THE ROLE OF THE BIOGRAPHER IN CONSTRUCTING
IDENTITY AND DOCTRINE: AL-ʿABBĀDĪ AND HIS
KITĀB TĀBAQĀT AL-FUQAHĀʾ AL-SHĀFIʿĪYYA

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This paper explores the role of the biographer in compiling a biographical
dictionary, focusing on al-ʿAbbādī’s (d. 458/1066) work on the Shāfiʿī ‘school’ of law. The paper argues that al-ʿAbbādī straddles a fine line of
faithful transmission of school doctrines and artful arrangement of the
materials in order to shape the identity, authority structures, and doctrines of
the school according to his vision. To highlight al-ʿAbbādī’s role in
constructing the identity and authority structures of the school the paper
focuses on three areas: first, how al-ʿAbbādī lays out his vision of the school in
the entry of the eponym of the school by delineating the areas of law that
distinguish al-Shāfiʿī from other founders of schools of law; second, how al-
ʿAbbādī deals with contradictory positions held among members of the school;
third, how he gives the school of law also a theological identity (Ashʿarism) by
discussing such topics as free will, the createdness of the Qurʾān, and the
definition of faith (īmān). The paper details the author’s range of editorial hints
and techniques of presentation that guide his audience to the ‘correct’ Shāfiʿī
doctrine. It presents reasons why al-ʿAbbādī takes recourse to these measures
and points to the effects of his presentation of school doctrines.

Introduction
A particular feature of Arab-Muslim literature and culture is its vast
numbers of biographical dictionaries.1 Among the earliest of which we

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1 Biographical notes are known by a variety of terms; widely used are the
Arabic ṭabaqa, pl. ṭabaqāt, or tarjama, pl. tarājim, as well as sīra, pl. siyar. They
are found in a variety of literature. Depending on how broadly one defines the
genre, biographical information appears in historical narratives that, sometimes
more as a side note, elaborate on people who lived during the time period under
consideration or list those who died in a particular time span; in works specifically
dedicated to a particular group of people; and in those devoted to a particular figure
(usually called manāqib). For overviews of the breadth and depth of this genre with
extensive bibliographical references, see Sir Hamilton Gibb, ‘Islamic Biographical
Literature,’ in Historians of the Middle East, eds. B. L. Lewis and P. M. Holt
(London: Oxford University Press, 1962), 54–8; Franz Rosenthal, A History of
Muslim Historiography (Leiden: Brill, 2nd revised ed. 1968), 100–6; M. J. L.
Young, ‘Arabic Biographical Writing,’ in Cambridge History of Arabic Literature:
Religion and Learning in the ‘Abbasid Period, eds. M. J. L. Young, J. D. Latham
know are Ibn Saʿd’s (d. 230/845) *Kitāb al-Ṭabaqāt al-kabīr* and Ibn Sallām al-Jumaḥī’s (d. 231/846) *Kitāb Ṭabaqat al-fuḥūl al-shuʿarāʾ*, devoted to *ḥadīth* transmitters and poets respectively. A more recent example of this type of literature is ʿAbd al-Raḥmān al-Jabartī’s (1754–1829) *ʿAjāʾib al-athār fī l-tarājim wa-l-akhbār*. While many biographical works concentrate on religious figures, such as Companions, *ḥadīth* transmitters, Qurʾān readers, jurists, mystics, and theologians, it is not a religious phenomenon; there is no shortage of works dedicated to poets, musicians, philosophers, caliphs, as well as to people with unusual attributes or even afflicted with some disease. Among the curiosities preserved by biographers is the *Burṣān wa-l-ʿurjān* of al-Jāḥiẓ (d. 255/868), which mentions litterateurs who were lepers, lame, blind, and squint-eyed; Abū Ḥātim al-Sijistānī (d. 248/862) devotes a book on people blessed with longevity (*al-Muʿammārān wa-l-wasayāl*);2 and someone thought it sufficiently noteworthy to compile a list of tall men whose big toes dragged on the ground when riding.3

The forms that biographical notices take are just as varied as their subjects, ranging from mere lists of names or genealogies to extensive entries which include stories and anecdotes of the individual’s life and professional accomplishments, or book-length biographies on important personalities. The type of information mentioned in a biographical entry depends on factors such as the sources available to the author and the purpose of the biography, and may vary widely within one and the same work. Frequently included in a biography are the death date of a person (and, if known, also the birth date); his/her genealogy and residence(s); education received, including teachers in specific subjects and students taught; travels undertaken; people/scholars met; works written or transmitted; professional appointments; and anecdotes or stories that are

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2 Al-Qāḍī, ‘Biographical Dictionaries,’ 95.

relevant for understanding the personality and the significance of the biographee. However, the information gleaned from biographical entries often says less about the individual than the collective entity that this person belongs to because it captures primarily those aspects that associate that individual to the group. The biography reveals to the reader a framework within which to place the person in Islamic society, establishing the individual’s doctrinal or political affiliations and/or whether s/he is a reliable transmitter of knowledge.

Despite the wealth of information that can be derived from biographical works, there are obvious limitations to this genre. The author selects the individuals he includes; it is neither all-inclusive nor a random distribution of people belonging to that group, which makes generalizations difficult to sustain. Moreover, the biographer is not just a neutral compiler of information. Not only may he have his own ‘agenda’, but he also follows the cultural attitudes and literary conventions of his time. When highlighting an aspect of someone’s personality, he draws on metaphors and topoi known and accepted by his audience. Tāj al-Dīn al-Subkī (d. 771/1370), for example, organized his biographical dictionary of the Shāfi`ī school according to centuries, based on the common belief in a prophetic report that every century a renewer (mujaddid) of the faith appears. Hence, he lists at the start of every century a reformer who, not surprisingly, came from among the ranks of Shāfi`ī jurists, with al-Shāfi`ī as the reformer for the third century AH. An amusing detail of the ‘fictional’ character of some biographical information is Ibn Farḥūn’s (d. 799/1397) account of Mālik

4 A good representative of the genre is al-Khaṭīb al-Baghdādī’s (d. 463/1071) Taʾrīkh Baghdad. In it, the author frequently captures the societal context of an individual by recounting not only biographical facts but also anecdotal material associated with the person. About Ibn Isḥāq, the compiler of a biography of the Prophet Muḥammad, al-Khaṭīb mentions several stories that, irrespective of their historical truth, convey that Ibn Isḥāq was a controversial figure who elicited praise as well as blame from his contemporaries. See Abū Bakr Aḥmad b. ʿAli al-Khaṭīb al-Baghdādī, Taʾrīkh Baghdad aw Madīnât al-Salām, 14 vols (Cairo: Maktabat al-Khānjī, 1349/1931), vol. 1, 214–34.

5 For a discussion of the pitfalls of prosopographical studies, see Lawrence Stone, ‘Prosopography,’ Daedalus 100 (1971), 46–79.

b. Anas (d. 179/795), the eponym of the Mālikī school of law. He states that Mālik was in his mother’s womb for three years – evidently a reflection of Mālik’s doctrine of the ‘sleeping fetus,’ which holds that pregnancies may last up to three years.

The study of such biographical notes, though far from having exhausted the material, reveals important insights into Islamic civilization. As Wadād al-Qāḍī poignantly states: ‘biographical dictionaries are indeed a mirror in which are reflected some important aspects of the intellectual and cultural development of the Islamic community.’ The aim of this essay is to investigate the role the author of a biographical dictionary plays in shaping the identity of the group he documents by arranging and presenting his information in a particular way. In order to understand that role one must also look at the function this genre of literature serves. While the most important function of biographical works is to preserve history, it is a particular view of history that is portrayed in such works. Generally, one finds a somewhat idealized and mythologized version of history that pays attention not so much to events, but to fields of knowledge or expertise that characterize

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7 Leder argues that despite a disdain for fiction in non-fictional Arabic narratives, the factuality of the information presented is frequently an illusion. Fictional elements may be used for educational or entertaining purpose, as narrative techniques or appeal to the cultural framework of the audience. See Stefan Leder, ‘Conceptions of Fictional Narration in Learned Literature,’ in *Story-Telling in the Framework of Non-Fictional Arabic Literature*, ed. Stefan Leder (Wiesbaden: Harrassowitz, 1998), 34–60.


10 Al-Qāḍī, ‘Biographical Dictionaries,’ 94.
the commonality of the group. Works that are devoted to a specific professional or doctrinal group of people tend to focus on the ‘founder’ as fountainhead of knowledge of the particular field the group represents (grammar, law, music, etc.) and how this knowledge is transmitted from one member in the group to another. While the main function of a biographical work about such a group is to preserve the history of transmission of the professional knowledge and doctrines that distinguishes it, the biographer also engages in constructing its identity. As will be shown in more detail below, he describes and, thereby, defines its characteristics, its distinctiveness from similar groups, its membership, its boundaries, and its continuity. The biographer also determines the place of individual members within that group. This is done, as illustrated below, by stating the opinions of a member and relating his/her views to those of other members or those accepted among the group as a whole. Upon reading such biographies, future members of the group receive a ‘who’s who’ of past generations, but are


12 Cooperson points out that al-Marzubānī (d. 368 or 384/979 or 994), who compiled an early work on grammarians, styled Abū l-Aswād al-Du‘ālī (d. 69/688) as the ‘founder’ of the discipline, who learned it from none other than ‘Abbādī b. Abī Ṭālib (Cooperson, Classical Arabic Biography: The Heirs of the Prophets, 12). Hallaq masterfully documents how in schools of law the eponymous founder was later elevated to have single-handedly created the doctrines of the school by cutting him off from any reference to previous jurists from whom he might have learned and by projecting contributions of his disciples to the doctrinal body of the school onto the founder. See Wael B. Hallaq, Authority, Continuity and Change in Islamic Law (Cambridge: Cambridge University Press, 2001), 24–56.

13 As documented widely, works on, for example, members of a school of law frequently list jurists also claimed by another school (see Christopher Melchert, The Formation of the Sunni Schools of Law, 9th–10th Centuries C.E. (Leiden: Brill, 1997), 44–5, 72, 75–6, 81, and 146; F. Kern, ‘Ṭabarī’s Iḥṭilāf al-fuqahā’, Zeitschrift der deutschen morgenländischen Gesellschaft 55 (1901), 61–95 (pp.72–3); al-‘Abbādī, too, states on occasion that a jurist he lists is also claimed by another school. See Kītāb Ṭabaqāt al-fuqahā’ aš-shafi‘īya: Das Klassenbuch der Gelehrten Šāfi‘ī’sen des Abī ‘Āsim Muhammad b. Ahmad al-‘Abbādī, ed. Gösta Vitestam (Leiden: Brill, 1964), 20–1, 41, and 89.

14 Cooperson, Classical Arabic Biography: The Heirs of the Prophets, xii, 7–8, and 15.
also given information about which view is accepted (or acceptable) and authoritative. One may find, for example, a comment that a particular view is a minority one or not in line with that of the founder.\textsuperscript{15} The biographer constructs lines of authority by indicating the relationships between members of the group, especially to the founder or origins of the group. Biographical works on a specific group, however, are not only written for internal consumption by the members of the group. They also define the group’s place in the wider history of Islamic civilization. Compiling the biographical entries, the author declares to the whole of the community its significance and contribution. He demonstrates the legitimacy of its professional activities and why it is authoritative in the field it represents.\textsuperscript{16}

In the enterprise to describe and define the identity of a group as well as its authority in society the biographer is crucial. Although he, doubtlessly, bases his narrative on already existing sources and information he received from previous generations, he is the one who selects whom to include and exclude from the group;\textsuperscript{17} he adduces reports to reinforce the genealogy, the achievements, and the identity of the group; and he is the one who decides how to present his material. He is, thus, an active participant in shaping the group, its self-perception, and its image in society.

In what follows, I will illustrate how Abū ʿĀṣim al-ʿAbbādī helped to mold the identity of the Shāfiʿī school of law in his Kitāb Ṭabaqāt al-fuqahāʾ al-shāfiʿīyya. For this purpose, I am paying more attention to the ways in which he presents information on jurists and doctrines of the Shāfiʿī school, rather than the historicity of his narrative. Furthermore,\textsuperscript{18}

\textsuperscript{15} As Hallaq has shown, a particular ruling that is designated at one point as a minority view does not have to remain that way. Later generations might accept it and elevate it to represent an acceptable alternative to the dominant doctrine of the school, cf. Hallaq, Authority, Continuity and Change, 194–208.

\textsuperscript{16} Cooperson, Classical Arabic Biography: The Heirs of the Prophets, xii and 13–7. Cooperson points out that Ibn al-Muʿtazz (d. 296/908) aimed in his biographies of poets (Ṭabaqāt al-shuʿarāʾ al-muḥdathīn) at legitimizing the ‘new’ poetic style of bādī (ibid., 12).

\textsuperscript{17} That the membership of a group changes is evident, for example with the famous historian and exegete Muḥammad b. Jarīr al-Ṭabarī (d. 319/923). While al-ʿAbbādī counts him among the members of the Shāfiʿī school (al-ʿAbbādī, Kitāb Ṭabaqāt, 52), the bibliographer Ibn al-Nadīm (d. 385/995) considers al-Ṭabarī to have had his separate following, independent of those of al-Shāfiʿī. See Melchert, Formation of the Sunni Schools of Law, 178.
instead of pointing out that al-ʿAbbādī’s biographical work serves ideological purposes, I focus on how he achieves this goal by showing the range of techniques and editorial devices he uses.  

Abū Ṭāsim al-ʿAbbādī’s Kitāb Taʿbaqāt al-fuqahāʾ al-shāfiʿīyya
Abū Ṭāsim Muḥammad b. Ṭūsī Muḥammad b. Aḥmad al-ʿAbbādī, the author of Kitāb Taʿbaqāt al-fuqahāʾ al-shāfiʿīyya, was born in Herat in 375/985, where he began his education before studying in Nīshāpūr under leading scholars of Shāfiʿī law and Ashʿarī theology. He is said to have traveled extensively, and returned, probably after 440/1048, to Herat where he was appointed gāḍī. He died there or, according to some accounts, in Marw in 458/1066. Al-ʿAbbādī is not only remembered as a Shāfiʿī judge, author of several works on law (mainly on legal practice, jurūʿ) and biographer of the school, but also as the leading Ashʿarī theologian of Herat of his time.

Al-ʿAbbādī finished his work on members of the Shāfiʿī school in 435/1044, before starting his judgeship in Herat. The book contains the names of 238 jurists, starting with the eponymous founder and

18 George Makdisi has shown that some of the presentation techniques used by al-Ṭūsī (d. 771/1370) in his tafrīq in his Taʿbaqāt al-Shāfiʿīyya were intended to highlight that Ashʿarī theology is compatible with Shāfiʿī ism. See George Makdisi, ‘Ashʿarī and the Ashʿarītes in Islamic Religious History I,’ Studia Islamica 17 (1962), 37–80 (pp. 57–79).


20 Al-ʿAbbādī, Kitāb Taʿbaqāt, 114.

21 Several jurists listed by al-ʿAbbādī appear, however, to be instances of tafrīq, i.e. duplicating the same person. Instances of tafrīq seem to be, for example, the entries on Abū Muḥammad al-Raḥmān b. Abī Ḥātim (pp. 29 and 43); Abū l-Qāsim al-ʿAnnāfī (p. 51); and the three persons listed with the name al-Karābī (p. 109) are probably only two (cf. also editor’s note, English pagination 59). That such ‘mistakes’ were commonly made, even by eminent scholars, is pointed out by al-Khaṭīb al-Baghdādī, who composed a book elucidating instances of conflating (jamʿ) and duplicating (tafrīq) individuals in al-Bukhrānī’s al-Taʿrīkh al-kabīr. See Ahmad b. ʿAlī al-Khaṭīb al-
presenting six generations (tabaqāt), the last of which recorded the author’s contemporaries. The length of each generation and the number of jurists listed therein varies without recognizable pattern, and is likely to have been the result of the information available to al-ʿAbbādī. Of the six generations, numerically the largest is the fourth (83 jurists), followed by the first (49 jurists). Both represent also the longest generations, containing individuals whose death dates cover a range of approximately 80 years. The members of the fourth, and largest, generation, whose death dates fall predominantly into the second half of the fourth/tenth century, seem to be either better known to al-ʿAbbādī, or they reflect a growth period within the Shāfiʿī school; in contrast, the author lists only 26 jurists for the third and 33 for the fifth generation. Hallaq speaks of a growing Shāfiʿī school during the fourth/tenth century due to the numerous students of Ibn Surayj (d. 306/918), who are said to have spread the Shāfiʿī madhhab. Halm documents that it was during this period that Shāfiʿī jurists were appointed as judges in cities such as Shīrāz, Nīshāpūr, Qom, and Damascus, taking offices previously occupied mainly by Ḥanafīs.

The purpose behind the Kitāb Ṭabaqāt al-fuqahāʾ al-shāfiʿiyya

Al-ʿAbbādī’s dictionary of Shāfiʿī jurists is remarkable in many ways. It is probably the earliest extant source devoted to members of the Shāfiʿī school, written more than 200 years after the death of its eponym, Baghdadī, Mawaqidh awhām al-jamʿ wa-l-tafriq, ed. ʿAbd al-Muṭṭiʿī Amīn Qalʿajī (Beirut: Dār al-Maʿrifā, 1407/1987).

22 Al-ʿAbbādī does not say much about his sources, though it is obvious from some references that he drew on written and oral sources, cf. al-ʿAbbādī, Kitāb Ṭabaqāt, 6, 86, and 91.

23 In the first generation, al-ʿAbbādī lists two persons who doubtlessly have to be counted among the second generation of Shāfiʿī jurists, cf. al-ʿAbbādī, Kitāb Ṭabaqāt, 29 and 36.


26 Other biographical works on the Shāfiʿī school that are not extant are attributed to al-Muṭṭawwīʿī (d. 400/1009–10) and to Abū l-Ṭayyib al-Ṭabarī (d. 450/1058), who was one of al-ʿAbbādī’s teachers. See Melchert, Formation of the Sunni Schools of Law, 145; al-ʿAbbādī, Kitāb Ṭabaqāt, 114.
Muḥammad b. ʿAbd al-Shāfiʿī (d. 204/820). Somewhat surprising, however, is that it does not provide the typical information otherwise found in biographical works of its time, such as al-Khaṭīb al-Baghdādi’s (d. 463/1071) Taʿrīkh Baghdād. Almost completely absent are any vital dates on the jurists listed or descriptions of personal traits and anecdotal accounts – elements that give the Taʿrīkh Baghdād its richness and make its subjects come to life. The reason for this void in al-ʿAbbādī’s work becomes apparent when looking at the author’s introduction. There he writes that he sees himself in the tradition of the elders (salaf),27 who recorded what they knew about the Companions, the Successors, the Successors of the Successors, and the eminent scholars who came after them, out of an obligation to emulate and to be guided by their example. Their importance, according to al-ʿAbbādī, lies in being the intermediaries (wasāʾif) between ‘us’ and the Companions of the Prophet.28 For al-ʿAbbādī, it is not so much the individual personalities who are important in the link between the Companions and his own generation, than their function as transmitters of legal knowledge. He states that they are the ones who passed on the methods of jurisprudence (manāhib al-fiqh), the rulings (aḥkām), and knowledge of the precise meanings (maʿānī) and signs (aʿlām) from which legal rulings are derived.29 Al-ʿAbbādī’s purpose, thus, is to document and preserve knowledge of the fundamentals of law-finding. Although the author here insinuates that this knowledge has been transmitted to the current generation from the Companions, he makes no efforts to show any link between al-Shāfiʿī and the Companions or legal figures of generations preceding the eponym. Only once does he mention al-Shāfiʿī’s teachers, and that occurs in the entry of a Shāfiʿī jurist of the fourth generation, where a chain of transmission between al-Shāfiʿī going back to the Prophet is listed in the way one usually finds for ḥadīth transmitters. Interestingly, no actual ruling or statement is tied to this chain.30 Al-ʿAbbādī’s claim that the legal knowledge of the Shāfiʿī school has been

27 Al-ʿAbbādī obviously considers the term salaf in its broad meaning of predecessors or forefathers, not restricted to the Companions or the first three generations of Muslims.

28 Al-ʿAbbādī, Kitāb Ṭabaqāt, 1.

29 Ibid., 1.

30 The chain of transmission goes from Muslim b. Khālid al-Zanjī and Saʿīd b. ʿAlī al-Qaddāh to Ibn Jurayḥ, ʿAṭāʾ b. Abī Rabāḥ, ʿAbdallāh b. ʿAbbās and Ibn ʿUmar, of which the last two have received their knowledge from the Prophet (ibid., 84).
passed down to its members from the Companions, rather than having substantive value, is intended to evoke the image that the legal doctrine of the school perpetuates the legal tradition of the early community. Furthermore, starting his biographical work with the eponym of the school suggests an analogy: just as ḥadīth transmission has as its source of origin the Prophet, so al-Shāfiʿī is the fountainhead of legal knowledge for his followers. Similar to ḥadīth transmission, al-ʿAbbādī takes care in the individual entries to list, whenever he knows, the relationship among jurists of the Shāfiʿī school, especially their relationship to al-Shāfiʿī and his immediate disciples, and from whom they transmit. As for the concrete legal rulings that are transmitted, he concentrates, as he said in the introduction, on three areas: legal methodology (or what he calls manāḥif), applied law (ahkām or furūʿ), and determining the meanings and signs by which to extend the existing law to situations not expressly stated (which would fall under the various types of law-finding loosely subsumed under qiyās during the author’s time period).

Yet, there is another purpose behind al-ʿAbbādī’s composition. He explicitly states that he wished to provide for the Shāfiʿī school that which Ḥanafīs had done for theirs, namely listing and praising all those jurists who belong to their ‘school’. Al-ʿAbbādī’s desire to imitate the way Ḥanafīs commemorate their members reflects that his purpose in writing this book it also one of identity-building for the Shāfiʿī school; his work will delineate the membership of the group,

31 Makdisi points out that the term uṣūl al-fiqh was not commonly used to designate works on legal theory until the late 4th/10th–early 5th/11th century. See George Makdisi, ‘The Juridical Theology of Shâfiʿī: Origins and Significance of Uṣūl al-Fiqh,’ Studia Islamica 59 (1984), 5–47 (pp. 7–9).


33 Al-ʿAbbādī, Kitāb Ṭabaqāt, 1. Al-ʿAbbādī provides a long list of names of Ḥanafī jurists (ibid., 1–6). He probably had some type of book naming Ḥanafī jurists at his disposal. He may have had access to a biographical work on Abū Ḥanīfa and Ḥanafīs by al-Ṣaymārī (d. 436/1045) called Akhbār Abī Ḥanīfa wa-ashābīh, which was completed in 404/1014. See Eerik Dickinson, ‘Ahmad b. al-Ṣalt and His Biography of Abū Ḥanīfa,’ Journal of the American Oriental Society 116 (1996), 406–17 (p. 408); Melchert, Formation, 145.
its doctrines, how they relate to its eponym and his teaching, and how they are different from other schools’ teachings.\footnote{Al-ʿAbbādī’s introduction, thus, reflects what al-Qāḍī says about the appearance of biographical works on the schools of law; they appear after the consolidation of the school’s doctrines by the end of the 4th/10th century and with a growing rivalry between the schools of law, especially in Baghdad and the East. See al-Qāḍī, ‘Arabic Biographical Literature,’ 113.}{34}

\textit{Al-ʿAbbādī’s vision of the eponym of the school}

Al-ʿAbbādī’s vision of the Shāfiʿī school is exemplified in his entry on the eponymous founder, Muḥammad b. Idrīs al-Shāfiʿī.\footnote{Al-ʿAbbādī, Kitāb Ṭabaqāt, 6–7.}{35} One notices that any actual biographical information concerning dates or events in al-Shāfiʿī’s life is missing, most likely because he assumes that such information is already known to the reader. That al-ʿAbbādī knew details of al-Shāfiʿī’s biography is evident throughout the book. Dispersed in entries on other jurists, he makes comments regarding al-Shāfiʿī’s life and family,\footnote{Ibid., 31, 38, 52, and 73.}{36} his personal traits,\footnote{Ibid., 20.}{37} and behavior,\footnote{Ibid., 49, 56–7, and 60.}{38} and he includes refutations against accusations that the eponym had Shīʿī sympathies.\footnote{Ibid., 35 and 57; Ibn al-Nadīm (d. 385/995), the author of the Fihrist, calls al-Shāfiʿī a fervent Shiʿī. See Eric Chaumont, ‘al-Shāfiʿī,’ EI2, vol. 9, 181–5 (p. 182).}{39} Instead of recounting aspects of al-Shāfiʿī’s personal life or views he held in the entry on the eponym, al-ʿAbbādī focuses on delineating those areas that, in his view, represent the intellectual contribution of al-Shāfiʿī and are the reason why he is superior to Mālik b. Anas and Abū Ḥanīfa (d. 167/750), the eponyms of two of the four Sunnī schools of law.\footnote{Interestingly, al-ʿAbbādī does not mention the Ḥanbalīs as a school of law, though he lists Ahmad b. Ḥanbal (d. 245/855) as a student of al-Shāfiʿī and then refers to the Ḥanbalīs as a group elsewhere in the book (see al-ʿAbbādī, Kitāb Ṭabaqāt, 14–15, where Ibn Ḥanbal is called the ‘sword of the Sunna’ and it is emphasized that Ibn Ḥanbal learned much from al-Shāfiʿī who held him in high esteem; for Ḥanbalīs as a distinct group, see ibid., 46). When al-ʿAbbādī mentions eponyms of other schools of law, he usually does not include Ahmad b. Ḥanbal among them, though he sometimes lists Sufyān al-Thawrī (d. 161/778) (ibid., 55). It appears, thus, that even in the first few decades of the 5th/11th century the Ḥanbalīs were not deemed a school of law (as opposed to a school of thought more generally) in the eastern part of the Islamic world where al-ʿAbbādī was active. He obviously did not perceive Ḥanbalīs as a rival school, like Ḥanafīs and Mālikīs.}{40}
and why scholars and common people adopt the Shāfi‘ī school as their madhhab.41

After presenting al-Shāfi‘ī’s full name and genealogy, he refers to several prophetic ḥadīths all stating the exceptional status of the Quraysh, the tribe to which al-Shāfi‘ī belonged and which made him a distant relative of the Prophet.42 The leadership status of al-Shāfi‘ī, however, is not based on descent alone.43 Rather, his superiority stems from the fact that:

‘he classified the fundamentals [of law-finding] (al-uṣūl), then based upon them the derivation of law (al-furūʿ); further, he was more careful [in law-finding] than [Mālik and Abū Ḥanīfa] because he took greater care in matters relating to ritual purity (ṭahārāt), provisions for acts of worship (sharāʾīf al-ʾibādāt), issues relating to marriage (ankiḥa), and sale contracts (biyāḥūt).44

In this brief entry (fourteen lines) on al-Shāfi‘ī, al-ʿAbbādī articulates that which he considers the defining characteristics of his school that originate and are personified in the eponymous founder. The Shāfi‘ī school is distinguished by its knowledge of legal methodology and, hence, the correct derivation of rulings in key legal areas. When understanding the above mentioned areas of law broadly, then al-Shāfi‘ī—and by extension his whole school—is superior in legal interpretation of matters concerning religious worship and dietary laws, personal status law, and commercial contracts, that is to say, the most important legal areas regulating Muslim religious and social life.

The entry on al-Shāfi‘ī sets the stage for the information presented on the group as a whole. Al-ʿAbbādī continuously addresses the same legal topics that he considers al-Shāfi‘ī’s specialty in other members’ entries. The most prominent legal themes discussed are matters concerning ritual purity, especially as it relates to worship and dietary laws45, as well as

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41 Al-ʿAbbādī, Kitāb Ṭabaqāt, 6–7.
42 Ibid., 6.
43 Notwithstanding the ḥadīths that express that leadership belongs to the Quraysh, al-ʿAbbādī also presents al-Shāfi‘ī as rejecting superiority based on descent in a statement in which al-Shāfi‘ī rejects ‘Alī’s claim to leadership based on his relationship to the Prophet (ibid., 35).
44 Ibid., 7.
45 Al-ʿAbbādī refers to questions over the permissibility of eating, for example, hoopoe, fox, and magpie (see ibid., 46, 47, and 50). Some of the debate over the permissibility of eating certain animals was probably mere casuistic, as many of
personal status and inheritance law. One notices, however, that despite al-ʿAbbādī’s statement that al-Shāfiʿī was an expert in contract law he pays rather little attention to it when presenting the doctrines held by members of the Shāfiʿī school; contract law is mentioned less than issues pertaining to linguistic knowledge or theological doctrines. Legal methodology is also not a prominent topic, receiving less space than theology and grammar. The few times matters of legal theory are addressed, they refer mainly to ḫāʾid and qiyās – terms that al-Shāfiʿī considers to be of the same meaning or rather that qiyās is a form of ḫāʾid. In addition to the reasons elaborated by Hallaq, this lacuna regarding legal theory, perhaps, also reflects al-ʿAbbādī’s own interest in substantive law, as indicated by his works in that field.

Yet, al-ʿAbbādī also goes beyond the framework in which he presents the legal contribution of al-Shāfiʿī. In addition to the above-mentioned fields of legal knowledge, there are other topics that are constant threads throughout the book. One is al-ʿAbbādī’s emphasis on the school’s superiority in knowledge of Arabic grammar and lexicography, a precondition for deriving legal rulings. Al-Shāfiʿī was renowned for his eloquence and mastery of the Arabic language, receiving praise from no
other than the famous litterateur al-Jāḥīz (d. 255/869). Al-ʿAbbādī’s concern for showing superiority in the Arabic language of al-Ṣāḥibī and his followers has to be seen in contradistinction to what is said about Abū Ḥanīfa’s linguistic competence. Abū Ḥanīfa is accused of foreign origin (that is to say, non-Arab, usually Persian or Afghan) and of speaking with an accent. The resulting inferiority in Arabic of those jurists following Abū Ḥanīfa’s legal teaching is showcased by al-ʿAbbādī in several references to the debate over the permissibility of drinking nabīd. The question in this debate is whether the Arabic terms nabīd and khamr are to be considered synonymous or not. The Qurʾān mentions only the word khamr as a prohibited drink, thus leaving it unclear whether inebriating beverages called nabīd (made, for example, out of honey, barley, spelt, or dates) also fall under the Qurʾānic prohibition. Many Ḥanafīs differentiate between khamr and nabīd, permitting moderate use of the latter. Al-ʿAbbādī quotes al-Shāfiʿī as saying that the Arabs of Mecca and Medina used both terms synonymously and that nabīd, therefore, is included in the Qurʾānic prohibition of khamr. He gives this doctrine even more weight by citing it in the entry of the third/ninth-century jurist Abū Saʿīd ʿUthmān al-Dārimī, who was an eminent Ḥanafī jurist before switching to the Shāfiʿī school later in life – thus, one may say, joining the school of law that is more knowledgeable in Arabic and, thus, more precise in adhering to God’s ordinances.

Al-ʿAbbādī also pays much attention to matters that lie more within the realm of adab and social etiquette than law proper. He refers to legal

52 See, for example, al-Khaṭīb al-Baghdādī, Taʾrīkh Baghdād, vol. 13, 324–6.
53 See Qurʾān 5: 90–1.
56 Al-ʿAbbādī, Kitāb Ṭabaqāt, 40 and 46.
57 Ibid., 45–6.
opinions on sneezing, eating, drinking, laughing, and honor (murū’a), some of which allegedly portray al-Shāfi‘ī’s personal behavior. While the purpose of including these legal views is not immediately apparent, it may reflect the author’s own interest in the topic of proper social manners as he himself composed a work on the etiquette of judges (adab al-qāḍī). Perhaps, the author meant to give the impression that the founder of the school was a well-mannered person of high moral standing.

_Taking a stand among contradictory doctrines_

When looking at al-‘Abbādī’s work as a whole, it becomes clear that he considers the members of the school and their doctrines a coherent madhhab. They represent what the school stands for and they perpetuate the teachings of the founding father(s). Al-‘Abbādī’s double role as compiler of extant information and active participant in shaping the identity of the school comes to the fore when Shāfi‘ī jurists depart from the master’s teachings or when they hold contradictory views. In most cases he does not simply document these doctrinal disputes, but employs a number of authorial devices to point the reader to the ‘correct’ Shāfi‘ī position.

One such way al-‘Abbādī deals with contradictory views held by Shāfi‘ī jurists is to present them without further comment, leaving it for the reader to decide which to follow. In general, al-‘Abbādī only does this when the jurists involved do not belong to the circle of the founding fathers, and when no continuous link to al-Shāfi‘ī or his direct disciples can be established. For example, he states under the entry of Abū Marwān Ismā‘īl b. Marwān, a jurist of the third generation whose teachers remain unnamed, a disagreement among Shāfi‘īs over whether it is permissible to specify an obvious meaning by means of analogy (takhṣīṣ al-ẓāhir bi-l-qiyās), that is to say, limiting the applicability of an obvious textual ruling by one arrived at in analogy to a textual statement.

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58 Al-‘Abbādī, _Kitāb Ṭabaqāt_, 37 and 43.
59 Ibid., 36.
60 Ibid., 43.
61 Ibid., 61.
62 Ibid., 49 and 56–7.
63 Ibid., 49, 56–7, and 60.
Abū Marwān is cited as authority by al-ʿAbbādī’s teacher Abū ʿUmar al-Bistāmī (d. 407/1016) that this practice is prohibited, claiming it to be the doctrine of al-Shāfiʿī. Instead of leaving this view as is, al-ʿAbbādī refers to Abū Saʿīd65 (most likely either al-Iṣṭakhirī [d. 328/939] or Ibn Ḥarbawayh [d. 319/931]), who held that this type of specification is permissible. He concludes this debate by saying ‘God knows best what is correct’,66 giving no clear indication of the correct view or the one he prefers.

Not quite as indifferent in his presentation is al-ʿAbbādī when presenting the controversy within the Shāfiʿī school over a person who frivolously neglects to utter the name of God when slaughtering an animal. The question is whether or not that person is deemed an unbeliever (kāfir) and whether the meat can be lawfully consumed. Al-ʿAbbādī states that the third generation jurist Abū ʿAbdallāh Muḥammad b. Ishāq al-Saʿdī al-Harawī transmitted on the authority of al-Shāfiʿī that the eponym held that the intentionally neglectful butcher is not an unbeliever, but that the slaughtered meat is not lawful for consumption. This view, we are told, is analogous to the ruling that it is not permissible to eat the meat slaughtered by a Jew who uttered other than the name of God over the animal, a position attributed to ʿAlī b. Abī Ṭālib (r. 35–40/656–61) and also advocated by Abū Ḥanīfa. Yet, despite such endorsement, al-ʿAbbādī says that some Shāfiʿīs (baʿd aḫḥābinā) differ. They pronounce the meat lawful and the butcher an unbeliever as he frivolously omitted the name of God, drawing on the Companion Ibn ʿAbbās’ (d. 68/687) statement that the meat slaughtered by a dhimmī is permissible even when he uttered other than God’s name during slaughter. Al-Saʿdī, under whose entry this debate is recorded, opts for the permissibility of the slaughtered meat (the status of the butcher remains unclear), transmitting this view on authority of Ibn ʿUmar (d.73/693).67

One may ask why al-ʿAbbādī does not unambiguously endorse the eponym’s ruling on the intentionally neglectful butcher since no support for the contrary position of al-Saʿdī can be found among prominent

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65 While al-ʿAbbādī generally gives the full name of a jurist at the beginning of his entry, he often refers only to the patronymic of a person when presenting actual rulings. As many jurists go by the same name, it often makes it difficult to identify the person with confidence. In the case of Abū Saʿīd, several jurists by that name are potential candidates. I have drawn attention to the most likely ones.

66 Al-ʿAbbādī, Kitāb Ṭabaqāt, 69.

67 Ibid., 66–7.
Shafi‘īs. It seems that he intends to present an alternative ruling to that of the eponym because he does not agree with it. The view that the neglectful butcher remains a believer despite committing an act of unbelief goes against the Ash‘arī view that faith includes acting in accordance with one’s conviction (see below). Declaring the intentionally neglectful butcher a believer is more in line with the Māturīdī–Hanafī position that the verbal expression of faith determines the status of the believer as opposed to his/her actions. Since al-ʿAbbādī, who hails al-Shafi‘ī as a beacon to emulate, cannot reject the eponym’s ruling outright, he gives subtle hints that it might be suspect by also attributing it to Abū Ḥanīfa, the rival, who is associated with Mu’tazili theological doctrines. Furthermore, he presents an alternative ruling, accepted by some unnamed Shafi‘īs, which is supported by eminent Companions (Ibn ʿAbbās and Ibn ʿUmar) who are not tainted by any Shī‘ī suspicions. Despite not expressing a clear stand in favor of one or the other ruling, al-ʿAbbādī here provides enough information to guide like-minded Shafi‘ī–Ash‘arīs to the ‘correct’ doctrine.

Al-ʿAbbādī is equally subtle in indicating his preferred ruling when dealing with contradictory views transmitted from eminent Shafi‘īs of the first generation. This is the case, for example, in disputes between two of al-Shafi‘ī’s disciples, Abū Ibrāhīm Ismā‘īl b. Yahyā al-Muzanī (d. 326/938) and Abū Thawr Ibrāhīm b. Khālid al-Baghdādī (d. 320/934). Abū Sulaymān Dā‘ūd b. ʿAlī al-Iṣbahānī (d. 320/934) is said to have followed Abū Thawr in the opinion that the Friday prayer (jum‘a) does not have to be performed in the congregational mosque (al-jāmi‘) but Muslims are allowed to pray in their local mosques. Abū Thawr supported his view with a report that the second caliph ʿUmar (r. 13–23/634–44) had written to Abū Mūsā al-Ash‘arī (d. ca. 42/662) to perform the prayer wherever they were. Al-ʿAbbādī contrasts this opinion with that of al-Muzanī. Al-Muzanī is said to have objected to this view based on a transmission from ʿAlī that insists on observing the Friday prayer in the congregational mosque. Although al-ʿAbbādī does not indicate here whose view a ‘good’ Shafi‘ī should follow, there are several hints about his preference. Given the public nature of the issue, it is not far-fetched to assume that ʿUmar as well as ʿAlī uttered their ruling during their tenure as caliph. As the fourth caliph, ʿAlī’s
ruling would be later than that of his predecessor and, hence, abrogate or rather supersede it. More importantly, al-ʿAbbādī already set the tone for which of al-Shāfiʿī’s disciples is more authoritative in the entries of Abū Thawr and al-Muzanī. Al-Muzanī, an Egyptian disciple of al-Shāfiʿī, is showered with praise for his piety, legal acumen, and linguistic competence as well as for his skillful argumentation which, as al-Shāfiʿī himself observed, would silence even the devil.70 By comparison, Abū Thawr, an Iraqi disciple of al-Shāfiʿī, is portrayed as challenging the master.71 Furthermore, al-ʿAbbādī mentions in his entry cases about which several of al-Shāfiʿī’s immediate students, namely al-Muzanī, al-Buwaytī, al-Karābīsī, and Abū Thawr, all held different opinions.72 Abū Thawr’s legal doctrine is, thus, associated with controversies and disputes among the early disciples, whereas that of al-Muzanī is not. The latter is also commemorated by al-ʿAbbādī as the one whose disputation skill prompted Ibn Ṭūlūn (r. 254–70/868–84) to elevate the Shāfiʿī school over the Mālikī in Egypt.73 This leaves the impression that in case a later Shāfiʿī jurist comes across contradictory rulings by these two jurists, he may safely follow al-Muzanī’s teaching. The existence of Shāfiʿīs like Abū Sulaymān al-ʾIṣbahānī, who adopted the views of Abū Thawr, only underscores al-ʿAbbādī’s attempts in his work of uniting the school behind the teachings of al-Muzanī – at least for future generations.

In addition to giving preference to a particular disciple of al-Shāfiʿī, al-ʿAbbādī also uses difference in geographical location as a way of indicating the preferred among contradictory views held by Shāfiʿī jurists. He often rationalizes inconsistencies in Shāfiʿī doctrine by assigning them to different periods of al-Shāfiʿī’s life, namely an early period spent in Ḥijāz and Iraq, and a later period in Egypt. The implied assumption is that the views al-Shāfiʿī pronounced in Egypt represent his final teaching and that his Egyptian disciples are of higher authority because they purportedly reflect and perpetuate al-Shāfiʿī’s later doctrines – the principle of abrogation (naskh) is at work here too. In the above-mentioned case, al-Muzanī as the Egyptian disciple trumps the Iraqi Abū Thawr.

70 Al-ʿAbbādī, Kitāb Ṭabaqāt, 9–12.
71 Abū Thawr is considered to have established his own school, see Joseph Schacht, ‘Abū Thawr,’ in EI, vol. 1, 155.
72 Al-ʿAbbādī, Kitāb Ṭabaqāt, 22–3.
73 Ibid., 10.
Another example in which geography plays a role is cited in the entry of Abū Ishāq Ḥārūn b. Ḥādī. There is no direct mention of his dates or schools.

Another controversy, al-ʿAbbādī directly takes the side of the Egyptian doctrine. The matter is listed under the entry of Yūnus b. ʿAbd al-Aʿlā (d. 264/877), whom al-ʿAbbādī calls the traditionist (muḥaddith) and muftī of Egypt, and identifies as an associate of al-Shāfiʿī. Yet, despite his Egyptian credentials, al-ʿAbbādī also links him to the Ḥijāzī period by saying that he studied together with al-Shāfiʿī under the Meccan traditionist Ibn ʿUyayna (d. 196/811). Yūnus is said to have asked al-Shāfiʿī whether it is permissible to shoot at a group of unbelievers when women and children are among them. According to Yūnus, al-Shāfiʿī rejected its permissibility citing that the Prophet prohibited killing women and children. Al-ʿAbbādī then comments that al-Shāfiʿī retracted this view in his Egyptian Risāla, implying that Yūnus’ report is based on the outdated Ḥijāzī/Iraqi teachings of the master. In support of the new doctrine, al-ʿAbbādī refers to an unspecified report (khabar) that the women and children belong to the

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74 Literally, qaʿada fi majlis al-Shāfiʿī bi-Miṣr. However, the death date of Abū Ishāq al-Marwāzī, who is counted among the third generation of Shāfiʿīs, is 340 AH, and thus it is implausible that al-ʿAbbādī meant that he actually attended the circle of al-Shāfiʿī. Furthermore, contrary to his usual practice, al-ʿAbbādī did not write the eulogy rahimahu llāh after al-Shāfiʿī, though it might have been forgotten by a later copyist.


76 Al-ʿAbbādī, Kitāb Ṭabaqāt, 18; Susan A. Spector, ‘Sufyān b. ʿUyayna,’ EJ, vol. 9, 772. Yūnus must have been quite young at the time Ibn ʿUyayna died, given that he himself died in 264/877.

77 The legal issue is raised under the entry of Abū Muḥammad ʿAbd al-Raḥmān b. Abī Ḥātīm al-Rāzī (p. 43), though it may belong to the person listed prior, namely Abū Bakr ʿAbdallāh b. Muḥammad b. Ziyād al-Naysābūrī (p. 42), since it is prefaced with ‘Abū Bakr said, I heard Yūnus b. ʿAbd al-Aʿlā say...’ (p. 43).

78 A hadīth to that effect made it into the collection of Abū Daʿūd (Sunan Abī Daʿūd, ‘Kitāb al-Jihād,’ vol. 2, 210).
unbelievers and that those who shoot at them do not sin nor do they have to atone for it (lā ithma ‘alayhim wa-lā kaffārata).79 Interestingly, in the way al-'Abbādī presents the matter, he accepts al-Shāfi‘ī’s ruling that is based on a report which is not further identified over his earlier view that is explicitly said to be supported by a prophetic saying. One may surmise that al-Shāfi‘ī (as well as al-'Abbādī) was less the champion of adherence to prophetic ḥadīth than frequently portrayed.80

The negative attitude toward al-Shāfi‘ī’s Iraqi teaching comes out most clearly in a quote by the latter’s close companion and disciple al-Buwayṭī (d. 231/845), about whom al-'Abbādī said that he succeeded the master after his death.81 In the entry of Abū Ismā‘īl al-Tirmidhī (d. 280/893), al-Buwayṭī is quoting al-Shāfi‘ī who proclaimed that he does not permit transmitting from him what he wrote in Iraq.82 Here and elsewhere, al-'Abbādī emphasizes that the school’s doctrines circulating in the Eastern part of the Islamic world, that is to say, where he himself studied, are based on al-Shāfi‘ī’s Egyptian works which Ishāq b. Ibrāhīm al-Ḥanẓalī, who met al-Shāfi‘ī in Egypt, had copied and taken back with him to the East.83

Although the Iraqi doctrine was delegitimized by the eponym himself, his command was not heeded by later generations, as the documented persistence of Iraqi doctrines show. Even al-'Abbādī, who displays a strong preference for al-Shāfi‘ī’s Egyptian teaching, occasionally makes an exception, as in a dispute between al-Muzanī and al-Ḥusayn b. ʿAlī al-Karābīsī (d. 245 or 248/859 or 862). Al-Karābīsī is presented as one of the eminent jurists of Iraq and an important transmitter of Shāfi‘ī teaching. When al-Muzanī remarks that he does not know al-Karābīsī holds on authority of al-Shāfi‘ī regarding a sale transaction involving wheat, al-'Abbādī defends al-Karābīsī’s ruling saying that the reason is because al-Muzanī did not hear the old Iraqi doctrines of al-Shāfi‘ī.84 Moreover, al-Muzanī does not provide an alternative ruling. One is left with the impression that in this case it is al-Muzanī’s shortcoming not to know al-Karābīsī’s report of al-Shāfi‘ī’s Iraqi

79 Al-'Abbādī, Kitāb Ţabaqāt, 43.
81 Al-'Abbādī, Kitāb Ţabaqāt, 7.
82 Ibid., 57.
83 Ibid., 38 and 57.
84 Ibid., 24.
doctrine; the ruling itself is still valid. In this instance, it seems likely that al-ʿAbbādī is unwilling to dismiss al-Karābīšī’s view because the latter is deemed an important transmitter not only of the eponym’s legal teachings, but also his political doctrines. He is the reference, for instance, of al-Shāfiʿī’s affirmation of the caliphate of Abū Bakr who, according to al-Shāfiʿī, was the most excellent person after the death of the Prophet. Al-ʿAbbādī interprets al-Karābīšī’s report to mean that the leadership of the excelled candidate is not legitimate (imāmat al-mafḍūl lā taḥzū).85 Al-Shāfiʿī’s position on the caliphate, as reported by al-Karābīšī, ties in with other references al-ʿAbbādī includes throughout the book that seem to be intended to fend off accusations of Shīʿī tendencies directed against al-Shāfiʿī. The Shīʿī claim that ʿAlī deserved the caliphate after the death of the Prophet because he was the most suitable person is clearly rejected as falling outside the teachings of the Shāfiʿī school.86

We also find instances in which al-ʿAbbādī explicitly points out the ‘correct’ Shāfiʿī position. Yūnus b. ʿAbd al-ʿĀlā, who, as noted above, may not have known al-Shāfiʿī’s final doctrine on killing women and children of infidels in combat, nevertheless also transmits legal views on authority of al-Shāfiʿī that al-ʿAbbādī deems correct. He is credited with relating from al-Shāfiʿī the following ruling: When, among a group of people, a woman does not have a legal guardian, she can transfer her affairs to a man of that group in order that he can give her in marriage because it is a necessity87 – the presumption is that no near male relative or judge is at hand to fulfill the function of guardian to give the woman in marriage. The transmission (riwāya) of this view is rejected by some Shāfīʿīs and by others accepted. Al-ʿAbbādī sides with the latter, calling it correct (wa-huwa al-ṣaḥīḥ).88

Sometimes, however, al-ʿAbbādī objects not just to a particular view a Shāfiʿī jurist holds, but also rejects all of that person’s transmissions. He mentions under the entry of Abū ʿAbd al-Raḥmān al-Shāfiʿī (d. after 221/836; we are told he received this nisba because he was a student [tilmīḏ] of the eponym) that al-Shāfiʿī himself prohibited him from

85 Al-ʿAbbādī, Kitāb Ṭabaqāt, 24.
86 Throughout the Kitāb Ṭabaqāt, al-ʿAbbādī repeatedly mentions that al-Shāfiʿī embraced the legitimacy of the first three caliphs and that he did not elevate ʿAlī above other Companions. See ibid., 17, 24, 35, 57, and 61.
87 Al-ʿAbbādī does not use a technical term here but says: idhā ḍawa (al-amr) ittasaʿ (ibid., 19).
88 Ibid., 19.
reading and teaching his books because he had such a low opinion of him, saying that he errs in his legal responsa. Al-Muzañī, again, appears as the savior against false doctrines, refuting one of Abū ʿAbd al-Raḥmān’s views as contrary to consensus (ijmāʿ). Discrediting the transmissions of Abū ʿAbd al-Raḥmān must not have been successful for not all Shāfiʿīs shared the eponym’s misgivings. The later Shāfiʿī scholar Ibn Kathīr (d. 774/1373) reports that Abū ʿAbd al-Raḥmān’s legal rulings were faithful to al-Shāfiʿī and were followed still in his own time. Al-ʿAbbādī’s report that the legal rulings of this student of al-Shāfiʿī are categorically to be rejected may be due less to the inadequacies of the student’s legal competence, but a result of his being well known for holding Muʿtazilī tenets, in particular the createdness of the Qurʾān. By mentioning that the eponym himself renounced all of Abū ʿAbd al-Raḥmān’s rulings, al-ʿAbbādī clearly distances the school from association with anyone holding unambiguously Muʿtazilī doctrines.

As the above examples show, al-ʿAbbādī quite successfully guides the reader to the correct doctrine of the school. He indicates his preference in case of contradictory positions by presenting alternative rulings, having rivals to the Shāfiʿī school endorse one of the competing views, commenting on the geographic location and chronology of a ruling pronounced, how close a disciple was to the eponym, or even stating which legal ruling is correct. These presentational devices point toward those legal views of the school which the author deems authoritative amidst contradictory rulings transmitted by, and associated with, members of the Shāfiʿī school. As one would expect, in most cases—but certainly not in all—al-Shāfiʿī’s views enjoy foremost authority, followed by those of his Egyptian disciple al-Muzañī.

89 Al-ʿAbbādī, Kitāb Ṭabaqāt, 26.
90 Melchert, Formation of the Sunni Schools of Law, 78, 84, and 181.
91 Al-ʿAbbādī seems to be much more hands-on than what Makdisi says about the later biographer of the Shāfiʿī school al-Subkī. According to Makdisi, al-Subkī affirms the doctrine of the double legal truth, i.e. that if there are two contradictory transmissions of al-Shāfiʿī’s doctrine, one cannot determine which one is true and, hence, it is left to the individual jurist to decide which to follow according to his own estimation (ijtihād). See George Makdisi, ‘Ashʿarī and the Ashʿarites in Islamic Religious History II,’ Studia Islamica 18 (1963), 19–39 (p. 35).
The Shāfi‘ī school and theology: harmonizing al-Shāfi‘ī’s opposition to kalām with Ash‘arī theology

Doubtless, a matter of concern for al-‘Abbādī was the discrepancy between al-Shāfi‘ī’s reported negative attitude toward speculative theology (kalām) and his own intellectual pursuits in that field. Al-‘Abbādī, as mentioned above, had studied with some of the foremost Ash‘arī theologians of his time, counting among his teachers Abū Ishāq al-Isfārā’īnī (d. 418/1027) and Abū Ṭayyib Sahil al-Sulūkī (d. before 404/1014, son to the more famous Abū Sahl al-Sulūkī [d. 369/980]), and he himself was considered an Ash‘arī theologian of some renown.92

Since the late fourth/tenth century, many leading Shāfi‘īs tended to be affiliated in theology with Ash‘arism.93 One may speak of a certain rapprochement between Ash‘arī theology and Shāfi‘ī law.94 Although al-Subkī later criticizes al-‘Abbādī for not paying enough attention to Ash‘arī members of the school,95 it is safe to assume that al-‘Abbādī tended more toward a rationalist Ash‘arī interpretation of theology than to traditionalism.96 Instead of hiding al-Shāfi‘ī’s opposition to theology al-‘Abbādī tries to present that his own (and that of other Shāfi‘īs) pursuit of theology is in line with the theological beliefs of the eponym and that the theology disparaged by al-Shāfi‘ī is only directed against Mu‘tazilī teachings.

93 The Ash‘arī theologians Ibn Fūrak (406/1015) and al-Isfārā’īnī adhered in law to the Shāfi‘ī school as did later Ash‘arīs, such as Imām al-Ḥanṣayn al-Juwaynī (d. 478/1085), Abū Hāmid al-Ghazālī (d. 505/1111), and Fakhr al-Dīn al-Rāzī (d. 606/1209).
94 Cf. Hallaq, ‘Was al-Shafii the Master Architect,’ 598–601; Makdisi, ‘Juridical Theology of Shâfi‘ī,’ 21–2. Makdisi attributes the ‘infiltration’ of Ash‘arīs in the Shāfi‘ī school also by the former’s efforts to receive the status of orthodoxy by affiliating themselves with a school of law. Since Mu‘tazilism was mainly associated with the Ḍu‘lafā’ school, traditionalism with the Ḥanbalī school, and both the Mālikī and Zāhīrī school too weak, the Shāfi‘ī school of law appealed as a home to Ash‘arī-leaning jurists. See Makdisi, ‘Ash‘arī and the Ash‘arites I,’ 46–8.
96 In addition to al-‘Abbādī’s portrayal of theological doctrines of the school, the relative scarcity of hadith to support legal as well as non-legal doctrines also point to his non-traditionalist leanings. In discussions of theology, hardly any hadith are cited in favour of mainly Qur‘ānic verses.
The opposition that al-Shāfīʿī expressed against engaging in kalām is well documented by al-ʿAbbādī. Associates of al-Shāfīʿī report that he prohibited kalām, 97 and said that those garbing themselves with theology do not prosper. 98 Worse still, according to al-Shāfīʿī, theologians (ahl al-kalām) should be whipped, paraded on a camel, and it be publicly proclaimed that this is their recompense for abandoning the Book and the Sunna and taking up theology. 99 This last tirade against theologians is documented in the entry of no other than the famous ḥadīth collector and critic al-Bukhārī (d. 256/870), who reports it on the authority of two of al-Shāfīʿī’s close associates al-Karābīsī and Abū Thawr. 100 Al-Muzanī reports that al-Shāfīʿī advised him against engaging in kalām saying it is a science (ʿilm) that ‘if you are correct in it, you do not receive reward and if you err, you commit unbelief – so stick with law’. 101 One notices a slight gradation in how vehemently al-Shāfīʿī condemns theology. The most negative comments are transmitted by personalities who knew al-Shāfīʿī during his stay in Iraq, whereas al-Muzanī’s report represents the Egyptian doctrine. One gets the impression that while in Iraq, the hotbed of Muʿtazilī activity, al-Shāfīʿī rejected any engagement in speculative theology. In Egypt, where he pronounced his new teaching, he softened in his condemnation and only warned about its potentially harmful consequences. 102

Since later Shāfīʿī jurists were busily engaged in theology, al-ʿAbbādī goes to great length in establishing that the theological positions that Shāfīʿīs like him hold are actually in harmony with the theological

97 Al-ʿAbbādī, Kitāb Ṭabaqāt, 34.
98 Ibid., 61.
99 Ibid., 54.
100 Al-ʿAbbādī explains the fact that al-Bukhārī did not transmit on authority of al-Shāfīʿī in his Sahih saying that al-Bukhārī had sought the company of the eponym but al-Shāfīʿī had just passed away (ibid., 53). Other sources report that al-Bukhārī as well as other hadīth scholars did not deem al-Shāfīʿī a trustworthy transmitter. See Hallaq, ‘Was al-Shafīi the Master Architect,’ 593–4; Chaumont, ‘al-Shāfīʿī,’ vol. 9, 184.
102 The later biographer of the Shāfīʿī school, al-Subkī, speaks of two doctrines of al-Shāfīʿī regarding engaging in kalām; one rejecting it and the other endorsing it in case of need but then only by the one qualified to undertake such study (see ibid., 67–8).
teachings of the eponym. As mentioned above, questions of theology are more prominently addressed by al-ʿAbbādī than those pertaining to legal methodology, the supposed forte of the school. Three topics receive special attention in his book: free will (qadar), the uncreatedness of the Qurʾān, and the definition of faith (īmān). In discussions of the first two, al-ʿAbbādī establishes that al-Shāfiʿī’s opposition to kalām is directed against Muʿtazilī doctrines of free will and the createdness of the Qurʾān; and a discussion of faith shows that later Ashʿarī teachings are in line with al-Shāfiʿī’s own convictions.

**Free will (qadar) and compulsion (jabr)**

In several places, al-ʿAbbādī reports on authority of al-Rabīʿ, al-Shāfiʿī’s servant and transmitter of his Egyptian teachings, that the eponym refuted the doctrine of free will (qadar). Al-Shāfiʿī is credited with saying that apart from God’s will, His creatures do not have a will. Al-ʿAbbādī includes a poem al-Shāfiʿī is said to have composed which expresses that God is the Creator of everything, of good and evil, and that He is the one to decide people’s fate. According to al-Rabīʿ, al-Shāfiʿī goes even further and condemns praying behind proponents of free will and intermarrying with them, thus effectively declaring them heretics.

In addition to documenting that al-Shāfiʿī and the early members of the school denied free will, al-ʿAbbādī also guards against Shāfiʿīs appearing to be proponents of predestination. The view that God foreordains all of a person’s life and that s/he does not really act but only God is associated with the so-called ‘compulsionists’ (the Mujbira or Jabriyya). The compulsionists are frequently identified with the traditionalists, a somewhat amorphous group that is associated with Ibn Ḥanbal (d. 241/855) and his teachings, or more generally with those who

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103 Makdisi points out that while al-Shāfiʿī was thoroughly anti-kalām in his al-Risāla, the theology he rejected was the rationalist–philosophical theology of the Muʿtazila as opposed to the traditionalist, juridico–moral theology that was concerned with human’s obligation toward God and his/her fellow creatures. See Makdisi, ‘Juridical Theology of Shāfiʿī,’ 41–2 and 47.

104 Al-ʿAbbādī, Kitāb Ṭabaqāt, 13, 34, and 62.

105 Ibid., 12–13.

reject the doctrine of free will. Al-ʿAbbādī couches the defense against accusations that Shāfīʿīs are compulsionists in a lengthy discussion over invoking God in prayer (duʿāʾ). He relates under the entry of Abū Sulaymān Ḥamd b. Muḥammad b. Ibrāhīm al-Khaṭṭābī (d. 388/998) that he declared it senseless to do so because God decrees everything prior to creating the person and, thus, everything is preordained. Al-ʿAbbādī presents a long refutation of this view, which is somewhat unusual in its form. Contrary to his usual practice of attributing doctrines to a particular person, the identity of the refuters is left unspecified: he refers to them only as a ‘group’ (ṭāʾifā) or ‘others’ (ākhīrūn), yet emphasizes that their view is that of the madhhab and of the people of the Sunna (wa-hādhā huwa l-madhhab wa-qawl ahl al-sunna). Furthermore, no mention is made to any authority figures of the Shāfīʿī school. The arguments brought forth are all based on verses of the Qurʾān and prophetic hadīth. Al-ʿAbbādī’s long elaboration appears not so much as a documentation of any particular doctrine held by a specific member of the school but rather a summary of how Shāfīʿīs ought to think and argue about preordination. When read in connection with statements on free will, it situates Shāfīʿīs doctrinally between the extreme positions of free will (qadar) espoused by the Muʿtazila and of compulsion (jabr) as attributed to the traditionalist camp. This middle position reflects the later Ashʿarī self-representation of their doctrine of acquisition (kasb). Al-ʿAbbādī, thus, aligns the Shāfīʿī doctrine on

107 The doctrines of free will (qadar) and compulsion or predestination (jabr) have a complex, interdependent history that rises out of questions regarding the omnipotence of God, His justice, and human responsibility for their acts. The complexities of Muslim views on these questions are portrayed, for example, in A. J. Wensinck, The Muslim Creed: Its Genesis and Historical Development (New York: Barnes and Noble, 1965); Tilman Nagel, The History of Islamic Theology: From Muhammad to the Present, transl. from the German by Thomas Thornton (Princeton: Markus Wiener, 2000); W. M. Watt, The Formative Period of Islamic Thought (Edinburgh: Edinburgh University Press, 1973).

108 Al-Shāfīʿī’s Iraqi disciple, al-Ḥusayn al-Karābīsī, is said to have been a strong supporter of predestination. See Carl Brockelmann, ‘al-Karābīsī,’ EI², vol. 4, 596.

109 Al-ʿAbbādī, Kitāb Ṭabaqāt, 94–6.

110 Ibid., 94.

111 Ibid., 94–5.

free will with that of the Ashʿarī school of theology\textsuperscript{113} and, at the same time, distinguishes them from the extreme traditionalist position of preordination.

The uncreatedness of the Qurʾān
To further situate the school in its theological doctrines, al-ʿAbbādī also emphasizes that the early adherents of the school professed the uncreatedness of the Qurʾān. While publicly pronouncing the Qurʾān created was not yet an issue for al-Shāfīʿī as it came to be official policy only after his death,\textsuperscript{114} we find his immediate disciples suffering persecution during the inquisition, the miḥna (which lasted from 218/833 to 235/850), when many scholars were asked to proclaim the government doctrine that the Qurʾān is the created word of God.\textsuperscript{115} We are told that al-Shāfīʿī’s close companion al-Buwayṭī, about whom al-Shāfīʿī is said to have predicted that he will die in ‘iron,’ was made to appear before the authorities in fetters and asked to profess the createdness of the Qurʾān, but refused and was incarcerated.\textsuperscript{116} Al-Buwayṭī is further credited with stating that he who says that the Qurʾān is created is an infidel (kāfir), which, as al-ʿAbbādī asserts, was also the view of al-Muzaʿī and al-Rabīʿ, both of whom transmit it from al-Shāfīʿī.\textsuperscript{117} Of another Shāfīʿī jurist, Yūsuf b. ʿAbd al-Aʿlā, who is described as a contemporary of al-

\textsuperscript{113} In contrast to al-ʿAbbādī, other Shāfīʿīs with Ashʿarī leanings (for example, Ibn Fūrak, Abū Iṣḥāq al-Isfārāʾīnī, Abū Muhammad al-Juwaynī, and al-Subkī) insist that al-Ashʿarī himself belonged to the Shāfīʿī school. See Makdisi, ‘Ashʿarī and the Ashʿarites I,’ 68.

\textsuperscript{114} While discussions over the nature of the Qurʾān were common prior to and during al-Shāfīʿī’s lifetime, pronouncing it to be created did not become official government doctrine until 218/833. For the origins of the debate, see Wilferd Madelung, ‘The Origins of the Controversy Concerning the Creation of the Koran,’ in Orientalia Hispanica sive studia F. M. Pareja octogenario dicata, ed. J. M. Barral (Leiden: Brill, 1974), 504–25.

\textsuperscript{115} Nawas points out that the main target of the caliphal inquisition were judges, jurists, and hadīth transmitters, i.e. men of intellectual quality and social influence (John A. Nawas, ‘The Miḥna of 218 A.H./833 A.D. Revisited: An Empirical Study,’ Journal of the American Oriental Society 116 (1996), 698–708 (pp. 704–5 and 708).

\textsuperscript{116} Al-Buwayṭī died in prison holding firm that the Qurʾān is not created. See Martin Hinds, ‘Miḥna,’ \textit{EI2}, vol. 7, 2–6 (p. 4).

\textsuperscript{117} Al-ʿAbbādī, \textit{Kitāb Ṭabaqāt}, 8.
Muzanī, al-ʿAbbādī says that he stood up against the doctrine of the created Qurʾān in Egypt and, thereby, ‘rendered the people of the Sunna victorious’.119

That al-ʿAbbādī mentions the miḥna and that the early members of the Shāfiʿī school rejected, despite persecution, the createdness of the Qurʾān highlights the extent to which the Shāfiʿī school was from its inception opposed to Muʿtazilī doctrines. This may also be the reason behind al-Shāfiʿī’s outright rejection of the legal views of the above-mentioned Abū ʿAbd al-Rahmān, who is said to have agreed in theology with Muʿtazilī tenets. Although al-Shāfiʿī did not address the nature of the Qurʾān in his writings, al-ʿAbbādī documents that his immediate disciples attest that he opposed the createdness of the Qurʾān doctrine.

More importantly, al-ʿAbbādī’s presentation of the Shāfiʿī doctrine on the Qurʾān also conveys the message that Ibn Ḥanbal was not the sole champion of the inquisition, but that prominent Shāfiʿī jurists formed part of the intellectual heritage that later informed Sunnī orthodoxy. This is of particular significance as al-ʿAbbādī does not consider Ḥanbalīs a school of law – as opposed to a school of thought or traditionalist attitude more generally.120 His book, thus, documents that among schools of law it was the Shāfiʿī school that defended the doctrine of the uncreatedness of the Qurʾān.121 In contrast, Ḥanafīs are primarily associated in the historical sources with the Muʿtazilī position and some Mālikīs are mentioned among the supporters of the miḥna.122

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118 This Yūsuf b. ʿAbd al-Aʾlā (see al-ʿAbbādī, Kitāb Tabaqāt, 52) may be an instance of tafrīq with Yūnus b. ʿAbd al-Aʾlā, who belonged to the first generation of Shāfiʿīs (ibid., 18). Al-ʿAbbādī’s comment that Yūsuf b. ʿAbd al-Aʾlā was an associate of al-Muzanī would also better fit Yūnus than a member listed under the third generation of Shāfiʿīs.

119 Ibid., 52.

120 See above, footnote 40.

121 In revisiting those individuals who were said to have been interrogated during the miḥna, Nawas emphasizes that the caliph targeted in particular ḥadīth transmitters as they and their teaching had become a rival force to the authority of the caliph, see Nawas, ‘The Miḥna of 218 A.H.,’ 702–8. That some Shāfiʿī jurists were among those questioned (as is confirmed for al-Buwayṭī) means that the circle of scholars around al-Shāfiʿī was deemed closely associated with the ḥadīth-transmitter movement.

122 Madelung, ‘Controversy Concerning the Creation of the Koran,’ 509–11; Hinds, ‘Miḥna,’ EI², vol. 7, 4; Melchert, Formation of Sunni Schools of Law, 8. For
Yet, al-ʿAbbādī’s portrayal of the school’s opposition to the government doctrine of the created Qurʾān and its alignment with the traditionalist camp is not necessarily all that has been said about the theological persuasions of the early Shāfiʿī school. Many sources associate al-Shāfiʿī with prominent Muʿtazilī figures, in particular Bishr al-Marṣī (d. 218/833). Association, of course, does not mean that al-Shāfiʿī had to agree with the views of his associate – one may simply see him as very tolerant in his attitudes. However, it would be more difficult for al-ʿAbbādī to dismiss any intellectual proximity between teacher and student. Two of al-Shāfiʿī’s teachers are counted among the Muʿtazila, namely Ibrāhīm b. ʿAbī Yahyā al-Madīnī and Muslim b. Khālid al-Zanjī. If al-Zanjī’s Muʿtazilī pedigree was known to al-ʿAbbādī, he does not let on; the latter is acknowledged by al-ʿAbbādī as al-Shāfiʿī’s teacher without further comment. Ibrāhīm b. Yahyā does not find his way into al-ʿAbbādī’s work. Nor does al-ʿAbbādī give any indication that some of al-Shāfiʿī’s students held theological views that were not in line with the doctrine of the uncreated Qurʾān. He manages to avert any intellectual connection to Abū ʿAbd al-Raḥmān by reporting that al-Shāfiʿī himself condemned the legal thought of this student of his; a fortiori one may extend this also to his theological positions. Furthermore, al-Shāfiʿī’s student al-Karābīṣī, whom al-ʿAbbādī frequently cites as authority, is remembered for asserting the pronunciation of the Qurʾān to be created – a view that drew the ire of the traditionalists. While I do not wish to imply that al-Shāfiʿī had Muʿtazilī leanings, my point here is that al-ʿAbbādī selects what he presents of the theological persuasions of the early followers of al-Shāfiʿī in a manner that fits into his view of the school at his own time,

an account of how the Ḥanafi school and Abū Ḥanīfa was slowly disassociated from the created Qurʾān doctrine see ibid., 54–60.

123 Hallaq, ‘Was al-Shafii the Master Architect,’ 593.
124 Although the above-mentioned ruling not to pray behind a proponent of free will would belie such tolerance.
125 Hallaq, ‘Was al-Shafii the Master Architect,’ 593.
126 Al-ʿAbbādī, Kitāb Ṭabaqāt, 84.
128 Hallaq makes it quite clear that al-Shafii belonged neither to the rationalist nor the traditionalist camp; if at all, he says that it was al-Muzanī who was thought of as sympathizing with Muʿtazilī teachings (Hallaq, ‘Was al-Shafii the Master Architect,’ 594).
neglecting any evidence that points toward a different assessment of their theological views.

The definition of faith (īmān)
In addition to the school’s opposition to the created Qurʾān doctrine, al-ʿAbbādī also establishes al-Shāfiʿī’s position on faith (īmān). In a peculiar entry he presents a lengthy, three-page exposition on the definition of faith under a person of the first generation whose name cannot be ascertained.129 Contrary to al-ʿAbbādī’s usual practice of identifying jurists in their entries with their patronymic (kunya), their given name and that of their forefathers (sometimes going back several generations), and their nisba(s), we find here only the patronymic Abū ʿAmr and the nisba, which, as we are told by the editor of the work, is in the manuscripts used for the edition variously rendered al-Zanbarī, al-Zubayrī or written only as skeletal letters without diacritics after the initial zāʾ.130 Missing is also any indication of how Abū ʿAmr came to receive the information he is transmitting on authority of al-Shāfiʿī – we are only told that ‘he related that someone asked al-Shāfiʿī about faith’.131 The answer that follows is very detailed, citing numerous Qurʾānic verses, and touches on all the main points that distinguish the ‘Shāfiʿī’ from the Murjiʿīs and Māturīdī–Ḥanafī positions, without being identical to the traditionalist/Ḥanbalī definition of faith.132

In his answer, al-Shāfiʿī first defines faith as practice (ʿamal), adding that verbal expression (qawl) is part of it and affirming that faith is not immutable, but can reach utmost perfection and clear deficiency.133

129 Al-ʿAbbādī, Kitāb Tabaqāt, 31–3.
130 Ibid., 31, note 5.
131 Ibid., 31.
132 Muslim conceptions of faith are not easily summarized as each school of thought has various definitions of faith. The main two conceptions among Sunnīs are that of the Murjiʿīs, on which the Māturīdī–Ḥanafī positions are built, and the traditionalists/Ḥanbalīs, with the general features of which Ashʿarīs agree. The main differences (very simplified) between them are that the first camp emphasizes the word (qawl) or confession (iqrāʾ) as the main element of faith (disregarding the works), whereas the second defines faith as work (ʿamal) and word together; furthermore, the first camp considers that faith is immutable and the second that it can increase and decrease according to the works performed. For a quick overview over the main definitions and points of contention, see Louis Gardet, ‘Īmān,’ EJ, vol. 3, 1170–4; a more detailed discussion is presented by Wensinck in The Muslim Creed, esp. 36–49.
133 Al-ʿAbbādī, Kitāb Tabaqāt, 31.
God, al-Shāfīʿī continues, imposes upon the heart various ways in which to practice faith, namely by confession (iqrāʾ), knowledge (maʿrifāʾ), resolution (ʿaqd), acceptance (ridān), and acknowledging (taslīm) that there is no god but God, who has no partner, who neither took a companion nor a son and that Muḥammad is His servant and His messenger, as well as by confessing to the reality of the prophets and scriptures God sent to humankind. The sentences that follow in the text make clear that al-Shāfiʿī considers the heart the fountainhead (raʾs) of faith from which the performance of acts of faith springs forth. God, we are told, imposes on limbs and parts of the body certain acts which are part of faith and constitute the performance of it. The divine impositions listed in the text are supported by Qurʾānic verses. The tongue (lisān) is to give expression to what the heart resolves and professes; the ear (samʿ) ought to refrain from listening to what God prohibited and instead turn to listening to what He imposed; the eyes ought not look upon and lower their glances from that which God prohibited; the hands are not to seize (batāsha) what God prohibited but labor (batasha) toward that which He commanded, such as charitable deeds (ṣadaqa), bonds of kinship (silat al-raḥim), striving on the path of God (jihād fī sabīl llāh), and ritual purities; the legs are not to go where God prohibited them to go; and the face is to bend in prostration. Al-ʿAbbādī ends his presentation of al-Shāfiʿī’s definition of faith with the confirmation that faith is cumulative and may reach various degrees. Citing Qurʾānic verses that express that faith, evil deeds as well as guidance may increase, the concluding remarks of this passage are that there is ‘increase and decrease with regard to deeds and reward for deeds’ (fa-l-ziyāda wa-l-nuqṣān fī l-ʿamal wa-thawāb al-ʿamal).

In this entry of Abū ʿAmr al-Zanbarī, who otherwise is unknown, we find a sophisticated understanding of faith, much of which is closely

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134 Al-ʿAbbādī, Kitāb Ṭabaqāt, 31.
135 The text several times has a phrase ‘it belongs to faith and this is how it is practised’ (huwa min al-īmān wa-dhāka ʿamalu). See al-ʿAbbādī, Kitāb Ṭabaqāt, 32, line 5–6 and 13–4, both said about the ear.
136 Ibid., 32–3.
137 Ibid., 33.
138 That al-Zanbarī is not further known despite being roughly contemporaneous with al-Muzanī, al-Zaʿfarānī, al-Rabīʿ and other important transmitters of al-Shāfiʿī’s teaching suggests that he may have been invented and inserted by al-ʿAbbādī (or someone else) to give the impression that the eponym’s
in line with later Ash‘arī teaching. The defining characteristics of faith are the heart’s conviction, its knowledge and pronouncement of the truth of God, His messenger and His message. In contrast to the Ḥanbalī understanding that faith is word and deed together, here we find word, that is to say, professing Islam, subsumed under the action which begins in the heart, emphasizing conviction as the source of the limbs’ works of faith. Different from the theological doctrine of the Murjī‘ī and Māturīdī–Hanafī school, faith can grow and decrease. Thus, al-ʿAbbādī situates the Shāfī‘ī conception of faith squarely within the Ash‘arī position, just as he did regarding free will and the nature of the Qur‘ān.¹³⁹

Concluding remarks

The presentation of the author’s role in composing a biographical dictionary has brought to the fore that the author is not merely a compiler of pre-existing information. Instead, he has an important impact on shaping the identity, the doctrine, and the authority structures of the group. It would be going too far to say that al-ʿAbbādī invented the image and doctrine of the Shāfī‘ī school of law – as he surely did not make up all the information he presents.¹⁴⁰ Nevertheless, by arranging the information he collected in a certain manner and deciding which rulings to include and leave aside out of the many opinions held by each of these jurists he captures the identity of the madhhab at a certain point in time (first half of the fifth/eleventh century) and from a certain point of view (his own at least, if not representative for the Eastern part of the Islamic world). Fixing this identity in writing preserves it and influences how future generations view the school.

Al-ʿAbbādī shapes the identity of the Shāfī‘ī school in various ways. In the introduction and in the entry on al-Shāfī‘ī he presents his vision of theological position on faith is in line with or a precursor of later widely accepted doctrine in the Shāfī‘ī school.

¹³⁹ Al-ʿAbbādī is not the only one who addresses theological topics when commemorating the members of his school of law. Al-Subkī is blamed to have used his work on Shāfī‘ī jurists as propaganda work for Ash‘arism (Joseph Schacht and C. E. Bosworth, ‘al-Subkī,’ *EI²*, vol. 9, 743–5, (p. 744); Makdisi, ‘Ash‘arī and the Ash‘arites I,’ 43 and 57–79).

¹⁴⁰ While there is generally little reason to doubt that the jurists actually espoused the doctrines attributed to them, in some entries it is, however, doubtful that the person to whom a view is attributed held or articulated it in the manner presented by al-ʿAbbādī, especially when it concerns matters of theology or other non-legal matters.
the school: superior to the Ḥanafi and Mālikī schools of law on account of the eponym’s brilliance in understanding the authoritative texts and his insight in deriving rulings from them, in particular in the areas of worship, family law, and commercial transactions. Intellectual excellence, in al-ʿAbbādī’s view, also manifests itself in one’s personal conduct as al-Shāfiʿī’s record in matters of etiquette and honor shows. From the outset of his book, al-ʿAbbādī conveys the message that following and emulating al-Shāfiʿī in his doctrines, methodologies, and conduct guarantees a jurist the best possible way of law-finding and marks a jurist as a member of the Shāfiʿī school.

Throughout the pages of his work al-ʿAbbādī manages to emphasize that the doctrines of the school represent a continuum and form a unity. He frequently states that a particular opinion is that of al-Shāfiʿī or goes back to one of the founding fathers – the immediate disciples of al-Shāfiʿī who either transmit the rulings of the eponym or whose own opinions are arrived at following his teaching. Important for constructing the doctrinal identity of the school are al-ʿAbbādī’s subtle hints and editorial comments when he presents controversies among Shāfiʿī jurists. He takes recourse to a variety of authorial devices to indicate what the doctrine of the school, at least in his eyes, should be: He provides alternative rulings by lesser known or unnamed Shāfiʿīs, thereby providing an acceptable precedent for espousing the alternative; he associates a doctrine with a rival school, thereby making it less desirable for the true Shāfiʿī; he identifies geographical differences for positions held by jurists, with Egyptian doctrines generally being deemed superior to Iraqi rulings without the latter necessarily invalid; or he expresses clearly which ruling is correct.

Furthermore, by pointing out that a disciple of al-Shāfiʿī belonged to the Iraqi or Egyptian circle of the eponym, al-ʿAbbādī forms a hierarchy of authority and of authority clusters among the early members of the school, and by extension among later jurists who follow them. We notice in his work a tendency to elevate al-Muzanī as the ‘true heir’ of the master; he is frequently presented as the final voice in disputes among the followers. Later biographers of the Shāfiʿī school do not necessarily share al-ʿAbbādī’s high view of al-Muzanī. Al-Subkī and al-Nawawī (d. 676/1277) distance the Shāfiʿī school from him, speaking of a separate madhhab of al-Muzanī.\footnote{141 Dedicating a separate school to al-Muzanī is likely due to the fact that in his main work, Mukhtasar, al-Muzanī pronounces some of al-Shāfiʿī’s views to be wrong. See W. Heffening, ‘al-Muzanī,’ EI², vol. 7, 822.}
The position of authority that a jurist holds among the group extends also to his rulings. A ruling is not only a reflection of a jurist’s decision at a particular point in time, but becomes authoritative and worthy to be adhered to by a ‘true’ Shāfi‘ī. To accomplish this doctrinalization, al-ʿAbbādī hardly ever refers to the circumstances in which a ruling was pronounced and which informed it. The ruling, thereby, is stripped of its specific context and becomes generally applicable to that type of situation. This guarantees that the ruling will be continuously applied and, thus, leads to an identifiable position of the school concerning this legal question. Taking a stand in controversies, al-ʿAbbādī shapes the view of future generations of Shāfi‘īs about authoritative rulings when looking for guidance from the decisions of previous jurists of the school.

However, that which defines the Shāfi‘ī school is not only its legal doctrine. Shāfi‘īs are portrayed by al-ʿAbbādī to have a very particular theological outlook as well, irrespective of the eponym’s reported distaste for theology: they reject free will (qadar), though not subscribing to predestination either; they oppose the doctrine of the created Qur’ān; and they consider faith to emanate from the heart by profession of faith by the tongue and acts of faith by the limbs. To convey the theological outlook of the Shāfi‘ī school, al-ʿAbbādī uses more obvious authorial devices than when presenting the legal doctrine of the school. In contrast to legal rulings, which are generally brief and emphasize the transmitter, al-ʿAbbādī often devotes long, well-constructed passages to theological discussions which cite Qur’ān and occasionally ḥadīth to support the respective view taken. The transmitters of theological statements are often irrelevant and not necessarily from among the well-known figures of the early Shāfi‘ī school. The theological positions that al-ʿAbbādī reports to have been held by the eponym have close affinity—one may even call it prescience—to views that later came to be associated with Ash’arī thought. In light of the differences in the way al-ʿAbbādī presents the school’s legal doctrines and its theological views, it is difficult not to

142 Al-ʿAbbādī is in no way exceptional in the way he presents past rulings. It is typical of legal literature to rarely mention the specific circumstances of a case unless in order to argue that it has to be ruled differently from the ruling that generally applies to it (i.e., in cases of specification, takhsīṣ).

143 Al-ʿAbbādī’s view of the Shāfi‘ī school is not limited to legal and theological doctrines. What he says about politics, grammar and interpretation of language also deserves closer analysis, though it was impossible to include in the scope of this paper.
suspect that some statements, in particular the lengthy ones, were inserted by al-ʿAbbādī to craft or support the theological identity of the school; an identity that is less a representation of historical reality than a reflection of al-ʿAbbādī’s own outlook.

Yet, although al-ʿAbbādī is certainly an active participant in shaping the legal and theological identity of his school, he is also a compiler of information passed on from previous generations. This is evident in the fact that he does not streamline his account of the members of the Šāfiʿī school in a manner that is without contradictions or without any difference of opinions among them. In his dictionary, he manages to straddle the line—sometimes more successful, sometimes less so—between truthful transmission of the information received and fruitful arrangement and commentary on it in a manner that reflects how he would like the Šāfiʿī school to be seen. Hence, while al-ʿAbbādī’s Kitāb Ṭabāqāt al-fuqahāʾ al-šāfīʾiyya remains an important document for the historical development of the Šāfiʿī school, it has to be read with the author’s time and concerns in mind.