

report on the events in Kūfa after the arbitration of Şiffin, which Ṭabarī traces back through him, is free of any Khārijite assessments.¹⁰ He probably died before the middle of the century.¹¹ – Approximately a half century younger was

Abū Muḥammad al-Ḥakam b. Marwān al-Darīr;

Ibn Ḥanbal studied with him. He too, as is already clear from this connection, was regarded as respectable. In the course of time he moved to Baghdād; possibly there one did not realize that behind the pious and presumably rather puritanical man was concealed a Khārijite.¹² That he was a Bayhasite is only mentioned in Ash'arī. There we also learn that in Kūfa he gained followers through a special doctrine: he wanted testimony concerning a capital offense to be proven by more detailed proceedings before one came to a legally binding conviction.¹³ That he took slander to be a great danger can be concluded from a *ḥadīth* which he circulated.¹⁴ The other Bayhasites found his demand somewhat pedantic; they dubbed those who followed him *aṣḥāb al-tafsīr*.¹⁵

The Kūfan Khārijite Muslim b. Ja'd whom Malaṭī even makes into the founder of a school (*Tanbīh* 138, l. 1/180, last l.) cannot be further identified and is not mentioned anywhere else.

2.1.4.1 The Ibāḍite Community in Kūfa

If we have some further information about the Ibāḍites who lived in Kūfa, it is only because there is an Ibāḍite literature; they did not attract attention as

10 I, 3362, ll. 18 ff.

11 Azmī, *Studies* 142. On him IS VI, 241, ll. 11 f.; Bukhārī I, 356, no. 1124; IAH I, 171 f., no. 579; Uqaylī I, 78 f., no. 85 > *Mizān* no. 2198.

12 TB VIII 225 f., no. 4337; *Mizān* no. 2198.

13 *Maq.* 117, ll. 8 ff.; briefly and without mentioning names also Shahrastānī 94, ll. 10 ff./222, ll. 3 f.

14 TB VIII, 226, ll. 3 ff.

15 The "commentary" in this case probably consisted in making clear the circumstances under which the crime had taken place, not as Gimaret believes (*Livre des Religions* 389, fn. 21) in knowledge of the juridical prescriptions. He demanded circumstantial evidence.

5.2 Counter-Trends. The Ibādiyya

There had been counter-forces from the very first. From the governorship of 'Abd al-'Azīz b. Marwān (66/685–85/704), who governed the country on behalf of his brother 'Abd al-Malik, onwards the Umayyads had tried to keep the Southern Arabs in check by settling Qaysites in Egypt; these newcomers spread mainly in the countryside.¹ Abū Sālim al-Jayshānī, a contemporary of Abū Zur'a al-Ḥadramī's and a Shī'ite, too, lamented the fact that most Egyptians were 'Uthmānites;² he circulated a hadith in which the prophet warned that the "settlers" (*ahl al-ḥaḍar*) might "devour" the Copts.³ Yazīd b. Abī Ḥabīb (d. 128/745), a Nubian from Dongola, reported that he had to talk his parents, who worshipped 'Alī, out of these beliefs,⁴ boasting furthermore of having converted the entire country – which had been 'Alid in his youth – to the 'Uthmāniyya.⁵ He narrated a fantastic story of an apple given to the prophet in paradise from which a houri emerged claiming to be destined for the "martyr" 'Uthmān.⁶ Yazīd was an influential man. He was said to have been the first to introduce the study of legal traditions, the knowledge of "permitted and prohibited" in Egypt.⁷ He was also a historian; Ibn Ishāq was one of his pupils.⁸ The jurist Layth b. Sa'd (94/713–175/791), who also studied under him, continued the 'Uthmānite campaign.⁹ We would, however, like to know for how long, because when he was in his late thirties the Umayyads abdicated, and 'Uthmānite slogans were not suited to win their authors any laurels, or indeed favour with the authorities.

Regarding Layth b. Sa'd cf. GAS 1/520, and EI² v 711f. with further references; also Ḥusayn, *Adabunā l-'arabī* 47ff., Makki in: RIEIM 5/1957/174ff., and Boiko 95ff. Ibn Ḥajar wrote a monograph about him (*Majmū'at al-rasā'il al-Munūriyya* III 40ff.). He was of Iranian origin. His controversy with Mālik b. Anas is of particular interest. Mālik had emphasised the Medinan claim to leadership in the field of law in a letter; Layth rejected this and stressed his own independence. The oldest source for this we have so far is Fasawī I 687ff.; Ibn Qayyim al-Jawziyya adopted the correspondence

1 Yūsuf Faql Ḥasan, *The Arabs and the Sudan* 33f.

2 Dhahabī, *Ta'rikh* III 318, 6f. Regarding him cf. Dawlābī, *Kunā* I 184, ult., and Fasawī II 464, 1.

3 Dawlābī I 185, 11ff.

4 Dhahabī, *Ta'rikh* v 184, apu.; TH 129, –4ff.

5 Maqrīzī, *Khīṭaṭ* II 334, 23ff.

6 Suyūṭī, *La'ālī* I 312, –7ff., and 314, 10ff.; cf. also p. 430, n. 33 above.

7 *Khīṭaṭ* II 332, –10f.; Dhahabī, *Ta'rikh* v 185, 3f.

8 Cf. GAS 1/341f.; Khoury in: *La vie du Prophète* 14f.

9 TB XIII 7, 12f.

heathen polytheists *mushrikūn*, which lived on in the terminology in the juxtaposition of *shirk* and *tawhīd*. Later Ibādite theological terminology described all non-Muslims as polytheists, including those who were in actual fact monotheists. In addition, sin was understood as “ingratitude”, i.e. as deliberate contempt of a divine blessing; on this premise a Christian who had never heard of Islam had to be called *muslim*, as Abū ‘Ubayda had done. This resulted in, as we have seen elsewhere,⁵⁶ the quarrel over the God’s “argument”. Is monotheism a given, a priori mindset, from which not even God can exempt anyone – similar to the anthropologist Wilhelm Schmidt’s idea of primitive monotheism – or does it emerge as a consequence of “information”, i.e. revelation?⁵⁷ Is every kind of denial of God (*jaḥd*) equal to “polytheism”, or is it really necessary to assign a second God?⁵⁸ And what about the Christians who say of themselves that they are monotheists: should one say that they are in fact polytheists in their hearts, or should one believe their protestations?⁵⁹ And what about the Jews? Are they not in fact better than the anthropomorphists, whom one may kill and take prisoner because they disregard *tawhīd* so brazenly?⁶⁰ In this way a certain

Ḥafṣ b. Abī l-Miqdām

arrived at the idea of postulating a special status for those non-Muslims whose faith included a monotheistic creed as well as a prophet and the scripture revealed through him.⁶¹ It does not seem, however, that he arrived at a fourfold arrangement, as he included Muslims who “have murdered someone or who consider fornication and incest to be permitted”, i.e. who are mortal sinners, to still “profess God’s oneness”.⁶² He was clearly using *tawhīd* instead of *nifāq*; indeed, he may have been the one to introduce the term in addition to *kufr ni‘ma*. His view did not prevail.⁶³

56 Vol. I 483ff.

57 *Maq.* 106, 5ff. = Nashwān, *Ḥūr* 174, 2ff. (after Ka‘bī?) > Baghdādī, *Farq* 85, –4ff./106, 14f.

58 Regarding this dissension cf. *Maq.* 107, 8ff.; regarding *jaḥada* cf. sura 29:47, 41:28. Regarding the juxtaposition of *kufr jaḥd* – *kufr ni‘ma* cf. also Ibn ‘Aqīl, *Funūn* § 420.

59 *Maq.* 106, 16f. = Nashwān 174, 12f. Cf. ‘Īsā b. ‘Umayr’s liberal doctrine (vol. I 486).

60 *Maq.* 109, 10ff. > *Farq* 86, ult. ff./107, 14ff.; abbreviated Nashwān, *Ḥūr* 174, pu. f. People wondered whether penitence was even possible in case of *tashbih* (cf. the anecdote told by Abū Zakariyā’, transl. *Revue Afr.* 105/1961/366).

61 Text VIII 4 with commentary.

62 *Ibid.*, b.

63 *Ibid.*, d.