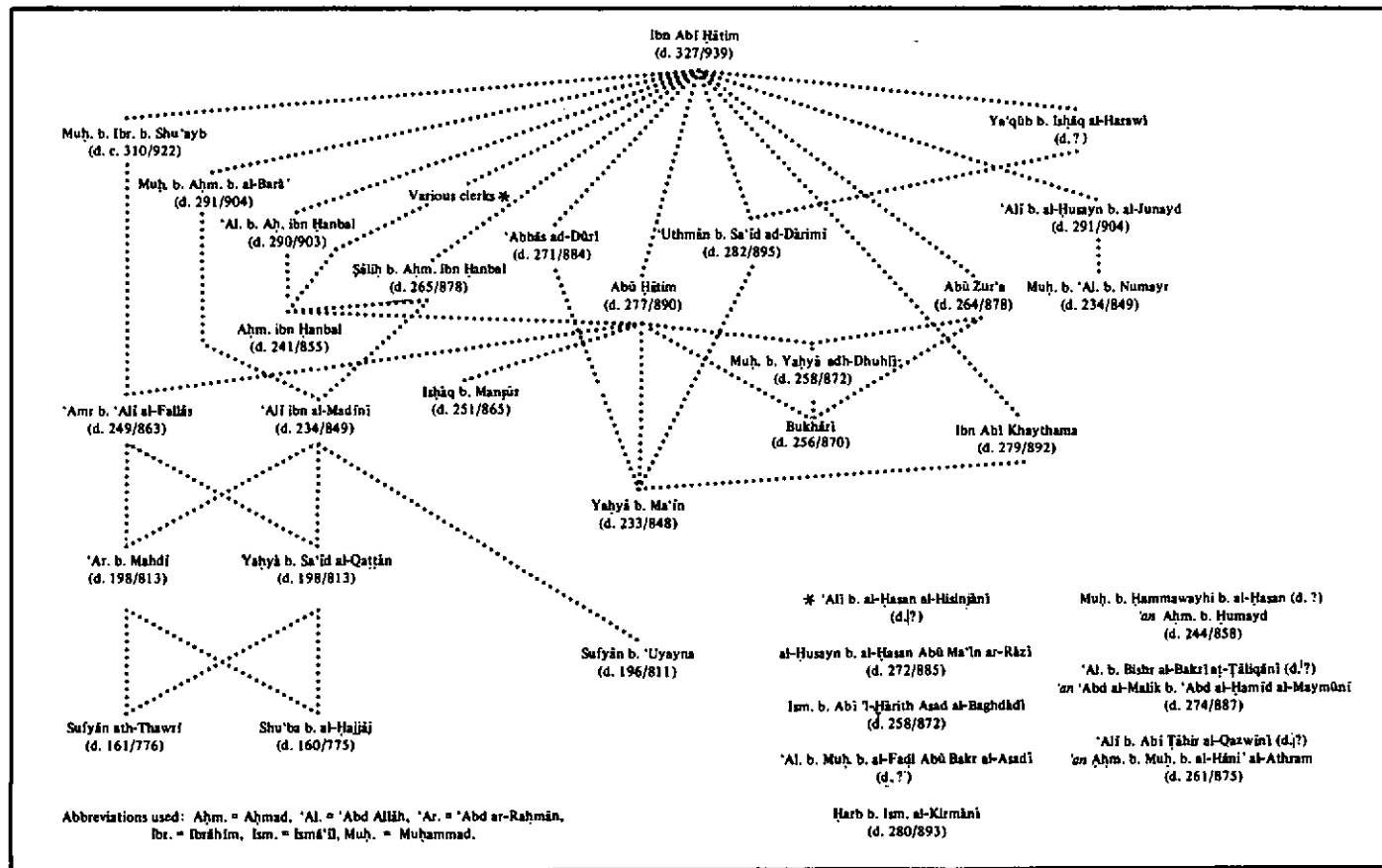


Figure 11

## Bibliography

(For more early sources, see Appendix IV which contains a list of medieval sources Ibn Hajar may have relied on, directly or indirectly.)

In the alphabetical order the Arabic article *al-* has been discarded. Various sources in this bibliography, not referred to as such in this study, have been included, because they have been instrumental in the formation of my ideas about Muslim tradition.

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## Index (Glossary)

In the compilation of this index an attempt has been made to make it exhaustive. Thus, also those page numbers are included where a certain concept is merely implied and not mentioned *expressis verbis*. Examples of such concepts are e.g. *argumenta e silentio*, *regionalism* and *awā'il*. Furthermore, instead of being marked *passim*, a fair number of crucial concepts are indexed from beginning to end in order to enable the reader to follow these up throughout this study. Concepts indexed in this manner are e.g. *maxim*, *key figure*, *common link*, *Companion(s)*, *Successor(s)*, *mawālit* etc. All legal issues and ritual customs broached in various traditions have been included. On the whole, cross references are kept to a minimum. Even if this index, which is at the same time a well-nigh complete glossary of technical terms, may seem too bulky at the first glance to serve the purpose also of a table of contents, the different types used – 'roman' for personal and geographical names, *italics* for Arabic and other non-English terms and **bold** for English concepts – may help the user to find his/her way in it more quickly. Finally, all persons who can be supposed to have had the *nisba* Zuhri are thus indicated with – almost always – complete pedigrees.

In the alphabetical order the Arabic article *al-* etc as well as b., bint and ibn – *except* for initial Ibn – have been disregarded.

The following abbreviations have occasionally been used: 'Al. = 'Abd Allāh; 'Ar. = 'Abd ar-Raḥmān; 'Az. = 'Abd al-'Aziz; I. = Ibrāhīm; M. = Muḥammad; S. = Sa'd; Sul. = Sulaymān; 'U. = 'Umar; Y. = Yahyā.

- 'Abādila 29, 39, 162, 196  
**Abān** 'cluster' 50  
 Abān b. Abī 'Ayyāsh 32, 144, 218, 220, 221  
 Abān b. Ja'far 122  
 Abān b. 'Uthmān b. 'Affān 15, 84  
 'Abbād 'cluster' 145  
 'Abbād b. Kathīr ar-Ramlī 68  
 'Abbād b. Kathīr ath-Thaqafī 218  
 'Abbād b. Manṣūr 57, 218  
 'Abbād b. Maysara 218  
 'Abbās b. al-Faḍl (al-) 231  
 'Abbās b. al-Ḥusayn (al-) 233  
 'Abbās b. Nu'aym al-Awzā'ī (al-) 36, 224  
 'Abbās b. Yazīd (al-) 266  
 'Abbāsīd(s) 33, 133, 198, 208, 212, 213, 227  
 Abbott (N.) 3-6, 24, 33  
 'Abd b. al-Ḥārith b. Zuhra 152  
 'Abd al-A'lā b. Abī 'l-Musāwir az-Zuhri 156  
 'Abd al-A'lā b. 'Adī al-Bahrānī 227  
 'Abd al-A'lā b. 'Āmir ath-Tha'labī 127, 129  
 'Abd al-A'lā b. Mushir Abū Mushir  
 al-Ghaṣṣānī 238  
 'Abd Allāh b. al-'Abbās, *see* Ibn 'Abbās  
 'Abd Allāh b. 'Abd Allāh Abū Ja'far ar-Rāzī  
 233  
 'Abd Allāh b. 'Az. b. 'U. b. 'Ar. b. 'Awf  
 az-Zuhri 153, 155  
 'Abd Allāh b. 'Abd al-Malik b. Kurz 231  
 'Abd Allāh b. 'Abd ar-Raḥmān b. Azhar  
 az-Zuhri 152  
 'Abd Allāh b. 'Abd ar-Raḥmān b. Ḥujayra  
 80  
 'Abd Allāh b. 'Abd ar-Raḥmān b. Ma'mar  
 37, 170  
 'Abd Allāh b. Abī Awfā 58  
 'Abd Allāh b. Abī Bakr b. M. b. 'Amr b.  
 Hazm 103  
 'Abd Allāh b. Abī 'l-Qāḍī al-Khwārizmī 229  
 'Abd Allāh b. Abī Zakariyyā' al-Khuzā'ī 45  
 'Abd Allāh b. 'Adī b. al-Ḥamrā' az-Zuhri 149  
 'Abd Allāh b. Aḥmad ibn Ḥanbal 243  
 'Abd Allāh b. 'Amr 29, 39, 114, 129, 130,  
 192, 218  
 'Abd Allāh b. al-Arḥam az-Zuhri 151, 155  
 'Abd Allāh b. 'Awf b. 'Abd 'Awf az-Zuhri  
 152

- 'Abd Allāh b. 'Awn 52, 67, 179, 181  
 'Abd Allāh b. Bishr al-Bakrī at-Ṭāliqānī 243  
 'Abd Allāh b. Bishr b. at-Tayyihān 157, 232  
 'Abd Allāh b. Burayda 229  
 'Abd Allāh b. Dāwūd al-Khuraybī 121  
 'Abd Allāh b. Dīnār 43, 111  
 'Abd Allāh b. Farrūkh 228  
 'Abd Allāh b. Hafs b. 'U. b. S. b. Abī Waqqāṣ az-Zuhrī 151  
 'Abd Allāh b. al-Hārith b. Nawfal 84  
 'Abd Allāh b. al-Hārith b. Zuhra az-Zuhrī 152  
 'Abd Allāh b. al-Husayn Abū Hariz 234  
 'Abd Allāh b. Idrīs b. Qādim 231  
 'Abd Allāh b. 'Īsā b. 'Abd ar-Rahmān 57  
 'Abd Allāh b. Ja'far b. 'Ar. b. al-Miswar az-Zuhrī 82, 153  
 'Abd Allāh b. Kaysān az-Zuhrī 149, 152  
 'Abd Allāh b. al-Khalīl 231  
 'Abd Allāh b. Lahī'a 23, 44, 80, 83, 109, 110, 117, 118, 129, 132, 178  
 'Abd Allāh b. Marwān al-Khuzā'ī 52  
 'Abd Allāh b. Mas'ūd 29, 37, 58, 59, 78, 112, 114, 115, 122, 126, 128, 193, 196, 229  
 'Abd Allāh b. Mawhab 36  
 'Abd Allāh b. al-Mubārak 67, 120, 122, 174, 183, 230, 237  
 'Abd Allāh b. Mughaffal 53  
 'Abd Allāh b. al-Mughīra b. Abī Burda 227  
 'Abd Allāh b. M. b. 'Ar. b. Miswar az-Zuhrī 153  
 'Abd Allāh b. Muḥammad b. Abī 'l-Aswad 226  
 'Abd Allāh b. M. b. al-Faḍl Abū Bakr al-Asadī 243  
 'Abd Allāh b. M. b. Kathīr b. Ma'n b. 'Ar. b. 'Awf az-Zuhrī 154  
 'Abd Allāh b. Muḥarrar 228  
 'Abd Allāh b. Muslim as-Sulamī 230  
 'Abd Allāh b. Muslim b. 'Ubayd Allāh az-Zuhrī 152  
 'Abd Allāh b. Numayr 110  
 'Abd Allāh b. Sa'd b. Abī Waqqāṣ az-Zuhrī 151  
 'Abd Allāh b. S. b. I. b. S. b. I. b. 'Ar. b. 'Awf az-Zuhrī 154, 155  
 'Abd Allāh b. Sa'īd b. Abī Hind 82  
 'Abd Allāh b. Šālih b. Muḥammad b. Muslim 234  
 'Abd Allāh b. Sawwār 87  
 'Abd Allāh b. Shihāb az-Zuhrī 152  
 'Abd Allāh b. Shubruma 87, 88  
 'Abd Allāh b. Sinān az-Zuhrī 149  
 'Abd Allāh b. Sufyān Abū Salama 85  
 'Abd Allāh b. Sulaymān b. Yasār 111  
 'Abd Allāh b. Tāwūs 233  
 'Abd Allāh b. 'Umar 24, 29, 39, 41, 42, 56, 63, 115, 124, 129, 142, 143, 169, 179, 192, 193, 196, 218, 228, 232  
 'Abd Allāh b. 'Umar b. Ghānim 228  
 'Abd Allāh b. 'Uthmān 'Abdān 229  
 'Abd Allāh b. 'Uthmān b. Ishāq b. S. b. Abī Waqqāṣ az-Zuhrī 151  
 'Abd Allāh b. 'Uthmān b. Khuthaym az-Zuhrī 149  
 'Abd Allāh b. Wahb 44, 47, 104, 109, 110, 112, 114-18, 125, 132, 170  
 'Abd Allāh b. Ziyād ibn Sam'an 84, 184  
 'Abd Allāh b. az-Zubayr 18, 19, 29, 39, 126, 193, 234  
 'Abd 'Awf b. 'Abd b. al-Hārith az-Zuhrī 152  
 'Abd al-'Azīz b. Abān 210, 236  
 'Abd al-'Azīz b. 'Imrān b. 'Az. b. 'U. b. 'Ar. b. 'Awf az-Zuhrī 153  
 'Abd al-'Azīz b. Muḥammad ad-Darāwardī 113, 176  
 'Abd al-'Azīz b. al-Muṭṭalib 85  
 'Abd al-'Azīz b. Šuhayb al-Bunānī 144  
 'Abd al-'Azīz b. 'U. b. 'Ar. b. 'Awf az-Zuhrī 153  
 'Abd al-'Azīz b. Yahyā 47  
 'Abd al-Hakam b. 'Abd Allāh 221  
 'Abd al-Ḥamid b. Abī Rabāh 231  
 'Abd al-Ḥamid b. Dīnār 221  
 'Abd al-Jabbār b. 'Umar al-Aylī 38  
 'Abd al-Karīm b. Muḥammad al-Jurjānī 229  
 'Abd al-Majīd b. Sahl b. 'Ar. b. 'Awf az-Zuhrī 153  
 'Abd al-Malik b. 'Abd al-Ḥamid al-Maymūnī 243  
 'Abd al-Malik b. Ḥumayd b. 'Ar. b. 'Awf az-Zuhrī 154  
 'Abd al-Malik b. Marwān 73, 85, 177  
 'Abd al-Malik b. 'Umayr 111  
 'Abd al-Malik b. Ya'lā al-Laythī 37, 89  
 'Abd Manāf b. Zuhra 150, 151  
 'Abd al-Mu'min b. Khālīd 230  
 'Abd al-Quddūs b. al-Hajjāj 214, 215  
 'Abd ar-Rahmān b. 'Abd Allāh b. 'Abd Rabbih 231  
 'Abd ar-Rahmān b. 'Abd Allāh b. Dīnār 185  
 'Abd ar-Rahmān b. 'Al. b. Mas'ūd 122  
 'Abd ar-Rahmān b. Abī 'Awf 226  
 'Abd ar-Rahmān b. Abī Laylā 116  
 'Abd ar-Rahmān b. Abī 'z-Zinād, see Ibn Abī 'z-Zinād  
 'Abd ar-Rahmān b. Aḥmad b. Yūnus 241  
 'Abd ar-Rahmān b. al-Aswad az-Zuhrī 151  
 'Abd ar-Rahmān b. 'Aṭā' b. Šafwān az-Zuhrī 149, 155  
 'Abd ar-Rahmān b. 'Awf az-Zuhrī 130, 148, 150, 153  
 'Abd ar-Rahmān b. Azhar b. 'Abd 'Awf az-Zuhrī 152  
 'Abd ar-Rahmān b. al-Ḥashās 36  
 'Abd ar-Rahmān b. Hujayra 12, 80  
 'Abd ar-Rahmān b. Ḥumayd b. 'Ar. b. 'Awf az-Zuhrī 154

- 'Abd ar-Rahmān b. I. b. 'Amr Duḥaym 148, 225, 239  
 'Abd ar-Rahmān b. Kurayb 228  
 'Abd ar-Rahmān b. Maghrā' 235  
 'Abd ar-Rahmān b. Mahdī 42, 51, 66, 163, 172, 174, 183, 185, 238, 243  
 'Abd ar-Rahmān b. Miswar b. Makhrama az-Zuhrī 153  
 'Abd ar-Rahmān b. Mu'āwiya b. Ḥudayj 80  
 'Abd ar-Rahmān b. Muḥammad b. 'Alawayh 223  
 'Abd ar-Rahmān b. Mushir 228  
 'Abd ar-Rahmān b. al-Qāsim b. Khālid 23, 80  
 'Abd ar-Rahmān b. Rāfi' 36, 227  
 'Abd ar-Rahmān b. Salmān 157  
 'Abd ar-Rahmān b. Tarif 232  
 'Abd ar-Rahmān b. 'U. b. S. b. Abī Waqqāṣ az-Zuhrī 151  
 'Abd ar-Rahmān b. Yazīd b. Jāriya 37  
 'Abd ar-Rahmān b. Yūsuf b. Khirāsh 183, 240  
 'Abd ar-Rahmān b. Ziyād 191  
 'Abd ar-Rahmān b. Ziyād Ibn An-'um 228  
 'Abd ar-Razzāq b. Hammām 144, 158, 188, 211  
 'Abd as-Salām b. 'Abd ar-Rahmān 225  
 'Abd al-Wāhid b. M. b. 'Ar. b. 'Awf az-Zuhrī 153  
 'Abd Yaghūth b. Wahb az-Zuhrī 151  
*'ābid* (plural *'abbād*) = worshiper 187, 188  
 'Abida b. Rabī'a 229  
 'Ābiṣ b. Sa'īd 83  
 Abiward 91, 223, 225, 235  
 ablution(s) 16, 42, 129  
 Abū 'l-Aḥwaṣ 'Awf b. Mālik 11  
 Abū 'l-'Alā' al-Ma'arrī 161  
 Abū 'Alī Ishāq b. Ibrāhīm 225  
 Abū 'Alqama, *mawlā* of Ibn 'Abbās 227  
 Abū 'Amr Sa'd b. Iyās 61  
 Abū 'l-'Arab Muḥammad b. Aḥmad 241  
 Abū 'Ātika Tarif b. Salmān/Sulaymān 68, 221  
 Abū 'Awāna al-Waḍḍāh b. 'Abd Allāh 109, 127, 129, 164, 201, 226  
 Abū 'Awāna Ya'qūb b. Ishāq 189  
 Abū Bakr. b. 'Abd Allāh b. Abī Sabra 6, 84  
 Abū Bakr b. 'Abd ar-Rahmān b. al-Ḥārith 15, 41, 43  
 Abū Bakr b. 'Ar. b. Miswar az-Zuhrī 153  
 Abū Bakr b. Abī Dāwūd 9  
 Abū Bakr b. M. b. 'Amr b. Ḥazm 34, 37, 84  
 Abū Bakr aṣ-Siddīq 11, 12, 17, 21, 24, 25, 28, 49, 54, 63, 77, 128, 196, 200  
 Abū 'd-Dardā' 45, 69, 227  
 Abū Dāwūd al-'A'mā 58  
 Abū Dāwūd as-Sijistānī 19, 56, 88, 178, 200  
 Abū Dhawba 123  
 Abū Dhūba 123  
 Abū 'l-Faḍl *kunya* 141  
 Abū Ḥanīfa 55, 80, 81, 103, 118-24, 130, 176, 177, 200, 225, 230, 231, 233, 235  
 Abū Ḥātim Muḥammad b. Idrīs ar-Rāzī 53, 70, 138, 139, 161, 165-7, 169, 171, 183, 194, 237, 240, 242, 243  
 Abū Hīlāl al-'Askarī 11  
 Abū Hurayra 8, 16, 29, 40, 43, 53, 54, 71, 81, 82, 88, 101, 113-15, 128-30, 158, 170, 172, 174, 179, 190, 192-206, 218, 219  
 Abū Idrīs al-Khawlanī 41, 45  
 Abū Ishāq 'cluster' 141, 142  
 Abū Ishāq 'Amr b. 'Al. as-Sabī' 54, 60, 61, 104, 141, 142, 164, 174, 179, 229  
 Abū Ishāq Sulaymān b. Abī Sulaymān ash-Shaybānī 141, 142  
 Abū 'l-Ja'd aḍ-Ḍamrī 89  
 Abū Juhayfa Wahb b. 'Abd Allāh 58  
 Abū Kabsha 114, 130  
 Abū Maḥdhūra 199  
 Abū Manāzil ibn Ukht 'Amr 230  
 Abū Mu'āwiya Muḥammad b. Khāzim aḍ-Ḍarīr 194, 197  
 Abū 'l-Muḥallab 54  
 Abū Muḥammad Mas'ūd b. Aws 193  
 Abū Muqātil Ḥafṣ b. Salm as-Samarqandī 124, 233  
 Abū Mūsā al-Ash'arī 58, 78, 82  
 Abū Muṣ'ab (Aḥmad b. Abī Bakr al-Qāsim?) 47  
 Abū 'l-Qāsim al-Balkhī 148, 165-7, 169-76, 178, 180, 193-6, 199, 212, 239, 242  
 Abū Qatāda 130  
 Abū Qurra Mūsā b. Tāriq az-Zabīdī 236  
 Abū 'r-Rajā' 'Imrān b. Mīlḥān 61  
 Abū Rawq 'Atīyya b. al-Ḥārith 123  
 Abū Rayya (Maḥmūd) 206  
 Abū Razīn Mas'ūd b. Mālik 194, 197  
 Abū Ru' ba Shaddād b. 'Abd ar-Rahmān 123  
 Abū Ruqayya 'Amr b. Qays al-Lakhmī 117  
 Abū 's-Sā'ib az-Zuhrī 149  
 Abū Sa'īd al-Kalbī 122, 123, 130  
 Abū Sa'īd al-Khudrī 122, 123, 129, 130, 192  
 Abū Sa'īd 'Uthmān b. 'Atīq al-Ḥuraqī 66  
 Abū Salama b. 'Ar. b. 'Awf az-Zuhrī 42, 84, 113, 154, 156, 158  
 Abū Ṣāliḥ (unspecified) 172-4, 201  
 Abū Ṣāliḥ Bādhām, *mawlā* Umm Ḥānī' 174  
 Abū Ṣāliḥ Dhakwān, *see* Dhakwān  
 Abū Shihāb 'Abd Rabbīhi b. Nāfi' al-Ḥannāfī 211  
 Abū Shihāb Mūsā b. Nāfi' al-Ḥannāfī 211  
 Abū Sufyān Talḥa b. Nāfi' 40  
 Abū Sufyān 'Ubayd Allāh/'Abd Allāh b. Sufyān 211  
 Abū 't-Tāhir 'Abd al-Malik b. Muḥammad 80  
 Abū Turāb, *see* 'Alī b. Abī Tālib 13  
 Abū 'Ubayda Muslim b. Abī Karīma 103

- Abū Umayya 'Abd al-Karīm 40, 66  
 Abū 'Ushshāna 117  
 Abū 'Uthmān 'Abd ar-Rahmān b. Mall/Mull  
 an-Nahdī 58, 208-10  
 Abū Waqqās b. Uhayb az-Zuhrī 151  
 Abū 'l-Yamān al-Ḥakam b. Nāfi' 147  
 Abū Yazīd al-Madanī 57  
 Abū Yūsuf 123, 228, 235  
 Abū 'z-Zinād 'Abd Allāh b. Dhakwān 35,  
 43, 125, 221  
 Abū 'z-Zubayr Muḥammad b. Muslim 40,  
 148, 215  
 Abū Zur'a b. 'Amr b. Jarīr 88  
 Abū Zur'a ad-Dimashqī ('Abd ar-Rahmān  
 b. 'Amr) 240  
 Abū Zur'a 'Ubayd Allāh b. 'Abd al-Karīm  
 ar-Rāzi 53, 101, 169, 240, 242, 243  
 'Adan 223  
*adhān* = call to prayer 103  
 'Adī (Banū) 138  
 'Adī b. 'Adī b. 'Amira 36, 228  
 'Adī b. Artāt 35  
 'Adī b. Thābit 31, 59  
 'adl = righteous 195  
 adultery 26  
 'Affān b. Muslim 27, 127, 149  
 'Affān b. Sayyār al-Bāhili 229  
*afṛād* = unique (traditions) 229  
 age trick 46-8, 61, 75, 221  
*ahādīth* (plural of *ḥadīth*) = 'stories' *passim*  
*ahkām* = legal judgements 162, 163, 183, 241  
*ahl al-bayt* = descendants of the prophet  
 through 'Alī 65, 129, 131  
*ahl al-bida'* = people harbouring innovative  
 ideas 18, 178  
*ahl adh-dhimma* = those of the conquered  
 people who enjoyed the 'protection' of  
 Islam 26, 30  
*ahl al-ḥadīth* = early Islamic faction  
 propagating the transmission and  
 promotion of traditions 6, 119, 123, 172  
*ahl al-kadhīb* = the people of falsehood 85,  
 183  
*ahl ar-ra'y* = proponents of *ra'y* 123  
*ahl as-sunna* = adherents of the *sunna* 17, 18,  
 111  
 Aḥmad b. 'Alī b. Khālid al-Juwaybarī 53, 68  
 Aḥmad b. Abī Muḥriz 228  
 Aḥmad b. Abī Zabya 232  
 Aḥmad b. Badīl 226  
 Aḥmad b. Bashīr 156  
 Aḥmad b. Ḥafṣ b. 'Alī. as-Sulamī 232  
 Aḥmad b. al-Ḥasan at-Tirmidhī 239  
 Aḥmad b. al-Ḥaytham b. Ḥafṣ 234  
 Aḥmad b. Humayd 243  
 Aḥmad b. al-Ḥusayn 107  
 Aḥmad b. Ibrāhīm 69  
 Aḥmad b. Malī al-Anṣārī 195  
 Aḥmad b. Mansūr ar-Ramādī 240  
 Aḥmad b. Marwān al-Mālikī ad-Dīnawarī  
 224  
 Aḥmad b. M. b. 'Az. b. 'U. b. 'Ar. b. 'Awf  
 az-Zuhrī 153  
 Aḥmad b. Muḥammad Abū Ja'far  
 an-Nahhās 241  
 Aḥmad b. Muḥammad b. Ḥanbal 20, 24, 25,  
 27-9, 45, 46, 53, 88, 101, 103, 105, 106,  
 116, 122, 126, 134, 144, 148, 157-9, 168,  
 169, 172, 176, 184, 189, 196, 199, 211,  
 212, 230, 239, 243  
 Aḥmad b. Muḥammad b. al-Ḥānī'  
 al-Athram 243  
 Aḥmad b. Muḥammad al-Ḥimmānī 123  
 Aḥmad b. M. b. 'U. al-Yamānī 211  
 Aḥmad b. Naṣr 109, 110  
 Aḥmad b. al-Qāsim b. al-Ḥārith b. Zurāra b.  
 Muṣ'ab b. 'Ar. b. 'Awf az-Zuhrī 154  
 Aḥmad b. Sa'īd 234  
 Aḥmad b. Sayyār 240  
 Aḥmad b. 'Ubayd Allāh 221  
 Aḥmad b. 'Umar b. Surayj 234  
 Aḥmar (al-) 236  
 Aḥwāz 36, 91, 224, 233  
*a'imma* (plural of *imām*) *passim*  
 'Ā'isha bint Abī Bakr 39, 40, 59, 101, 103,  
 124, 193  
 'Ā'isha bint Sa'd b. Abī Waqqās az-Zuhriyya  
 151  
 'Ajjāj al-Khatīb (Muḥammad) 193  
 Ājurri (Abū 'Ubayd M. b. 'Alī al-) 19  
*akhbār* (plural of *khabar* = report) *passim*  
 Aktham b. Sayfi 16  
 'Alā' b. 'Abd ar-Rahmān (al-) 68  
 'Alā' b. Hārūn (al-) 224  
 'Alā' b. Zayd (al-) 221  
 'Alāq b. Abī Muslim 221  
 Albānī (M. Naṣir ad-Dīn al-) 189  
 'Alī b. 'Abd al-'Alā 233  
 'Alī b. Abī Ṭāhir al-Qazwīnī 243  
 'Alī b. Abī Ṭālib 12-15, 17, 28, 29, 46, 48,  
 49, 51, 56, 59, 78, 104, 116, 128, 129,  
 131, 156, 200, 216, 227, 239  
 'Alī b. Ḥarmala 235  
 'Alī b. al-Ḥasan al-Hisnjānī 243  
 'Alī b. al-Ḥusayn b. 'Alī b. Abī Ṭālib 15, 156  
 'Alī b. al-Ḥusayn b. al-Junayd 243  
 'Alī b. Muḥammad b. 'Alī 231  
 'Alī b. Muḥammad b. 'Ubayd Allāh az-Zuhrī  
 155  
 'Alī b. Mujāhid 233  
 'Alī b. Mushir 130, 224  
 'Alī b. Rūh (or: Rawh) 224  
 'Alī b. Ṭālib 231  
 'Alī b. 'Umar al-Ḥarbī 38  
 'Alī b. Zayd ibn Jud'ān 32, 218  
 'ālim (plural 'ulamā') = religious scholar 11,  
 33, 74, 77, 132  
 'Ālim wa 'l-muad'allim (al-) 123, 124

- 'Alqama b. Abi 'Alqama 146, 221  
 'Alqama b. Qays 59  
 A'mash (Sulaymān b. Mihrān al-) 18, 35, 60,  
 61, 69, 109, 116, 134, 164, 171-4, 179,  
 194, 197, 200, 202, 224, 232  
 'amd = intent 112  
 'āmīl = tax collector 13, 78, 229, 231, 232  
 amīr = commander, emir 78, 231  
 amīr al-mu'minīn fi 'l-ḥadīth = leading  
 ḥadīth expert 155, 171, 175, 176, 180,  
 192, 238, 239  
 'Āmir b. 'Abd Allāh b. az-Zubayr 126, 127  
 'Āmir b. Sa'd b. Abi Waqqāṣ az-Zuhrī 15,  
 104, 125, 151  
 'Ammān 91, 224, 225  
 'Ammār b. Sayf 210, 211  
 'Ammār b. Yāsir 46  
 'Ammār b. Yūsuf 210  
 'Amr b. Abi 'Amr 57, 146  
 'Amr b. 'Alī al-Fallās 45, 239, 243  
 'Amr b. al-Azhar al-'Atakī 229  
 'Amr b. Dīnār 40, 164, 215  
 'Amr b. Dīnār al-Baṣrī 42  
 'Amr b. Ḥamid 225  
 'Amr b. Ḥarim 15  
 'Amr b. al-Ḥārith 116, 117  
 'Amr b. Ḥazm 24  
 'Amr b. Hurayth 58  
 'Amr b. Jāmi' 227  
 'Amr b. Khālid Abū Khālid al-Wāsiṭī 106  
 'Amr b. Mālik az-Zuhrī 151  
 'Amr b. Mihrān 231  
 'Amr b. Murra 179  
 'Amr b. Nadr al-Bazzār 224  
 'Amr b. Šālīḥ 232  
 'Amr b. Šalīm Abū 'Uthmān 230  
 'Amr b. Shamar 68  
 'Amr b. 'Ubayd 218  
 'Amr b. al-Walīd al-Aghḍaf 224  
 'Amra bint 'Abd ar-Raḥmān 34  
 'an (prep.) = on the authority of . . . *passim*  
 Anas b. 'Iyād 165  
 Anas b. Mālik 24, 25, 27, 29, 40, 46, 47, 58,  
 62, 67-9, 71, 76, 109, 110, 123, 128, 129,  
 143-5, 156, 158, 172, 192, 202, 204, 208,  
 218, 220, 221, 226  
 Anbār 91, 224, 227  
 'Anbasa b. al-Azhar Abū Yaḥyā 229  
 'Anbasa b. Sa'īd 233  
 Andalus 23, 241  
 anṣār = lit. 'helpers', the Medinese who  
 promoted the Islamic cause 26, 30, 31,  
 32, 48  
 Anṭākiya 91, 224  
 'Antara b. Fallāḥ 232  
 'aql = intelligence 87  
 A'raj ('Abd ar-Raḥmān b. Hurmuz al-) 81,  
 107, 210  
 Arazi (A.) 110  
 Arberry (A.J.) 117  
 arjū annahu . . . issue = 'I hope that he . . .'  
 185, 186, 224, 228, 235  
 argumenta e silentio 7, 38, 39, 49, 73, 79, 82,  
 88, 98-119, 123-33, 167, 171  
 'arīf = some sort of official 155  
 Armīniyā 36, 91, 224, 231  
 Arqam b. 'Abd Yaghūth az-Zuhrī (al-) 151  
 Asad b. 'Amr 235  
 Asad b. Furāt 228  
 Asad b. Mūsā 67  
 Asad b. Wadā'a 227  
 aṣḥāb an-nabī, see Companions  
 'ashara al-mubashshara (al-) = the ten  
 Companions to whom Paradise was  
 promised 130, 148  
 Ash'ath 'cluster' 50  
 Ash'ath b. Barāz 144  
 Ash'ath b. Ishāq b. S. b. Abi Waqqāṣ  
 az-Zuhrī 151  
 Ash'ath b. Sawwār 224  
 'Āsim b. 'Adī 20  
 'Āsim b. Bahdala Abū 'n-ajjūd 69, 70  
 'Āsim b. Kulayb 130  
 'Āsim b. Rajā' b. Ḥaywa 69  
 'Āsim b. Sulaymān al-Aḥwal 208-11, 229  
 aṣl (plural uṣūl) = 'root', constituent  
 element 50, 51  
 Asmā' bint 'Umays 103  
 Aṣma'ī (al-) 171  
 asnada = linking up an *isnād* to the prophet 18  
 Aṣram b. Hawshab 226  
 Aswad b. 'Abd Yaghūth az-Zuhrī (al-) 151  
 Aswad b. 'Āmir (al-) 115  
 Aswad b. 'Awf b. 'Abd 'Awf az-Zuhrī (al-)  
 152  
 Aswad b. Sarī' (al-) 11  
 Aswān (al-Qulzum) 224  
 'Aṭā' 'cluster' 50  
 'Aṭā' b. Abi Rabāḥ 15, 40, 200, 215  
 'Aṭā' b. Muslim aṣ-Ṣan'ānī 233  
 'Aṭā' b. as-Sā'ib 221  
 'Aṭā' b. Yasar 43  
 āthār = reports concerning the past *passim*  
 'Aṭīyya b. Sa'd al-'Awfī 122, 123, 130  
 awābid = unusual stories 219  
 awā'il = reports containing information  
 about who was the first to do something,  
 or when certain institutions were first  
 introduced etc. 7, 10, 11, 16, 18, 19, 21,  
 23, 44, 55, 66, 77, 78, 86, 104, 105, 107,  
 108, 134, 194  
 'Awf b. 'Abd 'Awf az-Zuhrī 152  
 'Awf b. Abi 'l-Jamīla al-'A'rābi 218  
 'Awn b. 'Abd Allāh 29  
 awqāf, see waqf  
 'Awwād b. Nāfi' 229  
 Awzā'ī ('Abd ar-Raḥmān b. 'Amr al-) 23,  
 45, 109, 130, 133, 164

*ayyām an-nās* = pre-Islamic (as well as Islamic?) battles 238

Ayyūb b. Abī Tamīma as-Sakhtiyānī 61

Ayyūb b. Bashīr b. Ka'b 225

Ayyūb b. Ḥabīb az-Zuhrī 149

Ayyūb b. an-Najjār b. Ziyād 236

Ayyūb b. Sayyār az-Zuhrī 149

Ayyūb b. 'Uṭba Abū Yahyā 236

A'zamī (Ḥabīb ar-Raḥmān al-) 107

A'zamī (M.M. al-), *see* Azmi (M.M.)

Azd (Banū) 138

Azdī (Abū 'l-Fath al-) 241

Azhar b. 'Abd 'Awf b. 'Abd az-Zuhrī 152

Azmi (M.M.) 3-5, 147, 207

*bāb* = chapter *passim*

Badriyyūn = those who fought at the battle of Badr in 2/624 43, 219

Bagdad(i) 62, 65, 79, 84, 86, 89-93, 100, 105,

125, 126, 156, 194, 204, 207, 208,

211-13, 226, 231, 233, 238-40

*bahr* = lit. sea 78

Baḥr b. Naṣr b. Sābiq al-Khawlanī 117, 118

Baḥz b. Asad 53

Bakkār b. Shurayḥ al-Khawlanī 231

Bakr b. al-Aswad Abū 'Ubayda 218

Bakriyya 12, 17

Ba'lbakk 36, 91, 224

Balkh 91, 225

Balqā' 224, 225

Bāqir Muḥammad b. 'Alī Abū Ja'far (al-) 49

Baqiyya b. al-Walid 214-16

Bardjī (Aḥmad b. Ḥarūn al-) 240

Bashīr b. al-Muḥājir 221

Baṣra 11, 17, 20-2, 35, 36, 40, 45, 47-9,

52-5, 58, 59, 61, 62, 64-7, 79, 85-7, 89,

91, 92, 103, 129, 137, 140-2, 144, 156,

157, 164, 176, 177, 181, 204, 219, 229,

230, 238-41

Batā'iḥ 91, 232

*bāṭil* = null and void 211, 235

Bāwardī (al-) 241

Bayhaqī (al-) 189

*bayyana* = to elucidate 12

Bazzār (Aḥmad b. 'Amr b. 'Abd al-Khālīq al-) 183, 189, 240

Berber(s) 55, 227

*bid'a* = innovation 6, 17, 178, 179

Bilāl b. Abī Burda 86

*birr* = (filial) piety 112

Bishr 'cluster' 140, 141

Bishr b. al-Mundhir 230

*brlbing* (of judges) 86

*bukā'* = weeping 97, 101, 103-5, 107, 124, 125

Bukayr b. Ja'far 229

Bukayr b. Ma'rūf Abū Mu'adh 231

Bukayr b. Mismār az-Zuhrī 149, 158

Bukayr b. Shihāb ad-Dāmaghānī 158

Bukhārā 91, 223, 225

Bukhārī (al-) 17, 21, 56, 79, 87, 88, 134, 138, 139, 142, 155, 165, 166, 169, 171, 173, 201, 204, 243

Burayda b. al-Ḥusayb 77

Burd, *mawlā* of Sa'id b. al-Musayyab 56

Byzantine, *see* Christian

caliph(s) *passim*

centenarians 47, 61, 62

children as *ḥadīth* collectors 41, 47

Christian/Byzantine 133, 178

clientage 54, 149

'clusters' of names 50, 70, 81, 137-49, 174

common link(s) 60, 69, 81, 82, 110, 127, 129, 163, 170, 199, 200, 206-17

Companion(s) 5, 8, 9, 13, 14, 16, 17, 19, 24,

28-33, 35, 39, 40, 42, 44-6, 50, 51, 54,

55, 58, 59, 63, 64, 67, 69, 70-2, 76, 78,

82, 87, 89, 97, 101, 104, 111, 112, 114,

116, 117, 125, 129, 130, 135, 140, 145,

146, 148, 155, 162, 163, 168, 179, 187,

190-206, 214, 219, 235, 241

computerizing of *ḥadīth* sciences 132, 137, 187

'conversion' *topos* 61

Copts 132

cosmetics 53

cupping 121, 218

cursing 173, 200, 201, 227

*da'if* = weak *passim*

*dā'iya* = propagandist 49, 50, 167, 218, 219, 226

*dajjāl* = Antichrist 228; = arrant liar 171

Damascus 18, 36, 41, 45, 83, 91, 141, 156,

204, 206, 233, 235, 239

*daqā'iq* = here: legal niceties 120

Dāraquṭnī ('Alī b. 'Umar ad-) 180, 184

Dārimī ('Abd Allāh b. 'Abd ar-Raḥmān ad-) 55, 116

Dārimī ('Uthmān b. Sa'id ad-) 240, 243

Daws (Banū) 192

Dāwūd b. 'Abd Allāh al-Ḥaḍramī 36

Dāwūd b. 'Affān 221

Dāwūd b. 'Amir b. S. b. Abī Waqqāṣ az-Zuhrī 151

Dāwūd b. al-Ḥusayn 57

Dāwūd b. Ibrāhīm 232

Dāwūd b. Jamīl 69

Dāwūd b. Mansūr 230

debts (paying of -) 60

Dhahabī (adh-) 170, 182, 193, 201, 203, 238

Dhakhwān Abū Ṣāliḥ 43, 113, 174

*dhikr* = (tirelessly) repeated litany 177

Dhuhli (Muḥammad b. Yahyā adh-) 165, 183, 239, 243

*dhull* = ignominy 180

*Difa'* 'an Abī Hurayra of al-'Izzī 204

- dimā'* (plural of *dam*) = blood; here used to denote the law of retaliation 49
- Dīnawarī 91, 225
- Dīnawarī (Aḥmad b. Marwān ad-) 188
- divorce(e) 43, 198
- Diwān* = governmental registry office 169
- dowry 214, 216
- du'afa'* = plural of *da'if*
- du'f* = weakness 185
- Dujayn b. Thābit 129
- Dūlābī (M. b. Aḥmad b. Ḥammād ad-) 241
- Dūrī ('Abbās b. Muḥammad ad-) 167, 243
- Egypt(ian(s)) 11, 14, 22, 23, 36, 39, 43, 44, 48, 62, 66, 72, 79–85, 87, 92, 94, 99, 102, 104, 106, 107, 109, 110, 114–16, 118, 129, 132, 133, 157, 189, 190, 206, 225, 237, 240, 241
- Ess (J. van) 18, 116
- faḍā'il* = (reports containing the alleged) merits of certain people or institutions 5, 7, 8, 12–14, 17, 23, 24, 46, 54, 63, 65, 73, 74, 94, 101, 121, 128, 131, 136, 139, 162, 163, 165, 200
- Faḍl b. al-'Abbās (al-) 141
- Faḍl b. Dalham (al-) 218
- Faḍl b. Dukayn Abū Nu'aym (al-) 238
- Faḍl b. ar-Rabī' (al-) 158
- Faḍl b. Shihāb (al-) 158
- Fallās (al-), see 'Amr b. 'Alī al-Fallās
- faqīh* (plural *fuqahā'*) = jurisconsult(s) 15, 33, 36–8, 40, 42, 45, 59, 60, 67, 72, 74, 75, 77, 80, 84, 85, 87, 94, 95, 113, 132, 162, 183, 203, 216, 225, 227, 228, 230, 231, 233–6, 239
- farā'id* = Qur'anic inheritance portions 54, 83, 198
- Farqad b. Ya'qūb as-Sabakhī 32, 221
- Fārs 91, 225, 233
- Fasawī (Ya'qūb b. Sufyān al-) 148, 165, 166, 169, 237, 242
- fāsiq* = (habitual) sinner 193
- Fātima 103
- Fātima bint Qays 193
- fatwā* = legal advice *passim*
- Filasīn 36, 91, 225, 234, 235
- fiqh* = Islamic jurisprudence 15, 16, 23, 33, 38, 40, 42, 43, 45, 49, 59, 77–80, 84, 86, 87, 90, 94, 119, 120, 123, 132, 162, 224, 238
- firā* = mendacity 129
- fitan* = (reports describing) political upheavals of the future as well as tribulations portending and accompanying the Day of Resurrection 49
- fitna* = tribulation, upheaval, civil war 17, 18, 19, 55, 108
- Fiṭr b. Khalīfa 184
- Fraenkel (S.) 179
- fujūr* = dissolution 112
- fulān* = an anonymous somebody *passim*
- Fulān b. Abi Fulān phenomenon** 146
- Fulayh b. Sulaymān 170
- fuqahā'*, see *faqīh*
- furū'* = detailed (legal) issues 183
- ghalaṭ* = unintentional mistake 111, 112
- gharā'ib* = (philological) peculiarities, oddities 232
- Ghazālī (al-) 29
- ghishsh* = fraud 180
- Ghiyāth b. Ibrāhīm 98
- Ghundar Muḥammad b. Ja'far 29
- ghurūr* = deceit 180
- Goldziher (I.) 1–4, 96, 97, 136, 206
- his *Muhammedanische Studien* 2, 206
- his *Vorlesungen* 2
- governor(s) 13, 35, 40, 44, 47, 50, 51, 55, 104, 105, 117, 212, 227, 229
- ḥadhdhā'* (al-) = cobbler 191
- ḥadīth* = tradition *passim*
- authenticity 1, 2, 4, 71, 75, 206
- authorship 7, 70, 73, 77, 135
- centre(s) 7, 10, 17, 39–66, 77, 140, 169
- chronology 7, 10, 19, 23, 24, 39, 70, 72–4, 77, 135, 164, 214
- collecting 20, 35, 41, 75, 98
- criticism 134–60, 161–90
- fabrication 6, 13, 17, 19, 29, 38, 53, 56, 57, 68–71, 73, 74, 78, 81, 82, 84, 90, 93, 94, 113, 114, 120, 122, 131–3, 135, 155, 162, 166, 181, 185, 186, 188, 189, 206, 210, 219, 224–7, 229, 230, 232, 235, 236
- growth 23–9, 47, 73, 75
- fiqh* and *ḥadīth* coming together 80, 87, 94
- with Muslim (*ḥadīth*) scholars 1–3, 9, 10, 16, 17, 19, 21, 30, 69–71, 97, 101, 111, 112, 116, 136, 139, 140, 160, 169, 174, 182, 188, 189, 191, 195, 206, 216
- provenance 7, 70–2, 77, 214
- with *qādis* 36, 37, 77–95, 223–36
- stealing *ḥadīth* 85, 130, 211
- writing down 4, 5, 19, 21
- ḥāfiẓ* (plural *ḥuffāz*) = endowed with an excellent memory 182–4, 186
- Ḥafṣ b. 'Abd Allāh 231
- Ḥafṣ b. 'Abd ar-Rahmān 231
- Ḥafṣ b. Ghiyāth 90
- Ḥafṣ b. Hāshim b. 'Utba b. Abī Waqqāṣ az-Zuhrī 151
- Ḥafṣ b. Sa'd b. Abī Waqqāṣ az-Zuhrī 151
- Ḥafṣ b. Sulaymān 69
- Ḥafṣ b. 'Umar 'cluster' 137–40, 163, 191
- Ḥafṣ b. 'Umar b. 'Ar. b. 'Awf az-Zuhrī 153
- Ḥafṣ b. 'Umar b. al-Ḥārith Abū 'Umar al-Ḥawḍī 137–9

- Hafş b. 'Umar, *qādī* of Halab 224, 225  
 Ḥafş b. 'U. b. S. b. Abī Waqqāş az-Zuhrī  
     139, 151  
 Hafsa bint 'Umar 52  
 Hajjāj b. Artāt (al-) 85, 156, 182-4, 215  
 Hajjāj b. Yūsuf (al-) 35, 51, 62  
 Hakam b. Abān al-'Adanī (al-) 223, 224  
 Ḥakam b. 'Al. Abū Muṭīr al-Balkhī (al-) 225  
 Hakam b. 'Utayba (al-) 116, 179  
 Ḥākīm an-Nisābūrī (al-) 170, 179-81, 184,  
     188, 189, 200  
 Halab 91, 224-6  
*halāl wa-ḥarām* = (precepts about) the  
     permissible and the forbidden 5, 6, 12,  
     15, 17, 23-5, 28, 35, 49, 74, 80, 85, 162,  
     237  
*halif* = confederate 149  
 Ḥamadhān 91, 223, 226, 232  
 Hāmīd b. 'Umar 229  
 Ḥammād 'cluster' 145  
 Ḥammād b. Abī Sulaymān 120, 183  
 Ḥammād b. Dulayl 230  
 Ḥammād b. Salama 25, 27, 163, 164  
 Ḥammād b. Usāma b. Yazīd Abū Usāma  
     109, 199  
 Ḥammād b. Yaḥyā al-Abahḥ 157  
 Ḥammād b. Zayd 163, 182  
 Ḥammām b. Muṣliḥ 210  
 Hammām b. Yaḥyā 127  
 Ḥamza b. 'Abd al-Muṭṭalib 99-101  
 Ḥamza b. Abī Ḥamza 146  
 Ḥamza b. Dīnār 218  
 Ḥanafite *madhhab* 81, 106, 122  
 Ḥanbal b. Ishāq 240  
 Ḥanballite *madhhab* 130  
 Ḥarāt 91, 226, 240  
 Harb b. Ismā'il al-Kirmānī 243  
 Ḥārith b. 'Abd Allāh al-'A'war (al-) 59, 202,  
     203  
 Ḥārith b. 'Abd ar-Raḥmān b. Abī Dhubāb  
     (al-) 155  
 Ḥārith b. 'Amr al-Asadī (al-) 36, 224  
 Ḥārith b. Asad (al-) 234  
 Ḥārith b. Ḥaṣīra (al-) 65  
 Ḥārith b. al-Jārūd (al-) 231  
 Ḥārith b. Miskīn (al-) 80  
 Ḥārith b. Muḥammad (al-) 227  
 Ḥārith b. 'Ubayda (al-) 227  
 Ḥārith b. Zuhra (al-) 150, 152  
 Ḥārith b. Zurāra b. Muş'ab b. 'Ar. b. 'Awf  
     az-Zuhrī (al-) 154  
 Ḥarīz b. Abī Ḥarīz 234  
 Harley (A.H.) 46  
 Ḥarra, battle of al- 107  
 Harrān 91, 225, 226, 228  
 Hārūn b. 'Al. b. M. b. Kathīr b. Ma'n b. 'Ar.  
     b. 'Awf az-Zuhrī 80, 154, 230  
 Hārūn b. Ma'rūf 116, 117  
 Hārūn ar-Rashīd 90, 197-9, 231  
 Ḥarūriyya 11  
*ḥasan* = fair *passim*  
 Ḥasan b. 'Alī b. Abī Ṭalīb (al-) 200  
 Ḥasan b. 'Alī al-Ḥulwānī (al-) 239  
 Ḥasan b. 'Aṭiyya (al-) 69  
 Ḥasan al-Baṣrī (al-) 15-17, 31-3, 37, 49-56,  
     58, 59, 62, 66, 73, 75, 85, 87, 115, 143,  
     145, 162, 184, 196, 213, 218-20  
 Ḥasan b. Bishr as-Sulamī (al-) 231  
 Ḥasan b. Mūsa al-Ashyab (al-) 118, 227  
 Ḥasan b. Sahl b. 'Ar. b. 'Awf az-Zuhrī (al-)  
     153  
 Ḥasan b. Şāliḥ b. Ḥayy (al-) 121  
 Ḥasan b. 'Umāra (al-) 156  
 Ḥasan b. Zayd b. al-Ḥasan (al-) 57  
 Ḥasan b. Ziyād al-Lu'lu'ī (al-) 87, 89  
 Ḥāshīm b. Abī Bakr al-Bakrī 81  
 Ḥāshīm b. Bilāl 235  
 Ḥāshīm b. Ḥāshīm b. Ḥāshīm b. 'Utba  
     az-Zuhrī 151  
 Ḥāshīm b. Ḥāshīm b. 'Utba b. Abī Waqqāş  
     az-Zuhrī 151, 156  
 Ḥāshīm b. 'Utba b. Abī Waqqāş az-Zuhrī  
     151  
 Ḥassān b. 'Aṭiyya 130  
 Ḥassān b. Ibrāhīm 229  
 Hasson (I.) 107  
 Ḥaytham b. Abī 'l-Haytham (al-) 225  
 Ḥaythamī (al-) 189  
 Hemgesberg (H.) 206  
*hifz* = memory 183  
 Ḥijāz(i) 25, 29, 39, 55, 63-7, 70, 84, 85, 94,  
     96, 102, 105, 107, 109, 110, 112, 113,  
     132, 133, 142, 156, 204, 241  
*hijra* = Muḥammad's emigration from  
     Mecca to Medina *passim*  
*ḥikam* = wise sayings 51  
*ḥikāyāt* = stories 202, 203  
 Ḥilāl b. Abī Ḥilāl 221  
 Ḥilāl b. Zayd 221  
*hilm* = forbearance 225  
 Ḥimş 45, 91, 141, 157, 226, 231, 234  
 Ḥimyar 118  
 Ḥīra 227  
*ḥisāb* = arithmetic 203  
 Ḥishām b. 'Abd al-Malik Abū 'l-Walīd 127  
 Ḥishām b. Abī Ruqayya 116, 117  
 Ḥishām b. Ḥassān 218  
 Ḥishām b. Sa'd 158  
 Ḥishām b. Yūsuf 234  
 Ḥishām b. Yūsuf as-Sulamī 235  
 Ḥishām b. Ziyād 219  
 Ḥit 91, 227  
*boariness* 47  
 Hudba b. al-Minhāl 223  
 Ḥudhayfa b. al-Yamān 58  
*ḥuffāz* see *ḥāfiẓ*  
*ḥujja* = argument 183  
 Ḥulwān 91, 227



- Ḥumayd b. 'Ar. b. 'Awf az-Zuhrī 154, 158  
 Ḥumayd b. 'Abd ar-Raḥmān al-Ḥimyarī 11  
 Ḥumayd b. 'Ar. b. Ḥumayd b. 'Ar. b. 'Awf  
 az-Zuhrī 154  
 Ḥumayd at-Tawīl 52, 68, 144, 208, 209, 221  
 Ḥumaydī ('Abd Allāh b. az-Zubayr al-) 25,  
 27, 28, 112, 113  
 Hurayth b. as-Sā'ib 219  
 Ḥusayn b. 'Abd ar-Raḥmān (al-) 225  
 Ḥusayn b. 'Alī b. Abī Tālib (al-) 156, 200  
 Ḥusayn b. 'Alī b. M. at-Ṭanāfīsī (al-) 232  
 Ḥusayn b. al-Ḥasan Abū Ma'in ar-Rāzī (al-)  
 243  
 Ḥusayn b. al-Ḥasan al-Kindī (al-) 235  
 Ḥusayn b. Wāqid (al-) 230  
 Husaynī (al-) 241  
 Hushaym b. Bashīr 47, 141, 157, 164, 169
- Ibādite(s)** 103  
 Ibn 'Abbās 29, 39, 53, 55-7, 71, 82, 112, 165,  
 192, 193, 227  
 Ibn 'Abd Allāh phenomenon 146  
 Ibn 'Abd al-Barr 70, 119, 193  
 Ibn 'Abd al-Hakam 34, 38, 44  
 Ibn 'Abd ar-Raḥmān phenomenon 146  
 Ibn Abī Dhi'b 82  
 Ibn Abī 'l-Ḥadīd 12, 13, 131  
 Ibn Abī Ḥātim ar-Rāzī ('Ar.) 79, 112, 113,  
 134, 138, 139, 142, 143, 167, 171, 178,  
 195, 237, 242, 243  
 Ibn Abī Khaythama (Aḥmad b. Zuhayr) 52,  
 167, 194, 196, 197, 240, 243  
 Ibn Abī Laylā (M. b. 'Ar.) 116  
 Ibn Abī Mulayka ('Al. b. 'Ubayd Allāh) 40,  
 85, 234  
 Ibn Abī 'n-Najīh 167, 182  
 Ibn Abī Shayba 105, 156, 188, 194, 197, 219  
 Ibn Abī 'Umayra 226  
 Ibn Abī 'z-Zinād 65, 89, 125, 126  
 Ibn 'Adī (Abū Aḥmad 'Abd Allāh) 183, 185,  
 188, 214  
 Ibn Akhī 'z-Zuhrī (Muḥammad b. 'Al. b.  
 Muslim) 152, 155, 158  
 Ibn Bābawayhi 131  
 Ibn Dinār phenomenon 146  
 Ibn Dirham phenomenon 146  
 Ibn Ḥajar al-'Asqalānī 8, 14, 29, 32, 48, 50,  
 79, 109, 111, 134-9, 143, 159, 164-7,  
 171, 174-6, 178, 179, 188, 203, 237-41  
 Ibn Ḥanbal, *see* Aḥmad b. M. b. Ḥanbal  
 Ibn Ḥazm 174  
 Ibn Ḥibbān al-Bustī 32, 122, 143, 158, 181,  
 183, 189, 194, 237  
 Ibn Hishām 99, 100  
 Ibn Ḥubaysh 241  
 Ibn Iṣḥāq 22, 99, 100, 102, 105, 164, 165,  
 171, 175, 183  
 Ibn al-Jawzī 29, 38, 117, 130, 207, 211, 214,  
 216
- Ibn Jurayj ('Abd al-Malik b. 'Az.) 21, 22,  
 164, 180  
 Ibn Khuzayma 183, 189  
 Ibn Lahī'a, *see* 'Abd Allāh b. Lahī'a  
 Ibn al-Madīnī 48, 53, 82, 135, 164, 165, 167,  
 169, 172, 186, 219; 238, 243  
 Ibn Māja 88  
 Ibn Manda (M. b. Iṣḥāq) 188  
 Ibn Mas'ūd, *see* 'Abd Allāh b. Mas'ūd  
 Ibn al-Mubārak, *see* 'Abd Allāh b.  
 al-Mubārak  
 Ibn al-Munkadir (Muḥammad) 101, 102  
 Ibn Musallih 224  
**Ibn Muslim phenomenon** 146  
 Ibn an-Nadīm 136, 237  
 Ibn Qunbul b. Kathīr Abū 'l-Ma'shaq 227  
 Ibn Qutayba 193  
 Ibn Rāhawayh Iṣḥāq b. Ibrāhīm 109, 238  
 Ibn Sa'd (M.) 24-8, 33, 67, 79, 100-2, 113,  
 125, 134, 138, 139, 142, 165, 166, 169,  
 236  
 Ibn as-Ṣalāh 188  
 Ibn Shihāb, *see* Zuhri (M. b. Muslim Ibn  
 Shihāb az-)  
 Ibn Sirīn (Muḥammad) 11, 17-19, 49, 52-5,  
 58, 122, 178, 179  
 Ibn Ukht an-Namir 78  
 Ibn 'Ulayya Ismā'il b. Ibrāhīm b. Miqsaḥ 69,  
 196  
 Ibn 'Umar, *see* 'Abd Allāh b. 'Umar  
 Ibn Uwayna (Sufyān) 27, 41, 64, 90, 101, 113,  
 114, 156, 163, 164, 175, 176, 178, 180,  
 181, 219, 243  
 Ibn Wahb, *see* 'Abd Allāh b. Wahb  
 Ibn az-Zubayr, *see* 'Abd Allāh b. az-Zubayr  
**Ibrāhīm "cluster"** 141  
 Ibrāhīm b. 'Abd Allāh b. Muslim az-Zuhrī  
 152  
 Ibrāhīm b. 'Ar. b. 'Awf az-Zuhrī 150, 154  
 Ibrāhīm b. Abī Yahyā 180  
 Ibrāhīm b. Baytār 229  
 Ibrāhīm b. al-Ḥasan az-Zuhrī 149  
 Ibrāhīm b. Ḥāshim Abū Iṣḥāq 23  
 Ibrāhīm b. Hudba 221  
 Ibrāhīm b. al-Jarrāh 81  
 Ibrāhīm b. M. b. 'Az. b. 'U. b. 'Ar. b. 'Awf  
 az-Zuhrī 153  
 Ibrāhīm b. M. Abū Iṣḥāq al-Fazārī 45, 238  
 Ibrāhīm b. M. al-Halabī az-Zuhrī 156  
 Ibrāhīm b. M. b. S. b. Abī Waqqāṣ az-Zuhrī  
 151  
 Ibrāhīm b. Mūsā 68  
 Ibrāhīm b. Sa'd b. Abī Waqqāṣ az-Zuhrī 151  
 Ibrāhīm b. S. b. I. b. 'Ar. b. 'Awf az-Zuhrī  
 154, 158  
 Ibrāhīm b. S. b. I. b. S. b. I. b. 'Ar. b. 'Awf  
 az-Zuhrī 154  
 Ibrāhīm b. Sallām 69  
 Ibrāhīm b. 'Uthmān Abū Shayba 235

- Ibrāhīm b. Yazīd an-Nakha'ī 15, 18, 53, 60, 120, 199, 200
- Ibrāhīm b. Yazīd at-Taymī 123
- 'idda = waiting period to be observed by widow or divorcee 32
- idrāj = interpolation 103, 105, 126, 127, 131, 214, 216
- Ifriqiyā 36, 91, 227
- ihāla = transfer of traditions from a dubious to a 'reliable' *isnād* 155
- ihrām = a pilgrim's state of temporary consecration 110
- 'Ijlī (Aḥmad b. 'Abd Allāh al-) 67, 165, 183, 239
- ijmā' = consensus 195
- ikhilāf = difference (of opinion concerning matters of religion or law) 241
- 'Ikrima 'cluster' 140, 160
- 'Ikrima, Ibn 'Abbās' *mawla* 15, 55-8, 112, 139, 140
- 'Ikrima b. 'Abd ar-Raḥmān b. al-Hārith 140
- 'Ikrima b. Abī Jahl 140
- 'Ikrima b. Ibrāhīm al-Azdī 233
- 'Ikrima b. Khālid b. al-'Āṣ 140
- 'Ikrima b. Salama b. al-'Āṣ 140
- 'Ikrima b. Salama b. Rabī'a 140
- 'ilal = defects (in traditions) 238-41
- 'Ilbā' b. Abī 'Ilbā' 146
- 'ilm = (mostly religious) knowledge 11, 23, 33-6, 63, 65-7, 77, 78, 119, 120, 132, 162, 164, 177, 237, 238
- 'ilm ar-rijāl = scrutiny of transmitters recorded in the biographical literature 163-90, 203
- 'ilm as-sunan = the science of normative precedents 232
- imām (plural *a'imma*) = (prayer) leader *passim*
- 'Imrān 'cluster' 50
- 'Imrān b. 'Az. b. 'U. b. 'Ar. b. 'Awf az-Zuhrī 149, 153, 155
- 'Imrān b. Hiṭṭān 178
- 'Imrān b. Sulaym 227
- Inheritance 54
- Iraq 11, 20, 22, 25, 27-9, 39-41, 44-6, 48, 55, 58, 61, 63-6, 68, 69, 73, 75, 84, 85, 89, 90, 94, 99-102, 104-15, 118, 124, 125, 128-30, 132-4, 137, 156, 165, 166, 169, 172, 191, 194, 196, 197, 219, 227, 238, 240
- 'Iraqi Zuhris' 155, 156
- Iraqī Zuhri traditions 155-7
- irjā' (the doctrine of-) = postponing one's own judgement and leaving the judgement of someone's sins to God 120, 179
- irsāl = a Successor ascribing a saying directly to the prophet without mentioning the Companion who supposedly taught him this saying 42, 43, 45, 56, 75, 169, 183
- 'Isā b. 'Abd al-Malik b. Ḥumayd b. 'Ar. b. 'Awf az-Zuhrī 154
- 'Isā b. Abī Bakr b. Ayyūb 121
- 'Isā b. al-Munkadīr 78
- 'Isā b. al-Musayyab al-Bajalī 229
- 'Isā b. Ṭahmān 221
- Iṣfahān 91, 228
- Isfarā'īnī (Abū Bakr M. b. Aḥmad b. 'Abd al-Wahhāb al-) 130
- Ishāq b. 'Al. b. Abī Ṭalḥa 68
- Ishāq b. al-Furāt 80, 81
- Ishāq b. Ibrāhīm 'cluster' 141
- Ishāq b. Mansūr 243
- Ishāq b. Mūsā 232
- Ishāq b. Najīb al-Malaṭī 55, 122
- Ishāq b. ar-Rabī' 219
- Ishāq b. S. b. Abī Waqqāṣ az-Zuhrī 151
- ism = name 141, 202, 208
- Ismā'il b. Abān 210
- Ismā'il b. 'Abd ar-Raḥmān as-Suddī 56
- Ismā'il b. Abī 'l-Hārith Asad al-Baghādī 243
- Ismā'il b. Abī Khālid 58
- Ismā'il b. 'Ayyāsh 45, 65
- Ismā'il b. al-Hakam 226
- Ismā'il b. Ḥammād b. Abī Ḥanifa 85
- Ismā'il b. I. Abū Ma'mar 130
- Ismā'il b. I. b. Miqsam, *see* Ibn 'Ulayya
- Ismā'il b. M. b. Abī Kathīr 230
- Ismā'il b. M. b. S. b. Abī Waqqāṣ az-Zuhrī 151
- Ismā'il b. Muslim al-'Abdī 228
- Ismā'il b. Muslim al-Makkī 219
- Ismā'il b. Muslim, *qāḍī* of Qays 232
- Ismā'il b. Najīb 210
- Ismā'il b. 'Ubayd Allāh b. Abī 'l-Muhājir 36, 227
- Ismā'il b. Yahyā 210
- Ismā'il b. al-Yasā' al-Kindī 80
- Ismā'il b. Ziyād ad-Du'ālī 231
- isnād* = chain of transmitters *passim*
- of Abū Ḥanifa 122, 123, 130
- of Abū Hurayra 203-5
- of the *ahl al-'Irāq* 65
- A'mash 'an Abū Ṣāliḥ 172, 173
- Başran/Kūfan 46
- chronology of - 5, 9, 10, 17, 18, 19, 21, 30, 55, 71, 73, 75, 139, 144, 161, 196, 217
- cluster of - 69
- collective 100, 102
- criticism 19, 20, 70, 75, 161, 164-90
- critic(s) 19-21, 161, 164-76
- fabrication 4, 37, 38, 51, 52, 54, 56, 62, 71, 73, 75, 88, 103, 122-4, 130, 132, 135, 137, 145, 156, 157, 159, 160, 196, 201, 205, 223, 233, 235
- family 6, 100, 126, 129, 148, 156
- 'growing backwards' 15, 31, 52, 54, 59, 73, 75, 115

*isnād* – contd

- with Hasan al-Baṣrī 50  
 with Ḥasan al-Baṣrī–Abū  
 Hurayra–prophet 53, 54, 219  
 with Ibn ‘Uyayna–Zuhri 176  
 with Mālik (or Fulān)–Nāfi’–Ibn  
 ‘Umar–prophet 142, 143, 228, 232  
 Medinan/Syrian 105  
 of mixed origin 39, 44  
*mu’an’an* 168, 174, 182, 239  
 primitive, defective 37, 38, 50, 112–15,  
 123, 125, 135  
 Shi’ite 200  
 with ‘Uqayl–[Zuhri–] Fulān–Fulān–  
 prophet 157  
 with Zuhri 147–9, 155–8, 226, 239  
 Isrā’īl b. Muḥammad Abū Tammām 224, 236  
*istihāda* = extra-menstrual discharge 54  
*iṣṭilāḥāt* = technical terms 179  
 ‘Iṣr (Nūr ad-Dīn) 70, 185, 186, 206  
*iṭṭilā’* = being well-informed 166, 167  
 Iyās b. Mu’āwiya 36, 221  
 ‘Izzī (‘Abd al-Mun’im Ṣāliḥ al-‘Alī al-) 53,  
 155, 158, 203–7, 217
- Jabbul 91, 228  
 Jābir b. ‘Abd Allāh 29, 39, 71, 101, 192, 214,  
 215  
 Jābir b. Yazid al-Ju’fi 114, 120, 177, 178, 200  
 Jābir b. Zayd al-Azdī 15, 103  
 Jabr b. al-Qaṣh’am 229  
 Jabrite 168  
 Ja’far b. ‘Ar. b. Miswar az-Zuhri 153  
 Ja’far b. Abi Ṭālib 103  
 Ja’far b. ‘Awn 110  
 Ja’far b. M. b. ‘Alī b. al-Ḥusayn aṣ-Ṣādiq  
 106, 131, 200  
 Ja’far b. Muḥammad b. ‘Ammār 236  
 Ja’far b. Yahyā b. al-‘Alā’ 233  
 Jahdamī (Ismā’īl b. Ishāq al-) 183, 240  
*Jāhiliyya* = the ‘days of ignorance’ before  
 Islam 61, 96, 99, 103  
 Jahm b. Ṣafwān 168  
 Jahmite(s) 168  
 Jamā’a (year of the –) 13  
*Jāmi’* of Ibn Wahb (the) 44, 109, 114–18  
*Jāmi’* of ar-Rabi’ b. Ḥabīb (the) 124  
 Jāmi’ b. Shaddād 126  
*jarḥ wa-ta’dīl* = disparaging and declaring  
 trustworthy 238, 239  
 Jarir b. ‘Abd Allāh 208, 209  
 Jarir b. ‘Abd al-Ḥamid 233  
 Jarrāḥ b. ‘Abd Allāh (al-) 36, 229  
 Jarrāḥ b. ‘Abi ‘l-Jarrāḥ (al-) 146  
 Jārūdī (M. b. an-Nadr b. Salama b. al-Jārūd  
 al-) 240  
*jawāb* = main clause of a conditional  
 sentence 109  
*jawr* = injustice 86

- Jazīra (al-) 36, 91, 226, 228  
 Jews, Jewish 13, 103, 114, 124, 178  
 Jones (J. Marsden B.) 103  
*jum’a* = Friday prayer ritual 89  
 Jundaysābūr 91, 228, 235  
 Jurjān 91, 229, 232, 233, 240  
 Juwayriya b. Asmā’ 156  
 Jūzajān 91, 229  
 Jūzajānī (Ibrāhīm b. Ya’qūb al-) 101, 136,  
 165, 166, 183, 185, 200, 239, 242
- kadhḥāb* = mendacious transmitter 47, 63,  
 69, 85, 87, 106, 111–16, 122, 129, 144,  
 167, 171, 176, 178, 184, 185, 187, 194,  
 198, 200, 203, 211, 226–36  
*kadhīb* = mendacity 8, 70, 83, 87, 94, 105,  
 108–15, 119, 125, 127, 129, 130, 132,  
 133, 161–3, 177, 180, 181, 183, 185,  
 193–5, 197–9, 201, 202, 212, 226, 231  
*kadhūb* = *kadhḥāb* 235  
*kalāla* = distant relatives 26  
*kalām* = legal discussion 23; = dialectic  
 theology 119  
 Karābīsī (al-Ḥusayn b. ‘Alī al-) 165, 167,  
 168, 170, 172–5, 178, 180, 186, 239, 242  
 Karābīsī (Muḥammad b. Ṣāliḥ al-) 168  
 Karbalā’ 19  
 Karrāmiyya 188  
 Kathīr ‘cluster’ 145  
 Kathīr b. ‘Abd Allāh 221  
 Kathīr b. ‘Abī Kathīr 146  
*kathīr al-ḥadīth* = credited with the  
 transmission of a large number of  
 traditions 37, 120, 166, 169, 218, 224,  
 234  
 Kathīr b. Ma’n b. ‘Ar. b. ‘Awf az-Zuhri 154  
 Kathīr b. Qays 69  
 Kathīr b. Sulaym 221  
 Kathīr b. Ziyād 219  
 key figure 44, 62, 110, 129, 133, 142, 146,  
 160, 164, 165, 168, 169, 171, 175, 180,  
 196, 204, 205, 216, 217, 219  
*khāl* = maternal uncle 211  
 Khalaf b. Yahyā 233  
 Khālid ‘cluster’ 145, 160  
 Khālid al-‘Abd 219  
 Khālid b. Abī ‘Imrān at-Tujībī 228  
 Khālid b. Khalī 227  
 Khālid b. al-Lajlāj az-Zuhri 149  
 Khālid b. Mihrān al-Ḥadhdhā’ 145  
 Khālif b. Shawdhab 219  
 Khālid b. ‘Ubayd 221  
 Khālid b. ‘Urfuṭa 129  
 Khālid b. Yazid b. Ṣāliḥ 225  
 Khalifa b. Khayyāt 138, 139  
*kharāj* = land tax 78  
 Khārija b. ‘Al. b. S. b. Abī Waqqāṣ az-Zuhri  
 151  
 Khārija b. Zayd b. Thābit 42

- Khārijites, *see* Khawārij  
 Khaṭīb al-Baghdādī (al-) 16, 17, 70, 79, 119, 145, 195, 199, 207, 211  
 Khaṭīb at-Tibrizī (al-) 189  
 Khaṭṭāb b. al-Qāsim 226  
 Khawārij (Khārijites) 11, 59, 178  
 Khayr b. Nu'aym al-Ḥaḍramī 80  
*khiddā'* = trickery 180  
*khiyār* = option in a commercial transaction 121  
*khulafā' ar-rāshidūn (al-)*, *see* *rāshidūn*  
*khurāfāt* = fables 65  
 Khurāsān 23, 36, 50, 62, 91, 94, 109, 155, 157, 226, 229, 230, 237, 238  
 Khuṣayf b. 'Abd ar-Raḥmān 221  
*khuṭba* = sermon 189  
 Khuzaym b. Abī 'Amra 228  
 Khūzistān 109, 228  
 Khwārizm 91, 229  
 Kindī (al-) 14, 79, 237  
 Kirmān 91, 229  
 Kister (M.J.) 103, 117  
*kitāb* = collection of written material 25  
 Kudaymī (Muḥammad b. Yūnus al-) 69  
 Kūfa 11, 19, 20, 22, 37, 45, 48, 53, 55, 56, 58–62, 64, 65, 67–70, 79, 87–92, 100, 104–7, 114, 120, 129, 130, 133, 140–2, 155, 156, 164, 166, 170, 174, 176, 177, 181, 182, 191, 197, 204, 212, 226, 229, 230, 235, 238, 239  
*kufr* = unbelief 63  
*kuhl* = antimony 208  
 Kulayb b. Shihāb 113, 130  
 Kulaynī (al-) 131  
*kunya* = agnomen *passim*  
 Kurayb b. Sayf 235
- lā yuḥtājja bihi* = 'his traditions are not to be adduced as *hujja'* 184, 187  
 lamenting the dead, *see* *niyāḥa*  
 lapidation 26  
*laqab* = nickname 208  
*laysa bi 'l-qawī* = 'he is not trustworthy' 183, 184  
 Layth b. Sa'd (al-) 14, 44, 53, 109, 110, 127, 132, 237  
*layyin* = undemanding in regard to *isnāds* 224  
*liqā'* = personal encounter (of two transmitters) 43, 181  
 locusts 226  
 longevity (of transmitters) 20, 41, 46, 47, 48, 221  
 Luqmān 45
- Madā'in 91, 229  
 Madā'inī (al-) 13  
 Madelung (W.) 106
- madhhab* (plural *madhāhib*) = school of law or theology 23, 42, 80, 168, 223  
*maghāzī* = campaigns 64, 82, 233, 241  
 Maghrib 239  
 Mahdī (al-) 198, 224  
 Mahdī b. Muslim 232  
*majhūl(ūn)* = unknown, anonymous person(s) *passim*  
*Majmū' al-fiqh* of Zayd b. 'Alī 106, 118  
*Majūs* (the) 233  
 Makhrama b. Nawfal az-Zuhrī 151, 153  
 Makhūl 45, 67, 162  
 Makhzūm (al-) 85  
 Mālik b. Abī 'r-Rijāl 101, 103  
 Mālik b. Anas 18, 20–4, 27, 28, 33, 47, 62–4, 103, 104, 107, 109, 110, 112, 113, 126, 127, 142, 143, 147, 148, 164, 165, 169, 170, 193, 228, 230, 232  
 Mālik b. Dīnār 165  
 Mālik b. M. b. 'Ar., *see* Mālik b. Abī 'r-Rijāl  
 Mālik b. Sulaymān al-Harawī 226  
 Mālik b. 'Utba az-Zuhrī 151  
 Mālikite *madhhab* 80, 81  
 Ma'mar b. Muḥammad 231  
 Ma'mar b. Rāshid 19, 22, 64, 66, 144, 158, 163, 164, 171, 176, 233  
*man kadhaba dictum* 97, 105, 106, 108–18, 122–33, 161, 181, 198, 199  
 Ma'n b. 'Ar. b. 'Awf az-Zuhrī 154  
 Ma'n b. 'Īsā 174  
*ma'nā* = the overall sense of a tradition 69  
*manākīr* = plural of *munkar*  
*manāsik* = *hajj* ceremonials 40, 64  
 Maṣṣūr (al-) 62, 63, 119, 121, 212  
 Maṣṣūr b. al-Mu'tamir 60, 182  
 Maṣṣūr b. Ziyād 234  
 manumission 53  
*maqā'ī'* = broken-up (*isnāds*) 219, 233  
 Ma'qil b. Abī Ma'qil 146  
 Ma'qil b. Yasār 54  
*maqlūb(āt)* = inverted (tradition(s)) 219  
 Marāghī ('Abd al-'Azīz Muṣṭafā al-) 55  
*marāsīl* = plural of *mursal*  
*marfū'* = *isnād* going back all the way to the prophet 16, 17, 19, 32, 42, 53, 70, 82, 128, 163  
 marriage 53, 198, 214  
*ma'rūf* = well-known *passim*  
 Ma'rūr b. Suwayd (al-) 61  
 Marw 21, 23, 91, 141, 157, 226, 229–31, 237, 240  
 Marwān b. al-Ḥakam 33, 83  
 Marwān b. Mu'āwiya 109  
*masā'il* (plural of *mas'ala*) = legal problems 23, 120, 121, 237  
*mash' al-khuffayn* = the wiping of the shoes 42  
*mashyakha* = plural of *shaykh* 240  
 Maslama b. Mukhallad 116, 117

- Maslama b. al-Qāsim al-Qurtubī 241  
 Masrūq b. al-Ajda' 59, 67  
 Maṣṣiṣa 45, 91, 230, 232, 234, 235, 238  
 Maṭar b. Maymūn 221  
 Maṭar al-Warrāq 221  
*mathālib* = reports – often slanderous – concerning the demerits of certain people or institutions 5, 7, 8, 13, 14, 23, 74, 94, 121, 136, 139, 163, 165, 240  
 Māti' b. 'Abd ar-Rahmān ar-Ru'aynī 228  
*matn* = text of a tradition *passim*  
*matrūk* = abandoned, left alone 162, 167, 182, 183, 185, 187  
*mawālī* (plural of *mawlā*) = clients, those in the conquered territories who embraced Islam 13, 36, 38, 40, 42, 43, 45, 56–8, 60, 65, 85, 87, 89, 90, 93, 94, 112, 132, 133, 138, 140, 142, 149, 170, 174, 176, 177, 218, 219, 224–35, 237, 238  
*mawāqit* = the precise times at which the performance of prayer rituals should begin 64  
 Māwardī (al-) 213  
*mawḍū' (āt)* = fabricated 43, 83, 189, 219  
*maw'iza* (plural *mawā'iz*) = exhortatory sermon 218  
*mawlā*, see *mawālī*  
*mawqūf* = *isnād* 'stopping' at a Companion or a Successor 16, 17, 53, 70, 82, 163, 187  
 Mawṣil 36, 91, 224, 227, 231, 239, 241  
*maxlm* (legal) 15–17, 32, 45, 52–4, 57, 74, 97, 109, 121, 123, 135, 162, 214, 216  
 Maymūn 'cluster' 50  
 Maymūn b. Mihrān 36, 228  
*mazālim* = (secular court of) complaints 33  
 Mecca 11, 22, 36, 39, 40, 57, 64, 67, 70, 79, 84, 85, 90–2, 102, 104, 105, 107, 114, 157, 164, 169, 177, 182, 184, 200, 212, 229, 239  
 Medina 11, 20–2, 24, 25, 27, 29, 35, 37–41, 43–5, 47, 48, 59–68, 70, 79–84, 89, 91, 92, 94, 100–4, 107, 112–14, 125, 126, 140–2, 156, 164, 165, 170, 176, 177, 192, 204, 238  
 Mediterranean 78  
 mendacity, see *kadhīb*  
 menstruation 15, 43, 54  
*mihna* = inquisition 89, 127, 239  
 Miqṣam b. Bujra 40  
 Mis'ar b. Kidām 181  
 Miswar b. Makhrama b. Nawfal az-Zuhrī 148, 151, 153, 155  
 Moses 216  
 mourning 96, 97, 99, 100, 102–8  
 Mu'ādh b. Jabal 45, 78  
 Mu'ādh b. Mu'ādh al-'Anbarī 86  
*mu'adhhdhin* = someone who calls to prayer 61  
*mu'allim* = teacher 237  
 Mu'allimī al-Yamānī ('Ar. b. Yahyā al-) 242  
*mu'an'an* = *isnāds* in which the transmission procedure between one or more pairs of transmitters is merely indicated by 'an' = 'on the authority of' 168, 174  
*mu'āsara* = contemporaneity 181, 196  
 Mu'āwiya b. Abī Sufyān 13, 14, 33, 38, 44, 50, 117, 129  
 Mu'āwiya b. Ṣāliḥ b. Ḥudayr al-Ḥimṣī 23, 232  
 Mubārak b. Fadāla 32, 219  
 Mubashshir b. 'Ubayd 157, 214, 215  
*mudallis(ūn)* = someone who tampers with *isnāds* 22, 52, 174, 179, 181, 183, 187, 219  
*mudallisīn*, *Kitāb al-* by Karābīsī 172  
*mudd* = certain measure 65  
*mudṭarīb* = disorganized 224  
 Mufaddal b. Fadāla (al-) 80  
*muftī* = giving *fatwās* 80, 183, 228, 231  
 Mughīra b. Abī 'l-Mughīth b. Ḥumayd b. 'Ar. b. 'Awf az-Zuhrī 155  
 Mughīra b. Miqṣam 179  
 Mughīra b. Shu'ba 58, 104, 105, 116, 193  
 Mughīra b. Ziyād 66  
*muḥaddith(ūn)* = traditionist(s) *passim*  
 Muḥājir b. Mismār az-Zuhrī 149  
 Muḥājir b. Nawfal 232  
*muḥājir(ūn)* = those early Meccan converts who followed the prophet to Medina 26, 30, 31, 32  
*muḥāl* = inconceivable 212  
 Muḥammad, the prophet *passim*  
 Muḥammad b. 'Al. b. 'Abd al-Ḥakam 117, 118  
 Muḥammad b. 'Al. Abū Muḥriz 228  
 Muḥammad b. 'Al. b. 'Ammār 239  
 Muḥammad b. 'Al. b. al-Mubārak 227  
 Muḥammad b. 'Al. b. Numayr 243  
 Muḥammad b. 'Al. b. 'Ulātha 226  
 Muḥammad b. 'Az. b. 'U. b. 'Ar. b. 'Awf az-Zuhrī 84, 153, 156  
 Muḥammad b. 'Abd al-Majid b. Sahl b. 'Ar. b. 'Awf az-Zuhrī 153  
 Muḥammad b. 'Ar. b. 'Awf az-Zuhrī 153  
 Muḥammad b. 'Ar. al-Makhzūmī al-Awqaṣ 85  
 Muḥammad b. 'Ar. b. Miswar az-Zuhrī 153  
 Muḥammad b. 'Abd ar-Rahmān az-Zuhrī, *mawlā* 149  
 Muḥammad b. Abī Bakr b. M. 37  
 Muḥammad b. Abī Ḥumayd al-Anṣārī 101  
 Muḥammad b. Abī Ḥumayd az-Zuhrī 149  
 Muḥammad b. Aḥmad b. al-Barā' 243  
 Muḥammad b. 'Ajlān 42, 113, 115  
 Muḥammad b. 'Amr b. 'Alqama 113  
 Muḥammad b. 'Amr al-Anṣārī 219  
 Muḥammad b. 'Amr as-Sumay'ī 219

- Muhammad b. al-Aswad b. 'Awf az-Zuhri 152
- Muhammad b. Bashir al-Ma'afiri 232
- Muhammad b. Fuḍayl 109, 238
- Muhammad b. Ḥamdān b. aṣ-Ṣabāh 121
- Muhammad b. Ḥammawayhi b. al-Ḥasan 243
- Muhammad b. al-Ḥasan b. 'Imrān 235
- Muhammad b. al-Ḥasan ash-Shaybāni 93, 233
- Muhammad b. al-Haytham Abū 'l-Aḥwāṣ 235
- Muhammad b. Ibrāhīm 225
- Muhammad b. I. b. Shu'ayb 243
- Muhammad b. 'Isā b. 'Abd al-Malik b. Ḥumayd b. 'Ar. b. 'Awf az-Zuhri 154
- Muhammad b. Ishāq b. Rāhawayh 230
- Muhammad b. Ismā'īl Ibn Abi Fudayk 101
- Muhammad b. Jābir 211
- Muhammad b. Juhāda 221
- Muhammad b. Ka'b 15
- Muhammad b. Kathir b. Ma'n b. 'Ar. b. 'Awf az-Zuhri 154
- Muhammad b. Maṣūr 224
- Muhammad b. Masriq al-Kindi 80
- Muhammad b. Muhājir 236
- Muhammad b. M. al-Aswad az-Zuhri 152
- Muhammad b. al-Mustanir 236
- Muhammad b. Naṣr 183
- Muhammad b. Sa'd b. Abi Waqqāṣ az-Zuhri 151
- Muhammad b. Sirin, see Ibn Sirin
- Muhammad b. Tamim 221
- Muhammad b. Thābit 230
- Muhammad b. 'Ubayd al-Ghubari 109
- Muhammad b. 'Ubayd Allāh b. Yazid 226
- Muhammad b. 'U. Abū Bakr al-Ja'āni 231
- Muhammad b. 'Umar b. Hayyāj 224
- Muhammad b. 'Umar b. Ṣāliḥ 219
- Muhammad b. 'Uqba 233
- Muhammad b. al-Walid b. 'Āmir 227
- Muhammad b. Yahyā b. 'Al. 155, 192
- Muhammad b. Y. b. M. b. 'Az. b. 'U. b. 'Ar. b. 'Awf az-Zuhri 153
- Muhammad b. Yazid b. M. b. Kathir 230
- Muhammad b. Zayd b. 'Alī 230
- muḥdith(ūn)* = innovator(s) 36
- muḥtasib* = overseer of the markets 229
- Mujāhid b. Jabr 15, 40, 195
- Mukhtār b. Abi 'Ubayd (al-) 18, 129, 139
- Mukhtār b. Filfil (al-) 221
- munāfiq(ūn)* = hypocrite(s) 108, 115
- Mundhir b. Ya'lā ath-Thawri (al-) 108
- Mundhiri ('Abd al-'Azīm b. 'Abd al-Qawi al-) 109(?), 189
- munkar* (plural *manākīr*) = objectionable and – therefore – unacknowledged 36, 42, 57, 82, 113, 162, 170, 185, 188, 219, 225–9, 231, 233–5
- munqaṭi'* = *isnād* with one or more links missing 16, 17, 68, 102, 114, 116, 162, 163
- Muqātil b. Sulaymān 157
- Murji'ite(s) 194, 225, 226, 229, 231
- mursal* (plural *marāsīl*) = *isnād* without a link between the prophet and the Successor 16, 17, 40, 45, 47, 51, 53, 54, 82, 87, 101, 102, 112, 115, 116, 143, 162, 163, 187, 240
- Mūsā b. 'Abd Allāh at-Tawīl 221
- Mūsā b. Dāwūd aḍ-Ḍabbī 230
- Mūsā b. Ishāq Abū Bakr al-Khaṭmi 224
- Mūsā b. 'Ubayda 180, 181
- Mūsā b. 'Umayr 157
- Mūsā b. 'Uqba 169
- Muṣ'ab b. 'Ar. b. 'Awf az-Zuhri (al-) 154
- Muṣ'ab b. 'Imrān (al-) 232
- Muṣ'ab b. S. b. Abi Waqqāṣ az-Zuhri (al-) 151
- Muṣ'ab b. Sulaym az-Zuhri (al-) 149, 155
- Musaddad b. Musarhad 22
- muṣallā* = place where one performs the prayer ritual 61
- muṣhaf* = Qur'ān copy 172
- Musha'ith b. Ṭarīf 226
- Muslim b. al-Ḥajjāj 25, 28, 56, 88, 168, 174, 182, 204, 239, 240
- Muslim b. Jundab 38
- Muslim b. 'Ubayd Allāh b. 'Al. az-Zuhri 152
- Muslim b. Yasar 113
- musnad* (collection) = a collection organized on the basis of (usually) the last transmitter before the prophet 22, 24, 37
- musnad* = *isnād* linked to the prophet 19, 116
- Musnad* (the – of Abū Ḥanīfa) 118, 122, 123
- Musnad* (the – of Ibn Ḥanbal) 24–6
- Musnad* (the – of 'Umar b. 'Az.) 147, 148
- musnid* = someone making use of *isnāds* 19
- mustahāda* = discharging extra-menstrual secretions 16
- mustamli* = one who dictates traditions as a profession 6
- mustashriq(ūn)* = western islamicist(s) 206
- muta'akhhir(ūn)* = late medieval scholar(s) 49
- muta'ammidan* = deliberately 126–9
- Mu'tamar b. Sulaymān 109
- mutaqaddim(ūn)* = scholar(s) of olden days 49
- Muṭarrif b. Māzin 234
- Muṭarrif b. Ṭarīf 130
- Mutawakkil (al-) 79
- mutawātir* = Muslim characteristic applied to a tradition transmitted via so many different channels that forgery is supposedly out of the question 7, 96–8, 104, 130, 161, 212

- mutawātir lafẓī* = *mutawātir* as to the exact wording of a tradition 97  
*mutawātir ma'nawī* = *mutawātir* as to the gist of a tradition 97  
 Mu'tazilite(s) 13, 61, 94, 163, 166-8, 172, 218, 219  
 Muttaqī al-Hindī ('Alī al-) 189  
*muttaṣil* = uninterrupted *isnād* going back to the prophet 16, 117, 162, 163  
 Muwarriq b. al-Mushamrij 58  
*Muwaṭṭa'* (al-) 21, 24, 25, 27-9, 60, 68, 103, 104, 107, 109-12, 124, 125  
 Muzaffar b. 'Aṣim (al-) 47
- nabīdh* = fermented drink 57, 65  
 Nadr b. 'Ar. Abū 'Umar (an-) 57  
 Nadr b. Maryam (an-) 36, 225  
 Nadr (v.l. an-Naṣr) b. Shufayy (an-) 227  
 Nadr b. Shumayl (an-) 23, 62, 238  
 Nāfi' 'cluster' 142, 143, 160  
 Nāfi' b. Hurmuz 221  
 Nāfi' b. Jubayr 15  
 Nāfi', the *mawlā* of Ibn 'Umar 42, 56, 142, 143, 228, 232  
 Nahhās b. Qahm (an-) 221  
*nahw* = grammar 119  
 Nasā'ī (Aḥmad b. 'Alī b. Shu'ayb an-) 56, 87, 88, 109, 110, 115, 117, 183, 185, 240  
*nāsik* (plural *nussāk*) = devotee 187  
*nāsikh* = copyist 194  
*nawā'ih* = wailing (women) 100  
 Nawawī (an-) 130  
 Nawfal b. Uhayb az-Zuhri 151  
*nawḥ* = lamenting the dead 99, 103, 105-7  
*na'y* = announcing the death of someone 103  
*niḥla* = sectarian creed 240  
*niṣāb* = minimum value of an object to make the theft thereof punishable by cutting off the hand 173  
 Nisābūr 91, 109, 230, 231, 238, 239  
*nisba* = part of a person's name indicating descent or origin *passim*  
*nisba* al-Waqqāṣī (the) 157  
*nisba* az-Zuhri (the) 7, 41, 146-58, 192  
*niyāha* = lamenting the dead 96, 97, 99, 101-7  
 nomad(s) 26, 30, 107, 110, 111, 138  
 nosebleed 43  
 Nu'aym b. Ḥammād 22  
 Nufay' b. al-Ḥārith 202, 221  
 Nūh b. Abī Maryam 157, 230  
 Nūh b. Darrāj 87  
 Nu'mān b. Bashīr (an-) 48  
 octogenarians 47  
 Oriental (*hadīth*) scholars, see *hadīth* ostentatiousness 60
- Persia(n) 113  
 plagiarism 225
- polarization of *hadīth* and *ra'y* 118, 119  
 police (chief of -) 78  
 propagandist(s), see *dā'iya*
- Qabūl al-akhbār* of Abū 'l-Qāsim 166, 193  
*qadā'* = judicial decision, sentence 37, 67, 87  
*qadar* (issue) = predestination 38, 48, 50, 59, 218, 219  
 Qadarite(s), Qadariyya 48, 73, 167, 178, 218, 219, 228, 233  
*qādī* (plural *quḍāt*) = judge 1, 7, 11, 14, 21, 23, 36-38, 45, 53, 63, 65, 77-95, 119, 157, 195, 223-36  
*qādī 'l-quḍāt* = chief judge 225  
*qaṭīl al-ḥadīth* = credited with the transmission of only a handful of traditions 37, 166  
 Qaraza b. Ka'b 104, 105, 107  
 Qārīz b. Shayba az-Zuhri 149  
*qarya* = village 233  
*qaṣaṣ al-'amma* = the ordinary way in which storytellers operate in the mosques 14  
*qaṣaṣ al-khāṣṣa* = the storyteller's political speech making 14  
 Qāsim b. 'Ar. b. 'Al. b. Mas'ūd (al-) 15, 37, 122  
 Qāsim b. Bahrām (al-) 227  
 Qāsim b. al-Ḥakam (al-) 226  
 Qāsim b. al-Ḥārith b. Zurāra b. Muṣ'ab b. 'Ar. b. 'Awf az-Zuhri (al-) 154  
 Qāsim b. Mihrān (al-) 227  
 Qāsim b. Muḥammad (al-) 15, 42, 43  
 Qāsim b. Sallām Abū 'Ubayd (al-) 234  
 Qāsim b. Suwayd (al-) 236  
*qāṣṣ* (plural *quṣṣās*) = early Islamic storytellers 11-14, 17, 23, 38, 40, 43, 45, 58, 59, 74, 75, 77, 81, 83, 158, 159, 162, 187, 220  
 Qatāda b. Di'āma 53, 54, 58, 115, 158, 164, 176, 179, 183, 219, 226, 228  
 Qayrawān 241  
 Qays 91, 232  
 Qays b. Abī Ḥāzim 61, 170  
 Qays b. al-Ḥārith 36, 235  
 Qays b. Sa'd 25, 129  
 Qazwīn 226, 232  
 Qinnasrīn 36, 91, 232  
*qīṣaṣ* = (mostly legendary) stories 5, 11, 12, 59, 74, 77, 162  
*qīṣaṣ al-anbiyā'* = (mostly legendary) stories about pre-Islamic prophets 57  
 Qūmis 95, 232  
 Qumm 23  
 Qur'ān *passim*  
 Quraysh 148, 177  
*qurrā'* = traditionally interpreted as 'Qur'ān reciters'; of late the interpretation 'villagers' is gaining recognition 26  
 Qurṭuba 232

- quṣṣās*, see *qāṣṣ*  
 Qutayba b. Sa'īd al-Balkhī 109, 110, 127  
 Qutayba b. Ziyād al-Khurasānī 89
- Rabī'** (ar-) 'cluster' 145  
 Rabī' b. Barra (ar-) 219  
 Rabī' b. Ḥabīb (ar-) 103, 124, 125, 128  
 Rabī' b. Khuthaym (ar-) 19  
 Rabī' b. Ṣabīḥ (ar-) 22, 184, 185, 219  
 Rabī' b. Ziyād (ar-) 50  
 Rabī'a b. Abī 'Abd ar-Raḥmān 176, 177  
 Rabī'a b. 'Aṭā' az-Zuhri 149  
*raf'* = raising a tradition to the level of a more prestigious authority, mostly the prophet, by supplying the necessary links 15, 16, 31, 32, 44, 45, 52-5, 60, 70, 72, 74, 75, 89, 119, 132, 143, 162, 163, 187, 195, 196, 205, 218, 219, 233, 235, 240  
*rafḍ* = rejection of (some of) the Rāshidūn 49  
*raffā'* = someone resorting frequently to *raf'* 32, 59, 218  
 Rāfidite(s) 12, 13, 49, 200, 240  
*rajaz* = iambic metre 121  
 Ramaḍān fasting 25, 54, 72, 198  
 Rāmāhurmuz 29, 232  
 Ramāhurmuzī (ar-) 29, 47, 66, 135, 141  
 Raqāba b. Maṣqāla 122  
 Raqqa 91, 93, 109, 157, 225, 231-3  
 Rāshid b. Abī Rāshid 146  
*rāshidūn* (*al-khulafā' ar-*) = the first four rightly-guided caliphs 30, 32, 34, 49, 59, 72, 162, 196, 200  
*raṭl* = certain measure 65  
 Rawh b. 'Ubāda 110  
*rāwī* (plural *ruwāt*) = transmitter *passim*  
*ra'y* = individual assessment, common sense 12, 31, 33, 34, 36, 37, 55, 56, 59, 67, 78-80, 84, 85, 95, 118, 120-2, 177, 225, 230, 231, 235, 236  
 Rayy 91, 100, 157, 224, 225, 231, 233, 240, 241  
 regionalism (of *ḥadīth* centres) 7, 39-66, 76, 79, 89, 156, 169  
*ribāt* = border settlement 45  
 Ridā (Muḥammad Rashid) 188  
*rijāl* = men, transmitters *passim*  
 literature = biographical lexica *passim*  
 criticism 20, 37, 43, 58, 161-90, 192, 199, 200  
 expert(s) 21, 47, 49, 192-4  
*risāla* = letter, treatise *passim*  
 Ritter (H.) 49  
 rivalry between *ḥadīth* centres 64, 65, 136, 165, 166  
 between Arabs and *mawālī* 133  
*riwāya lafziyya* = transmission of the exact wording 52  
*riwāya ma'nawiyya* = transmitting the sense or the gist 52  
 Rufay' b. Mihrān Abū 'l-'Āliya 31, 52  
*rukḥṣa* (plural *rukḥaṣ*) = concession 103, 107, 112  
 Rūm (Byzantium) 63  
 Ruṣāfa (ar-) 158  
*ru'yā* = seeing someone in the flesh 51
- Sa'd b. Abī Waqqāṣ az-Zuhri 148, 150 151  
 Sa'd b. I. b. 'Ar. b. 'Awf az-Zuhri 84, 154, 156  
 Sa'd b. I. b. S. b. I. b. 'Ar. b. 'Awf az-Zuhri 154, 236  
 Sa'd b. aṣ-Ṣalt 234  
 Sa'd b. 'Ubayd az-Zuhri 149  
*ṣadūq* = controversial qualification of a transmitter meaning literally 'veracious' 37, 171, 183-8, 198, 200  
 Ṣafwān b. 'Assāl 69, 70  
 Ṣafwān b. 'Isā az-Zuhri 155, 156  
 Ṣafwān b. Sulaym az-Zuhri 47, 149  
*ṣahābi(s)*, *ṣahāba*, see Companion(s)  
*ṣāhib ḥadīth* = someone concerned with *ḥadīth* 23, 33, 230  
*ṣāhib samar* = hosting nocturnal (*ḥadīth*) sessions 235  
*ṣāhib sunna* = someone concerned with a *sunna* 223, 225, 232  
*ṣahīfa* = early written *ḥadīth* collection 5, 6, 24, 155, 157  
*ṣahīḥ* = sound (adj.) *passim*  
*Ṣahīḥ* of Bukhārī 106, 155  
*Ṣahīḥ* of Muslim 25, 105, 112, 155, 168  
 Sahl b. 'Ar. b. 'Awf az-Zuhri 153  
 Sahl b. 'Abd ar-Raḥmān as-Sindī 232  
 Sahl (or Suhayl) b. Abī Farqad 50, 219  
 Sahl b. Abī 'ṣ-Ṣalt 219  
*sahw* = inattentiveness (in the *ṣalāt*) 111, 112  
 Sā'ib b. Yazid ibn Ukht an-Namir (as-) 78  
 Sa'īd 'cluster' 145, 146  
 Sa'īd b. 'Abd al-'Azīz 45  
 Sa'īd b. 'Ar. b. 'Al. az-Zubaydī 233  
 Sa'īd b. 'Abd ar-Raḥmān az-Zuhri 149  
 Sa'īd b. Abī 'Arūba 22, 164  
 Sa'īd b. Abī Sa'īd al-Maqburī 43, 81, 82, 146  
 Sa'īd b. Jubayr 15, 165  
 Sa'īd b. Khālid az-Zuhri 149  
 Sa'īd b. Maṣṣūr 170  
 Sa'īd b. Masrūq 123  
 Sa'īd b. Muḥammad az-Zuhri 149  
 Sa'īd b. al-Musayyab 15-17, 33, 37, 42, 53, 54, 56, 59, 75, 82, 112, 115, 156, 162, 165  
 Sa'īd b. Yasār 170  
 Sa'īd az-Zubayrī 233  
*saḥf* = rhyming prose 121  
 Sājī (Zakariyyā' b. Yaḥyā as-) 183, 241  
 Sakhāwī (Shams ad-Dīn Abū 'l-Khayr M. b. 'Ar. as-) 69

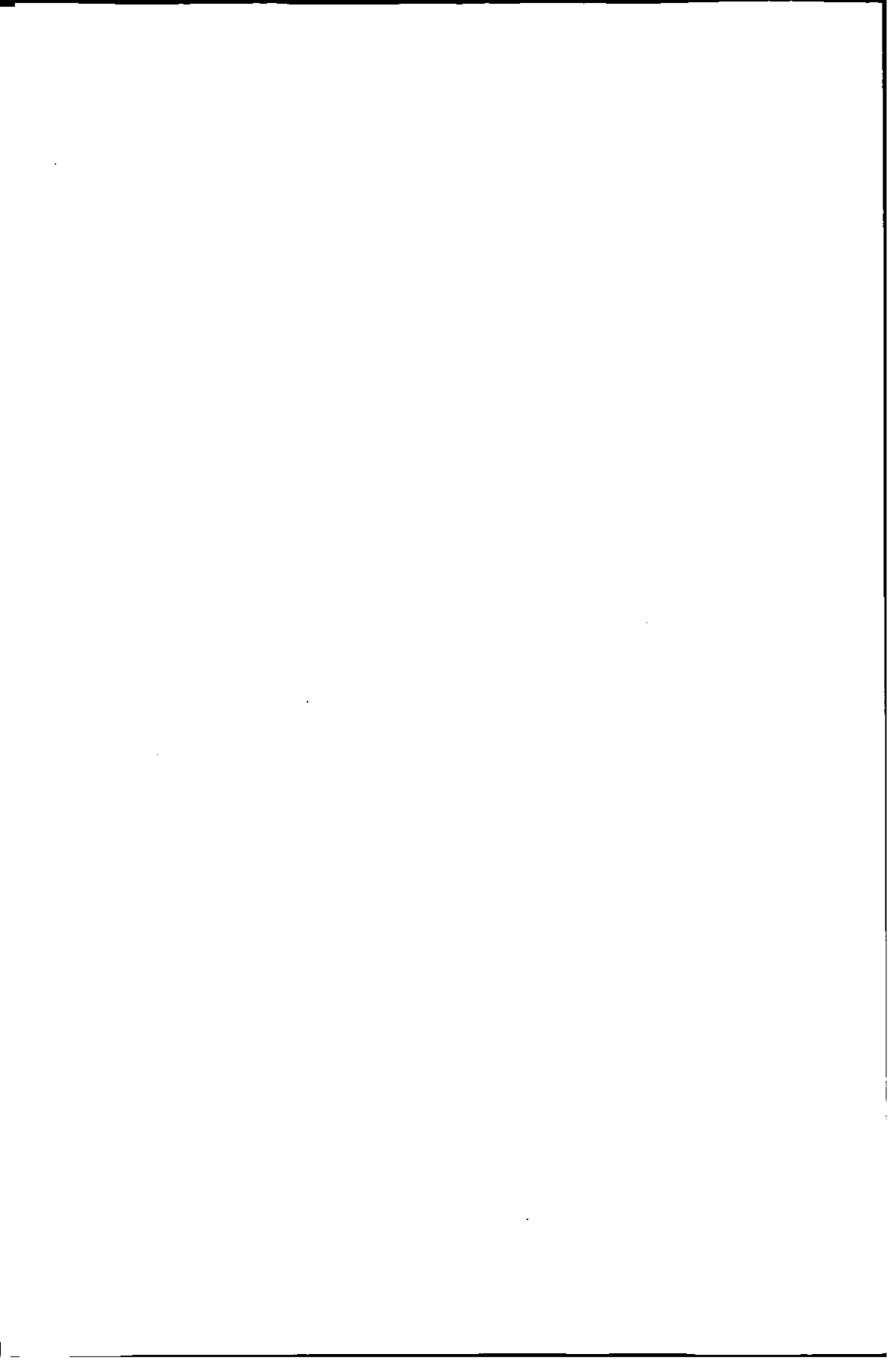


- Salama b. al-Faql 233  
 Salama b. Šālih 235  
*šalāt* = prescribed prayer ritual 14, 15, 25,  
 26, 38, 43, 64, 198  
*šālih* = lit. 'pious', often meaning  
 'fabricating traditions for Islam's sake'  
 64, 67, 183-8, 223, 225, 228  
**Šālih 'cluster'** 145  
 Šālih b. Aḥmad ibn Ḥanbal 243  
 Šālih b. Bashīr 144  
 Šālih b. Bayān 210  
 Šālih b. I. b. 'Ar. b. 'Awf az-Zuhrī 154  
 Šālih b. Kaysān 19, 34, 35  
 Šālih b. Nabḥān 43  
 Šālih b. 'Umar 130  
 Šālih b. Ziyād Abū Shu'ayb 109  
 Šālim 'cluster' 143, 145  
 Šālim b. 'Abd Allāh al-Khayyāt 219  
 Šālim b. 'Abd Allāh b. 'Umar 15, 24, 42, 43,  
 171  
 Šālim b. Abī Šālim 36, 224  
 Šālim b. Šālih b. I. b. 'Ar. b. 'Awf az-Zuhrī  
 154  
 Sallām b. Abī Muṭī' 201  
 Sallām b. Razīn 224  
 Salmān al-Fārisī 130  
**Šalt (aṣ-) 'cluster'** 50  
 Šalt b. Mas'ūd (aṣ-) 234  
 Sām 91, 233  
*samā'* = having 'heard' traditions from a  
 certain master in person 37, 40-3, 50,  
 53, 59, 67, 75, 172, 181, 183, 196, 216,  
 219, 229  
 Sam'ānī (Abū Bakr aṣ-) 188  
 Samura b. Jundab 20, 54, 116, 193, 199, 219  
 Šan'ā' 36, 91, 233  
 Sarakhs 91, 234  
 Sarra man ra'ā 91, 234, 235  
 Sawwār b. 'Abd Allāh 86  
 Sayf b. Jābir Abū 'l-Muwaffaq 236  
 Sayf b. Muḥammad 210, 211  
 Schacht (J.) 1, 3, 4, 8, 87, 124, 163, 206, 207  
*Origins* 3, 4, 206  
 'common link' theory 3, 8, 206-17  
 'isnāds that grow backwards' theory 3, 31,  
 82, 96, 115, 207  
 Sezgin (F.) 3-5, 33, 106, 136, 169, 237  
 GAS, I 4  
 Sha'bi ('Amir b. Sharāḥīl ash-) 15, 19, 20, 59,  
 67, 216  
 Shabīb b. Sa'id 116  
 Šāfi'ī (ash-) 45, 65, 79, 112, 113, 130  
**Šāfi'īte madhhab** 168, 223  
*shahāda* = testimony 195  
 Shahr b. Ḥawshab 45  
 Šākir (Aḥmad Muḥammad) 53, 56, 126,  
 127, 129, 130, 181  
 Shaqīq aḍ-Ḍabbī 11, 59  
 Shaqīq b. Ibrāhīm al-Balkhī 188  
 Sharīk b. 'Abd Allāh b. Abī Namir 68  
 Sharīk b. 'Abd Allāh b. Abī Sharīk 88, 93,  
 109, 221, 232, 235  
*sharī'a* = Islam's revealed law 198  
*sharīf* = noble 183  
*sharīf* = secondary clause of a conditional  
 sentence 109  
**shaving** 43  
*shaykh* (plural *shuyūkh*) = master,  
 transmitter *passim*  
*shaykhs* (the two-) = Abū Bakr and 'Umar  
 49, 240  
 Shihāb b. 'Abd Allāh az-Zuhrī 152  
 Shī'ite(s), Shī'a 2, 12, 13, 49, 59, 61, 65, 102,  
 106, 118, 129-31, 156, 166, 184, 200,  
 202, 203, 226, 234, 238, 240  
 Shimshāt 91, 234  
*shī'r* = poetry 119  
 Shirāz 91, 234  
 Shu'ayb b. Ayyūb 228  
 Shu'ayb b. Khālid 157, 233  
**Shu'ba 'cluster'** 142, 143  
**Shu'ba/Jābir al-Ju'fi controversy** 178  
 Shu'ba b. al-Ḥajjāj 20, 32, 52, 53, 62, 104,  
 109, 110, 115, 116, 122, 125-9, 134, 137,  
 138, 142-4, 164-7, 169, 171, 172, 175,  
 177-9, 182, 185, 193, 218-20, 232, 243  
 Shurāḥbīl b. Sa'd 43  
 Shurayḥ 155  
 Shurayḥ b. 'Abd Allāh 228  
 Shurayḥ b. al-Ḥārith 15, 53, 87, 88  
 Sibā'ī (Muṣṭafā aṣ-) 193  
*sidq* = being *ṣadūq* 183, 184  
 Šiffin (battle of-) 14, 46  
 Sijistān 91, 234  
 Sikkat Bunāna 144  
 Šila b. al-Ḥārith al-Ghifārī 14  
**silks (the prohibition of wearing-)** 116, 129  
*silsilat adh-dhahab* = 'golden chain',  
 reputedly the 'soundest' *isnād* 142, 143  
 Simāk b. Ḥarb 31, 56  
**singing** 104  
 Sinjār 91, 234  
*siyāh* = screaming 106  
*siyar* = (1) campaigns (2) law of war and  
 peace 64  
**slaves (treatment of-)** 60  
**slogan(s)** 33, 54, 55, 68, 74, 81, 82, 94, 97, 98,  
 103, 104, 107, 121, 123, 135, 161, 162  
**sodomy** 57  
 Strothmann (R.) 106  
**Successor(s)** 5, 15, 31-3, 39-49, 52-5, 58, 59,  
 61, 62, 66-8, 71-3, 81, 82, 87, 101, 111,  
 113, 140, 142, 145, 171, 180, 191, 197,  
 201-5, 214, 226-30, 233-5  
**Successors of the Successors** 46, 48, 73, 111  
*ṣūfi* = mystic 187  
 Sufyān b. Husayn 157  
 Sufyān ath-Thawrī 64, 67, 90, 120, 164, 169,

- 175, 178, 180, 182, 183, 208-13, 216, 217, 236, 243
- Sufyān b. 'Uyayna, *see* Ibn 'Uyayna
- Suhayl b. Abī Šāliḥ 147
- Sulaym b. 'Itr 11, 14
- Sulaymān 'cluster' 50
- Sulaymān b. 'Al. b. 'Ulātha 226
- Sulaymān b. 'Az. b. 'Imrān b. 'Az. b. 'U. b. 'Ar. b. 'Awf az-Zuhrī 153
- Sulaymān b. Abī Sulaymān az-Zuhrī 149
- Sulaymān b. Arqam 157
- Sulaymān b. Bilāl 47
- Sulaymān b. Habīb 36
- Sulaymān b. Ḥarb 85, 90
- Sulaymān b. Kathīr 157
- Sulaymān b. Mūsā az-Zuhrī 149
- Sulaymān b. Yasār 15, 42, 43
- Sumayr b. 'Abd ar-Rahmān 11
- Sunan of Nasā'ī 109
- sunna* = (normative) behaviour (unspecified) 23, 26, 30, 32, 34, 35, 37, 39, 42, 50, 62, 73, 75, 224, 225, 232, 239 of the prophet (= *sunnat an-nabī*) 10, 17, 26, 30, 32, 34-6, 38, 39, 42, 50, 72, 73, 75, 78, 79
- mādiya* = precedent set in the past 34
- sunnite = orthodox *passim*
- Surayj b. an-Nu'mān 170
- Sūs 109
- Suwayd b. 'Abd al-'Azīz 83
- Suwayd b. Ghafala 61
- Suwayd b. Sa'īd 130
- šuwayliḥ* = diminutive of *šāliḥ* 185, 186, 226
- Suyūṭī (as-) 109, 189
- Syria(n) 14, 27, 32, 35, 39, 40, 44, 45, 63-9, 79, 83, 84, 92, 94, 99-102, 105-7, 114, 130, 132, 133, 155, 156, 164, 166, 169, 189, 214, 238-40, 242
- ta'ammud* = intent 111
- ta'aṣṣub* = fanaticism 166, 167
- ṭabaqa* (plural -*ār*) = tier, stage of an *isnād*, *passim*
- ṭabaqāt* works 134
- Ṭabaqāt of Ibn Sa'd 134, 136, 169 *passim*
- Ṭabarānī (Sulaymān b. Aḥmad aṭ-) 108, 189, 241
- Ṭabarī (aṭ-) 100, 195
- Ṭabaristān 91, 227, 234
- Ṭabariyya 91, 225, 234, 235
- ṭābi' (ūn)*, *see* Successor(s)
- ta'dīl* = declaration of reliability specifically in transmitting traditions 8, 111, 163, 190-206
- tadlīs* = tampering with *isnāds* 41, 52, 57, 73, 130, 132, 162, 171, 174, 179, 180-2, 186, 196, 201, 208, 227, 228, 230, 235
- tafaqquh* = pursuing *fiqh* 38
- tafsīr* = Qur'anic exegesis 57, 99, 102
- Tahāwī (Aḥmad b. Muḥammad aṭ-) 168
- Tahdhīb al-iahdhīb* of Ibn Ḥajar 135, 136 *passim*
- Tā'if 91, 234
- ṭalab al-'ilm* = search for religious knowledge 10, 38, 45, 65-70, 76, 240
- Talbi (M.) 97
- Ṭalḥa b. 'Al. b. 'Awf az-Zuhrī 152
- Ṭalḥa b. 'Ubayd Allāh 24
- ta'liq* = explanatory remark 17, 37, 88, 173
- Tamīm ad-Dārī 11
- ta'n* = disparaging 172
- taqawwala* = to put (false) words into someone's mouth 112, 125
- tarājim*, *see* *tarjama*
- Ṭarasūs 91, 230, 234
- Tarḥīb wa-tarḥīb* (at-) of al-Mundhirī 189
- tarḥīb wa-tarḥīb* = (traditions with contents) inspiring awe and arousing desire 12, 23, 24, 74, 75, 162, 185-8
- Ṭarīf b. Shihāb 219
- ta'rikh* = history 238, 239
- tarjama* (plural *tarājim*) = biographical write-up *passim*
- tashayyu'* = siding with 'Alī b. Abī Ṭālib 48, 49, 59
- tawātur* = the phenomenon of a tradition being deemed *mutawātir* 97, 98, 212
- tawṣīl* = making *isnāds* 'uninterrupted' 187, 240
- Ṭawūs b. Kaysān 15, 43, 53, 233
- tax collector(s), *see* 'āmil
- Ṭayālīsī (aṭ-) 24, 27, 28, 67, 104, 105, 108, 110, 114, 115, 118, 125, 126, 128, 129, 172, 189
- Ṭhābit 'cluster' 143-5, 158, 160
- Ṭhābit b. Aslam al-Bunānī 27(?), 61, 144
- Ṭhābit b. Wadī'a 104
- thaghr* (plural *thughūr*) = border town 45, 230
- Tha'laba b. Suhayl 156
- theft (punishment for-) 172
- thiqa* = reliable transmitter *passim*
- thughūr*, *see* *thaghr*
- Thumāma b. 'Abd Allāh b. Anas 24
- Tirmidhī (aṭ-) 110, 116, 128, 177, 178, 191, 192
- treasurer 78
- Treasury 202
- turuq* = channels 212
- Ṭūs 91, 223, 235
- Tustar 91, 230, 234, 235
- 'Ubāda b. Muslim 52
- 'Ubāda b. Nusayy 234
- 'Ubāda b. aṣ-Šāmit 45, 225
- 'Ubayd b. Hunayn 85
- 'Ubayd b. 'Umayr 11, 40
- 'Ubayd Allāh b. 'Al. b. Shihāb az-Zuhrī 152

- 'Ubayd Allāh b. 'Al. b. 'Utba 15, 41, 171  
 'Ubayd Allāh b. Abī Yazīd az-Zuhrī 149  
 'Ubayd Allāh b. M. b. Šafwān 89  
 'Ubayd Allāh b. Mūsā 69  
 'Ubayd Allāh b. S. b. I. b. S. b. I. b. 'Ar. b.  
 'Awf az-Zuhrī 154  
 'Ubayd Allāh b. 'Umar 113, 147  
 'Ubayda b. Abī Rā'īta 191  
 'Ubayda b. Humayd 145, 191  
 Ubayy b. Ka'b 78  
 'udūl, see *adl*  
 Uhayb b. 'Abd Manāf az-Zuhrī 151  
 Uhud (Battle of-) 99  
 Ukbarā' 91, 235  
 'ulamā', see *ālim*  
 'Umar b. 'Al. b. al-Arqam az-Zuhrī 151  
 'Umar b. 'Al. al-Madani 221  
 'Umar b. 'Abd al-'Azīz ('Umar II) 5, 24, 26,  
 33-8, 40, 44, 47, 53, 69, 72, 73, 80, 107,  
 133, 148, 224, 225, 227-9, 231-3, 235,  
 236  
 'Umar b. 'Ar. b. 'Awf az-Zuhrī 153  
 'Umar b. Abī Bakr 235  
 'Umar b. Abī Salama b. 'Ar. b. 'Awf  
 az-Zuhrī 154, 184  
 'Umar b. Ḥabīb 197-9  
 'Umar b. Ḥafṣ 224  
 'Umar b. Ḥubaysh 227  
 'Umar b. Ibrāhīm al-'Alawī 61  
 'Umar b. al-Khaṭṭāb 5, 11, 17, 21, 24-8,  
 30-2, 43, 46, 49, 54, 63, 68, 72, 77, 78,  
 111, 112, 115, 128, 129, 193, 227  
 'Umar b. Maymūn 225  
 'Umar b. Muḥammad az-Zuhrī 149  
 'Umar (v.l. 'Amr) b. Mūsā b. Wajīh 235  
 'Umar b. S. b. Abī Waqqāš az-Zuhrī 139,  
 151  
 'Umar b. Šadaqa 224  
 'Umar (v.l. 'Amr) b. Sharāḥīl 232  
 'Umar b. 'Uthmān al-Jaḥshī 100  
 'Umar b. Yazīd an-Našrī/Naḍrī 38  
 'Umāra 'cluster' 50  
 'Umāra b. al-Qa'qā' b. Shubruma 88  
 'Umarī (Akram Diyā' al-) 237  
 Umayyad(s) 5, 18, 19, 33, 36, 38, 60, 63, 108,  
 133, 162, 169, 170, 226  
 Umm Bakr b. Mīswar b. Makhrama  
 az-Zuhriyya 153  
 Umm 'Isā b. al-Jazzār 103  
 Umm Sa'd 107  
 'Uqayl b. Khālid 157  
 'Uqaylī (Muḥammad b. 'Amr. b. Mūsā al-)  
 241  
 'Uqba b. 'Āmir 44, 116, 117, 129  
 Urdunn 36, 91, 225, 234, 235  
 'Urwa b. Muḥammad as-Sa'dī 36, 236  
 'Urwa b. az-Zubayr 15, 41  
 usūl, see *asī*  
 'Utba b. Abī 'Utba 146  
 'Utba b. Abī Waqqāš az-Zuhrī 151  
 'Utba b. Muslim 146  
 'Utba b. Nawfal az-Zuhrī 151  
 'Utba b. Sa'īd 233  
 'Uthmān ('Abd ar-Raḥmān Muḥammad) 207  
 'Uthmān b. 'Ar. b. 'U. b. S. b. Abī Waqqāš  
 az-Zuhrī 151  
 'Uthmān b. 'Affān 13, 17, 18, 28, 49, 54, 125,  
 129, 200  
 'Uthmān b. 'Amr b. Sāj 226  
 'Uthmān b. 'Ašim 222  
 'Uthmān al-Battī 55, 120, 122, 124, 176, 177  
 'Uthmān b. aḍ-Ḍaḥḥāk 82  
 'Uthmān b. Ghīyāth 57  
 'Uthmān b. al-Ḥakam al-Judhāmī 23  
 'Uthmān b. Iṣḥāq b. S. b. Abī Waqqāš  
 az-Zuhrī 151  
 'Uthmān b. Muḥammad al-Akhnasī 81, 82  
 'Uthmān b. Muslim az-Zuhrī 149  
 'Uthmān b. Sa'd 222  
 'Uthmān b. 'Umayr 222
- vaticinatio post eventum* 38, 111, 213
- wad'* = *ḥadīth* or *isnād* falsification 18, 132,  
 187, 188, 193, 196, 205  
*waddā'* = (*ḥadīth*) fabricator 186  
 Wahb b. 'Abd Manāf az-Zuhrī 151  
 Wahb b. Jarīr b. Ḥazīm 127  
 Wahb b. Munabbih 36, 213, 233  
 Wahb b. Wahb Abū 'l-Bakhtarī 47, 84  
 Wakī' b. al-Jarrāh 87, 90  
 Wakī' Muḥammad b. Khalaf b. Ḥayyān 79,  
 87, 88  
 Walīd (al-) 'cluster' 50  
 Walīd b. 'Abd Allāh az-Zuhrī (al-) 149  
 Walīd b. 'Abd al-Malik (al-) 169  
 Walīd b. Hishām (al-) 36, 232  
 Walīd b. Muḥammad al-Mūqarī (al-) 47  
 Walīd b. Muslim (al-) 27, 32  
 Walīd b. Salama (al-) 235  
 Walīd b. 'Uqba (al-) 193  
 Walīd b. Yazīd (al-) 108  
 Wansbrough (J.) 50, 51  
*waqf* (plural *awqāf*) = religious endowment  
 80, 86, 189  
 Wāqīdī (al-) 100-2, 167, 176, 182, 238  
*warī'* = pious 200  
*waṣāyā* = bequests 54  
 Wāṣil b. 'Abd ar-Raḥmān 219  
 Wāsīt 40, 62, 65, 91, 93, 129, 157, 164, 169,  
 228, 235  
*wāṣl* = making *isnāds* 'uninterrupted' 187  
 Wāthīq (al-) 226  
 Wensinck (A.J.) 109  
 Wild (S.) 81  
 wine drinking 45, 57, 65, 117, 129  
 witness (professional) 48, 81

- wuḍū'* = minor ritual ablution 43, 121  
 Wuḥayb b. Khālid 178
- Yaḥyā b. 'Abd al-Hamīd 22  
 Yaḥyā b. 'Abd ar-Rahmān al-Arḥabī 224  
 Yaḥyā b. Abī Kathīr 164, 170, 222  
 Yaḥyā b. 'Al. b. Kurz Abū Kurz 224, 231  
 Yaḥyā b. Aktham 85  
 Yaḥyā b. al-'Alā' 157  
 Yaḥyā b. Ayyūb 88  
 Yaḥyā b. aḍ-Durays 233  
 Yaḥyā b. Jābir 227  
 Yaḥyā b. Ma'In 18, 20, 60, 61, 101, 122, 136, 144, 157-9, 165-7, 169-72, 175, 180, 181, 186, 193, 200, 210, 211, 238, 240, 243  
 Yaḥyā b. Ma'mūn al-Ḥaḍramī 80  
 Yaḥyā b. M. b. 'Az. b. 'Ū. b. 'Ar. b. 'Awf az-Zuhrī 153  
 Yaḥyā b. al-Mutawakkil 145  
 Yaḥyā b. Sa'īd al-Anṣārī 65, 84, 227  
 Yaḥyā b. Sa'īd al-Fārisī 234  
 Yaḥyā b. Sa'īd al-Qaṭṭān 20, 29, 122, 134, 163-7, 169, 170, 174, 183, 185, 186, 212, 238, 243  
 Yaḥyā b. Sulaym 113  
 Yaḥyā b. Yaḥyā b. Qays 36, 231  
 Yaḥyā b. Ya'mar 21, 226, 230  
 Yaḥyā b. Yazīd at-Tujībī 232  
 Yaḥyā b. Zakariyyā' b. Abī Zā'ida 22, 230  
 Yamāma 91, 236  
 Ya'qūb b. I. b. S. b. I. b. 'Ar. b. 'Awf az-Zuhrī 149, 154, 155, 158, 191, 192  
 Ya'qūb b. Ishāq al-Harawī 243  
 Ya'qūb b. M. b. 'Isā b. 'Abd al-Malik b. Ḥumayd b. 'Ar. b. 'Awf az-Zuhrī 154, 156  
 Ya'qūb b. al-Qa'qā' 230  
 Ya'qūb b. Shayba 183, 185, 239  
 Yazīd b. Abān 220, 222  
 Yazīd b. Abī Ḥabīb 22, 23, 80, 237  
 Yazīd b. Abī Mālik 83  
 Yazīd b. Ḥārūn 110, 181  
 Yazīd b. Ibrāhīm 222  
 Yazīd b. M. b. Iyās Abū Zakariyyā' 241  
 Yazīd b. Muslim al-Ḥamdānī 46  
 Yazīd b. Sa'īd b. Thumāma 78  
 Yazīd b. at-Ṭufayl at-Tujībī 228
- Yemen 22, 36, 43, 66, 236  
 Yūnus b. Khabbāb 200  
 Yūnus b. Nāfī' 230  
 Yūnus b. Rāshid 226  
 Yūnus b. 'Ubayd 52, 53, 196
- Zabīd 236  
 Zāfir b. Sulaymān 234  
 Zahāwī (Amjad az-) 191  
*zāhid* (plural *zuhhād*) = ascetic 187, 188, 218, 220  
 Zā'ida b. Qudāma 182  
*zakāt* precepts = Islam's earliest taxation system 24  
 Zakariyyā' b. Durayd 47  
 Zayd b. 'Alī b. al-Ḥusayn b. 'Alī 102, 106, 118  
 Zayd b. Arqam 129  
 Zayd b. Aslam 115  
 Zayd b. al-Hawārī 222, 226  
 Zayd b. al-Hubbāb 67  
 Zayd b. Thābit 40, 78, 86  
*zindīq* = Zoroastrian; in general: heretic 178  
 Zirr b. Hubaysh 61, 69  
*Ziyād* 'cluster' 50, 145  
 Ziyād b. 'Abd Allāh 222  
 Ziyād b. 'Al. b. 'Ulātha 226  
 Ziyād b. 'Ar. al-Lakhmī 23  
 Ziyād b. Ayyūb b. Dalluwayh 143  
 Ziyād b. 'Ilāqa 61  
 Ziyād b. Ismā'īl al-Makhzūmī 85  
 Ziyād b. Maymūn 68, 222  
*ziyādāt* = additions 183  
 Zubayd b. al-Ḥārith 60  
 Zubayr b. 'Adī (az-) 225  
 Zubayr b. al-'Awāmm (az-) 109, 126, 127  
 Zubayr b. Bakkar (az-) 85  
 Zubayr b. 'Ubayd (az-) 143  
*zuhd* = asceticism 187, 188, 238  
 Zuhra 150, 151  
 Zuhra (Banū) 148, 149-54, 155  
 Zuhri (M. b. Muslim ibn Shihāb az-) 5, 7, 16, 18, 19, 24, 34, 35, 40, 41, 43, 44, 60, 61, 64, 66, 68, 90, 110, 115, 123, 133, 146-58, 160, 164, 168-71, 175-7, 187, 192, 227, 228, 230-2, 239  
 Zurārā b. Muṣ'ab b. 'Ar. b. 'Awf az-Zuhrī 148, 150, 154



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