

Part I

History of Orthodoxy



1 Introduction

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

Some scholars of Islam have tended to take for granted the extent of medieval Sunnism's accomplishment in regulating orthodoxy and heresy. As detailed portraits of the social, religious, and political milieu of the regions of the medieval Islamic world begin to emerge, Islamicists are



4 Introduction

becoming more aware of the cacophonous nature of competing religious movements and trends prior to the eleventh century. The religious, legal, political, theological, and cultural traditions of the Nile-Oxus region were marked by a sharp heterogeneity, and each province harboured its unique medley of religious ideas and practices. 1 By the beginning of the eleventh century the twenty-fifth 'Abbasid caliph, al-Qadir (r. 381–422/991–1031), had come to recognise that medieval Sunnism had arrived at some degree of consensus as to what constituted Sunni orthodoxy; the recognition of four schools of legal orthodoxy, represented by four eponyms of impeccable Sunni pedigree, was a defining feature of the religious policies of al-Qādir's reign.² The imperial recognition that religious orthodoxy was to be anchored in four schools of law marked not the inception of a new chapter in the formation of medieval Sunnism but rather an acknowledgement of the success of those religious communities and scholars who had made critical contributions towards the completion of this chapter. The state was in the business of following religious trends, not inaugurating them.3

¹ Some sense of the diverse ideas and practices against which medieval Sunnism developed can be gleaned from the following works: Sadighi, Les mouvements religieux iraniens = Sadighi, Junbishhā-yi dīnī-yi īrānī; Rekaya, 'Le Khurram-dīn et les mouvements khurramites sous les 'Abbāsides'; Tucker, Mahdis and Millenarians; Haider, The Origins of the Shī'a, esp. 189–284; Macuch, 'Die sasanidische Stiftung "für die Seele": Vorbild für den islamischen waqf?'; Macuch, 'Die sasanidische fromme Stiftung und der islamische waqf: Eine Gegenuberstellung'; János, 'The Four Sources of Law in Zoroastrian and Islamic Jurisprudence'; Jokisch, Islamic Imperial Law; Crone, Roman, Provincial and Islamic Law; Crone, The Nativist Prophets, 191–371; Cook, 'Early Muslim Dietary Law'.

² See Makdisi, Ibn 'Aqīl: Religion and Culture in Classical Islam, 299 ff.; Makdisi, Ibn 'Aqīl et la résurgence; Makdisi, 'The Significance of the Sunni Schools of Law'. On the emerging Sunnism under al-Qādir see also Glassen, Der mittlere Weg; Makdisi, 'The Sunni Revival'; Hanne, Putting the Caliph in his Place, 71-2. It was during the reign of al-Qādir that scholars explicitly identified the consolidation of Sunnism with the establishment of four legal schools of orthodoxy: Yāqūt al-Ḥamawī, Mu jam al-udabā': Irshād al-arīb ilā ma'rifat al-adīb, ed. Iḥsān 'Abbās (Beirut: Dār al-Gharb al-Islāmī, 1993), 5: 1955; see both al-Māwardī, al-Aḥkām al-sulṭāniyya wa al-wilāyāt al-dīniyya, ed. Aḥmad Mubārak al-Baghdādī (Kuwait: Maktaba Dār Ibn Qutayba, 1989), 132; and al-Māwardī, Adab al-qādī, ed. Muḥyī Hilāl al-Sarḥān (Baghdad: Maṭba'at al-Irshād, 1971), 1: 184-88, where Hanafism is normalised and interchangeable with Shāfi ism. For later declarations of Sunni orthodoxy corresponding to the four schools of law and their eponymous founders see Ibn Hubayra, Ikhtilāf al-a'imma wa al-umam, ed. al-Sayyid Yūsuf Aḥmad (Beirut: Dār al-Kutub al-'Ilmiyya, 2002), 2: 395; Ibn Rajab al-Ḥanbalī, 'al-Radd 'alā man ittaba'a ghayr al-madhāhib al-arbaʿaʾ, in Ṭalʿat Fuʾād al-Ḥulwānī (ed.), Majmūʿrasāʾil al-ḥāfiẓ Ibn Rajab al-Ḥanbalī (Cairo: al-Fārūq al-Ḥadītha, 2002), 2: 626; Ibn al-Jawzī, al-Muntaṣam fī tārīkh al-mulūk wa al-umam, ed. Muḥammad 'Abd al-Qādir 'Aṭā' and Muṣṭafā 'Abd al-Qādir 'Aṭā ' (Beirut: Dār al-Kutub al-'Ilmiyya, 1992), 18: 31-2.

³ This is not to undermine the impact that imperial measures such as al-Qādir's support for traditionalism and his specific measures for promoting four schools of law would have had on the social, religious, and political landscape of late 'Abbāsid society. On caliphs supporting prevailing religious trends see Melchert, 'Religious Policies of the

Caliphs', 342.



Introduction 5

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

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

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

⁵ Assmann, *Moses the Egyptian*, 8–17. For more perspectives on mnemohistory see Tamm (ed.), *Afterlife of Events*, 1–23, 115–33.

⁴ Examples of studies that gloss over these developments are Watt, *The Formative Period of Islamic Thought*, 142–3; Waines, *An Introduction to Islam*, 66; Brown, *A New Introduction to Islam*, 136–7; Weiss, *The Spirit of Islamic Law*, 9; Schacht, *An Introduction to Islamic Law*, 3; Rippin, *Muslims: Their Religious Beliefs and Practices*, 91; Bulliet, *The Patricians of Nishapur*, 35–8. This is in no way to suggest that these studies are incompetent. Scholarship is constantly evolving, and it is in this spirit that I draw attention to the need for more comprehensive research on medieval Sunni orthodoxy and heresy.



6 Introduction

mechanisms by which the formation of Sunnism was contested and, gradually, consolidated.

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

There is no escaping the fact that this book is preoccupied with some central concepts in the study of medieval societies and religious history. It is tempting to set forth a theoretical framework that guides the precise empirical routes navigated throughout this work, but doing so risks reducing the study of complicated and unpredictable historical trajectories to the dogmas of medieval religious history and studies. This point is worth underscoring because one of the central conclusions of this book is that, in very significant ways, the development of orthodoxy and heresy in medieval Islamic history does not conform to the existing paradigms for understanding the formation of orthodoxy and heresy in medieval religious societies.

This is no excuse to set aside the labour involved in undertaking comparative and interdisciplinary research. In the appropriate places, this study explicitly reads the history of orthodoxy and heresy in medieval Islamic societies against and alongside scholarship in the fields of late antiquity, religious studies, institutional history, medieval history, and post-colonial theories of identity and difference. However, interdisciplinary work is valuable only after the philological, historical, and social and cultural peculiarities of one's specialist discipline have been documented. In the words of the greatest (fictional) researcher of our times, 'It is a capital mistake to theories before one has data. Insensibly one begins to twist facts to suit theories, instead of theories to suit facts.' In this way, theory and interdisciplinary methods can inform, rather than be superimposed onto, the study of medieval Islamic history and societies. This part of the Introduction is limited, therefore, to explaining how the book

⁶ Doyle, Sherlock Holmes, 12.



Introduction 7

defines terms such as orthodoxy and heresy, whilst later sections of the book, in particular Chapters 1 and 2, extend these definitions through a close reading of the primary sources.

The study of orthodoxy and heresy in medieval Islam has yet to develop into a systematic field of historical inquiry – so much so, in fact, that many treatments of these subjects in Islam show little engagement with the primary literature.⁷ There are four noteworthy approaches in previous scholarship to deal with these problematic categories for the study of Islamic history. The first adopts a static, institutional interpretation of orthodoxy and heresy whose starting point is the obvious observation that Islam has neither church, councils, nor clergy. According to this view, the absence of such visible institutional structures vitiates the very value of such inquiries. There is no doubt that the observation is an accurate one. But the lack of obvious parallel structures should not force us to abandon the search for similar mechanisms and agents by which orthodoxy and heresy were negotiated. This monograph argues that such an axiomatic assertion concerning the institutional apparatus of medieval Christendom and its absence in the medieval Islamic world cannot be used to dismiss the study of orthodoxy and heresy in medieval Islam. Such approaches no longer reflect the level of detail and sophistication now visible in scholarly treatments of orthodoxy and heresy in pre-modern European societies, and they also fall short in examining how non-European medieval societies developed indigenous attitudes and apparatuses for regulating their societies.9

Other approaches vacillate between broad conceptual essays on the subject of categories and detailed studies based on a restricted body of primary sources. A second approach, for example, proposes erudite but general assessments of the problems thrown up by the categories of orthodoxy and heresy. Alexander Knysh proposes sensible caveats to discussions of orthodoxy and heresy in Islamic history, noting that such terms should not be used indiscriminately. Norman Calder presents another intelligent essay on the character of orthodoxy in Sunni Islam. Calder is not concerned with describing how orthodoxy and heresy were negotiated in the formative period of Islamic history, though he is keen to underline the importance of intellectual traditions over orthopraxy as defining the character of Sunni orthodoxy. Calder's essay presents an argument for how scholars today should conceive of orthodoxy, and his proposal is that the literary tradition of Islam, squeezed between the

⁷ Henderson, The Construction of Orthodoxy and Heresy; Ames, Medieval Heresies.

⁸ Wilson, 'The Failure of Nomenclature'.

⁹ Goldziher, Vorlesungen uber den Islam, 183–4 = Introduction to Islamic Theology and Law, 162–3.

¹⁰ Knysh, 'Orthodoxy and Heresy in Medieval Islam'.



Introduction

bookcases of any traditional library, presents a snapshot of the vast parameters of orthodoxy in Islam.¹¹ In 1953 Bernard Lewis offered a valuable overview of the semantic field of heresy in Islamic history but, framing them as no more than observations, Lewis advanced too many generalisations. 12

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

¹¹ Calder, 'The Limits of Islamic Orthodoxy'.

¹² Lewis, 'Some Observations on the Significance of Heresy'.

¹³ Knysh, 'Orthodoxy and Heresy in Medieval Islam', 50–6.

¹⁴ Watt, The Formative Period of Islamic Thought; van Ess, Der Eine und das Andere; Lewinstein, 'The Azāriqa in Islamic Heresiography'; Lewinstein, 'Making and Unmaking a Sect'; Judd, 'The Third Fitna'; Laoust, Les schismes dans l'Islam.

15 Judd, 'The Third Fitna'; Turner, Inquisition in Early Islam; Hawting, 'The Case of Ja'd

b. Dirham'; Marsham, 'Public Execution in the Umayyad Period'.

¹⁶ Brown, Power and Persuasion in Late Antiquity, 9.

For their path-breaking work in the study of orthodoxy and the formation of medieval Sunnism and Shi'ism see Makdisi, 'Tabaqāt-Biography'; Melchert, *The Formation of the Sunni Schools of Law*; Melchert, 'Traditionist-Jurisprudents'; Stewart, *Islamic Legal* Orthodoxy; Madelung, Religious Trends in Early Islamic Iran; Madelung, 'The Early Murji'a'. On proto-Sunnism and the hadīth literature see Zaman, Religion and Politics under the Early 'Abbāsids; Dickinson, The Development of Early Sunnite Ḥadīth Criticism; Hallaq, Origins and Evolution; Lucas, Constructive Critics; Brown, The Canonization; van Ess, Theologie und Gesellschaft. Maribel Fierro has pioneered the study of heresy and



Introduction 9

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

We should start with Walter Bauer's radical revisionist thesis published in 1943, which challenged the conventional ecclesiastical understanding of early Christian orthodoxy and heresy. In his *Rechtgläubigkeit und Ketzerei im ältesten Christentum* Bauer departed from the scholarly consensus that viewed heresies as genuine and concrete social movements which developed as deviations of earlier orthodox communities. He shifted the scholarly understanding of heresies away from one that saw in orthodox representations of heretics and heresies an accurate depiction of deviant

orthodoxy in medieval Andalus: Fierro, *La heterodoxia en al-Andalus*; Fierro, 'Heresy in al-Andalus'; Fierro, 'Accusations of zandaqa in al-Andalus'; Fierro, 'Religious Dissension in al-Andalus'.

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



10 Introduction

movements to one that emphasised the processes by which orthodox communities projected heresies and heretics. In Bauer's retelling of early Christian history, major Christian communities in the Roman provinces practised 'heretical' forms of Christianity, whilst orthodoxy represented a limited and less widespread belief system adopted only by a particular form of the Church of Rome. That is to say, for Bauer, the ecclesiastical understanding of heresy as a secondary, deviant and fringe development was untenable. The historical evidence suggested that ecclesiastical conceptions of what constituted heresies represented the original and more diffuse understanding of early Christian belief.¹⁹

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

It is here that I adopt a different approach from Bauer's to the study of orthodoxy and heresy in medieval Islam. The spectacular work of Alain Le Boulluec is hard to imagine without Bauer's initial foray into the subject. For our book, the implications of Le Boulluec's work are far more promising. Le Boulluec's two-volume study, *La notion d'hérésie dans la littérature grecque IIe–IIIe siècles*, places 'représentations hérésiologiques' at the forefront of the study of orthodoxy and heresy in second- and third-century Greek patristic thought. Le Boulluec's work inaugurates a shift away from the value-laden character of much research into heresy and orthodoxy by revealing the discursive strategies involved in the construction of heresy by an array of gifted Christian heresiologists. For Le Boulluec, the writings of early Christian heresiologists such as Justin, Hegesippus, and Irenaeus reveal the precise strategies and mechanisms by which a discourse of heresy is constructed, articulated, and targeted at opponents.²⁰

This last insight is crucial to the argument of this book, though in two contrasting ways: this monograph posits that heresy in the formative

¹⁹ Bauer, Rechtgläubigkeit und Ketzerei im ältesten Christentum = trans. Orthodoxy and Heresy in Earliest Christianity.

²⁰ Le Boulluec, *La notion d'hérésie*.



Introduction 11

centuries of Islam rested on the construction of discourses of heresy. The closer we examine such discourses, the more they reveal about the evolving nature of proto-Sunni orthodoxy, the influence of its promulgators, and the shifting fortunes of these discourses. On the other hand, Le Boulluec makes explicit claims to working within a Foucauldian framework in which notions of discourse acquire centre stage. But, for Foucault, one of the elementary requirements of identifying discourses was to read everything.21 Had he any idea of the quantity of primary sources in Arabic and Persian, to say nothing of other Islamicate languages such as Ottoman Turkish, I am certain he would have exercised some flexibility in his formulation. ²² To be very clear, I lay no claim to having read everything. Nevertheless, I agree with the main thrust of Foucault's argument, which I interpret to be his concern that scholars would claim to locate discourses that in actual fact were visible in one genre only.²³ By placing discourses and not institutions at the centre of the study of orthodoxy and heresy in medieval Islam, I am arguing that the power to assert and establish narratives of orthodoxy or heresy depended on the construction of texts and textual communities. Books do not exist by their own powers. They represent existing and well-established networks and systems of references.²⁴ They are part of a discursive field, and deploying this Foucauldian analysis provides new insights into the actual work (and agents) of orthodoxy. We should remind ourselves, if only because the term 'discourse' has often been stripped of its original Foucauldian meaning, that Foucault defined discourse in the following way: 'Whenever one can describe, between a number of statements, concepts and thematic choices, one can define a regularity, we will say, for the sake of convenience, that we are dealing with a discursive formulation.'25

Discourses of heresy surrounding Abū Ḥanīfa in a wide range of texts and through mechanisms, strategies, and thematic choices that reoccur frequently signal a discursive formation that defined proto-Sunni traditionalist conceptions of orthodoxy. Studying the emergence of these discourses furnishes key insights into the formation of proto-Sunni traditionalist orthodoxy and its evolving hegemonic constellations. Perhaps more significantly, the failure to sustain discourses of heresy concerning

²¹ Foucault, Aesthetics, 262-3, 303; Foucault, Ethics, 486.

²² Foucault, *The Archaeology of Knowledge*, 146, where Foucault expresses the difficulty in describing all of a society's archive.

²³ Foucault, Aesthetics, 303.

²⁴ Foucault, Aesthetics, 304; Foucault, The Archaeology of Knowledge, 26.

²⁵ Foucault, The Archaeology of Knowledge, 41.