

The Westward Migration of Hanafi Scholars From Central Asia in the 11th to 13th Centuries

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XI-XIII. Yüzyıllarda Hanefî Âlimlerin Orta Asya'dan Batı'ya Göçü. Ebü Hanife'nin öğretisi, öğrencileri aracılığıyla daha kendisi hayatta iken Orta Asya'da yayılmıştır. Onun öğretileri yöneticiler tarafından benimsenmiştir. Ancak, bu durum Fatimîlerin hâkim olduğu Afrika bölgelerinde uzun süreli devam etmemiştir. Mısır ve Suriye bölgelerinde hâkim oldukları dönemde Hanefîliğin etkisi oldukça azalmıştır. Daha sonra Selçuklu Türklerinin İran ve Irak üzerinden Anadolu'ya hâkim oldukları dönemde kurulan yeni medreseler ve bölgeye gönderilen Hanefî Fıkına göre hüküm veren kadılar aracılığıyla yeniden yayılmıştır. Nitekim ünlü Selçuklu Veziri Nizamülmülk Siyasetnamesi'nde Türk yöneticilere, devlet işlerinde vezir ve memur olarak Horasanlı Hanefî ve Şafîî bilginlerden seçmelerini teklif etmiştir. XI-XIII. Asır arasında etkin olan âlimlerin büyük bir kısmı bu ekolün temsilcilerinden olmuştur. Mısır Fatimîlerden geri alındıktan sonra bölgeye Orta Asyalı Hocaların öğrencileri görevli olarak atanmıştır. Bu âlimler de hem mezhebin yayılmasına hem de gelişmesine katkıda bulunmuşlardır. Bugün bu âlimlerin gerek imam Maturidî'nin eserlerine, gerekse Ebü Hanife'nin eserlerine yaptıkları şerhler veya Hanefî-Maturidî ekolüne yaptıkları katkılar bıraktıkları eserlerde mevcuttur.

Anahtar Kelimeler: Hanefîlik, Hanefî Fıkı, Maturîdilik, Orta Asya, Anadolu, Selçuklular

The teaching of Abū Ḥanīfa (d. 150/767), founder of the Ḥanafī school of Islamic law in Kufa, spread to central Asia already in his own lifetime. Some of his central Asian disciples from Balkh and Marw are known by name. Balkh became the first major centre of the school of the eastern Islamic world, where it gained broad popular support. Gradually other centres of Ḥanafī scholarship grew in the major towns of Transoxania. Samarqand became the seat of the leading school of eastern Ḥanafī scholarship during the early Sāmānid age, with Bukhārā as a major rival. At a later stage Khorezm, in particular Jurjāniyya (Gurganj) rose to become the home of a thriving school of Ḥanafī learning. These local schools all developed and maintained their own distinct identity, though certainly not in complete isolation and without being influenced by the others. As a group, they formed a tradition of eastern Ḥanafism as distinct from the traditions of Iraq, western Iran and other schools in the central provinces of the Islamic world.

Despite this impressive early efflorescence of Ḥanafī scholarship in the east, the seat of leadership and prestige of the school as a whole remained for centuries undisputed in Baghdād, the metropolis of Islam, where the founder had died and his tomb became a shrine. As the seat of the Abbāsīd caliphate, Baghdād naturally became the prime centre of learning of various legal and theological schools and attracted some of their most distinguished scholars. The school of Abū Ḥanīfa, long favoured by the caliphs, developed there in rivalry with some of the other legal schools. Numerous universally recognized Ḥanafī scholars lived and taught there, such as Abū Yūsuf and al-Shaybānī in the 2nd/8th century, Abū Shujā' al-Thaljī and al-Khaṣṣāf in the 3th/9th, Abū'l-Ḥasan al-Karkhī and Abū Bakr ar-Rāzī al-Jaṣṣāṣ in the 4th/10th, and al-Qudūrī in the early 5th/11th century. The school tradition of central Asia made little impact there or was completely ignored. The emergence of the Māturīdī school of theology in Samarqand, later recognized as one of the two orthodox Sunnī schools of kalām, thus was not noticed in Iraq and western Iran for over a century.

This situation changed radically about the middle of the 5th/11th century. The preeminence of Baghdād as the most prestigious seat of Ḥanafī scholarship came permanently to an end with the death of al-Qudūrī in 428/1037. The centre of gravity of the school of Abū Ḥanīfa shifted eastward to the thriving seats of Ḥanafī learning in central Asia. In the western regions of the Islamic world, the school had lost much ground since the early days of the Abbāsīd caliphate. Partly because of its traditional close association with government there, it had proved little resistant to Fāṭimid Shi'ite rule. The Ḥanafī school thus was completely extinguished in the Maghrib early on

under the Fāṭimid caliphate and was reduced to insignificance in Egypt and most of Syria.

The rise of central Asian Ḥanafism to predominance, however, was primarily connected with the westward expansion of the Seljūq Turks into the old heartlands of Islam. The bulk of the eastern Oghuz Turks, to whom the Seljūqs belonged, had been converted to Islam during the 4th/10th century and had become strongly attached to the Transoxanian Ḥanafī school tradition. The Seljūq Turks tended to identify Islamic orthodoxy with this school tradition and to revere the scholars representing it. Wherever they moved they brought eastern Ḥanafī scholars with them and installed them in prominent positions as *qāḍīs*, preachers and teachers, preferring them to local Ḥanafī scholars where those were available. Seljūq sultans liked to employ eastern Ḥanafī scholars as advisers and to send them as envoys on important diplomatic missions. Wherever new Ḥanafī *madrāsas* were established, the professorial chairs were offered to eastern Ḥanafīs. Often such *madrāsas* were indeed founded and endowed specifically to attract and support some distinguished scholar of central Asian origin.

Nizām al-Mulk the famous Seljūq vizier, in his *Siyāsat-nāma* advised the Turkish rulers to employ only Khurāsānian Ḥanafīs and Shāfi'īs as viziers and officials in government, since they could be relied upon as being of pure and sound faith, in contrast to Irāqīs, who were all heretics, Shi'ites favouring the Daylamites and deceiving the Turks. Khurāsān in the language of the time meant all of Muslim central Asia, while Irāq included western Iran. Nizām al-Mulk quotes the Seljūq sultan Alp Arslan as well as Maḥmūd of Ghazna as backing such a policy. This was certainly not an isolated opinion, but reflected a common bias among the Seljūq Turks. The Ḥanafī Turks, however, usually gave preference, especially for religious offices, to the Ḥanafīs over the Shāfi'īs, whom the Shāfi'i vizier Nizām al-Mulk wished to be treated as equals. The policy of giving preference to eastern Ḥanafī scholars encouraged a steady stream of emigration from central Asia to western Iran, Irāq, Syria, Egypt and Anatolia during the Seljūq and post-Seljūq age. This migration continued unabated throughout the 7th/13th century, now partly furthered by the devastations in central Asia caused by the Mongol invasions, and gradually receded in the 8th/14th century.

We may observe the efforts of the Seljūq Ṭughril-beg to further the prestige of the Ḥanafī school in public life and to raise its authority above that of the other legal schools as he gradually conquered Iran. Already in Nishāpūr he strengthened the hand of the Ḥanafīs by giving them the positions of *khaṭīb* of the congregational mosque and *ra'īs* of the town which had previously been held by the Shāfi'īs. When he seized Ray in 343/1035,

he built a new congregational mosque for the Ḥanafis and appointed two members of the Ḥanafī Sā'idī family of Nishāpūr successively as chief judges. Both of them were sent by him on diplomatic missions.¹ In 443/1051 he conquered Isfahan and soon chose it as his residence for the last twelve years of his reign. He appointed the Transoxanian Ḥanafī 'Alī b. 'Ubayd Allāh al-Khaṭībī as chief judge and turned the control of the congregational mosque over to the Ḥanafis, although these had been a small minority among the town's inhabitants. Al-Khaṭībī was a native of Nasaf (Nakhshab) and had been taught in Bukhārā by Aḥmad b. 'Abd al-'Aziz al-Ḥalwānī, son of the renowned Ḥanafī scholar of Bukhārā 'Abd al-'Aziz b. Aḥmad b. Nasr al-Ḥalwānī (d. 408 or 409/1017-18), the teacher of Abū Bakr al-Sarakhsī. His other teacher was Abū Muḥammad 'Abd Allāh b. al-Husayn al-Nāṣihī (d. 447/1055) in Nishāpūr², who had been appointed chief judge by Maḥmūd of Ghazna. Ṭughril-beg sent him on some mission to Baghdād, where he debated with the Shāfi'ī scholar Abū Nasr 'Abd al-Sayyid b. Muḥammad b. al-Ṣabbāgh, who would not debate with others. A pupil of al-Khaṭībī described him, however, as devoted to teaching, leading an ascetic life, and reluctant to associate with the rulers. After the death of Ṭughril-beg he is said to have avoided meeting any sultan, although he evidently remained chief judge until his death on a pilgrimage in 467/1074.

'Alī al-Khaṭībī was succeeded in his position of chief judge first by his brother Abū Ṭāhir Muḥammad and then by his son Abū İsmā'il. The latter persuaded Sultan Muḥammad b. Malikshāh to carry out a purge of 'Irāqī officials in the administration in favour of Khurāsānīs which provoked severe criticism by the secretary and historian 'Imād al-Dīn al-İṣfahānī. 'Ubayd Allāh was assassinated by an İsmā'īlī in the mosque of Hamadān in 502/1109.

The Khaṭībī family remained prominent in the affairs of İṣfahān until at least 571/1175. Closely associated with it was another Transoxanian family, the Ṣā'idīs from Bukhārā. Their ancestor Abū Bakr Muḥammad b. 'Abd al-Raḥmān al-Bukhārī, known as Ibn Rasmand, may well have come to İṣfahān together with 'Alī al-Khaṭībī. His son Abū'l-'Alā Ṣā'id was born already in İṣfahān in 448/1056-57 and was taught by 'Alī al-Khaṭībī. He was

1. See W. Madelung, "The Spread of Māturīdism and the Turks", in *Actas do IX Congresso de Estudos Árabes e Islâmicos Coimbra-Lisboa* 1968, Leiden 1971, pp.127-8.

2. According to Ibn Abī al-Wafā' (*al-Jawāhir al-muḍī'a*, ed. 'Abd al-Fattāh Muḥammad al-Ḥulwī, Cairo 1978-9, II, 306), al-Nāṣihī was appointed by Sultan Maḥmūd of Ghazna judge in Bukhārā. Since Bukhārā came under the control of Maḥmūd only for a very short time, it is unlikely that al-Nāṣihī stayed there long enough to teach, if indeed he ever went there.

appointed judge in Iṣfahān by Sultan Barqiyāruq for a time in place of 'Ubayd Allāh al-Khaṭībī and had the honour of preaching the sermon for the marriage of the Khātūn, daughter of Sultan Malikshāh, with the caliph al-Mustazhir in 502/1109. Shortly afterwards he was killed by an Ismā'īlī assassin in the mosque of Iṣfahān. Descendants of his remained judges of Iṣfahān until at least the first quarter of the 7th/13th century. Their rivals for the religious and social leadership of the city was, it may be noted, a Shāfi'ī family from Khujand in Transoxania.

The successors of Ṭughril-beg continued to rely on central Asian Ḥanafī scholars as advisers and envoys in diplomatic missions. There is mention of the Ḥanafī Abū Nasr Muḥammad b. 'Abd al-Malik al-Bukhārī as "the *faqīh* and imam of Sultan of Alp Arslan" who counselled him at the time of the famous battle of Mantzikert (Malāzgird, 463/1071). Under Malikshāh Abū'l-Muzaffar al-Mushaṭṭab b. Muḥammad b. Usāma al-Faraghānī rose to high official rank. He was born in Farghāna in 418/1027 and studied there until he excelled in Ḥanafī law, points of controversy (*khilāf*) and disputation (*jadāl*). Joining the service of Malikshāh, he accompanied the army everywhere, associated socially with viziers, and engaged in debates with famous scholars. He is described as making a show of his wealth, retinue and slaves, and as having the bearing of a soldier rather than a scholar of the law. In Baghdād, which he visited first in the company of Nizām al-Mulk, the Shāfi'ī chief judge al-Shāmī refused to admit his testimony on the grounds that he dressed like a high government official. After the death of Malikshāh the caliph al-Muqtadī asked him and the Shāfi'ī al-Ghazālī for *fatwās* concerning the legitimacy of the sultanate of Malikshāh's still minor son Maḥmūd, whose mother demanded that the caliph make out appointments of army commanders and of the chief of the administration as depending on Maḥmūd al-Ghazālī declared this to be illegal, while al-Mushaṭṭab authorized it. He died in 486/1093 and was buried close to Abū Ḥanīfa.

In the next generation a Ḥanafī scholar of lowly origin from Herāt, Abū Sa'd Muḥammad b. Nasr b. Mansūr al-Bishkānī, rose to high honour and office. In 492/1099 he was appointed by the Seljūq Duqāq b. Ṭuṭush *qādī* of Damascus, in 502/1109 by the caliph al-Mustazhir *qādī* of Baghdād and surrounding areas, Diyār Muḍar and Diyār Rabi'a, with the title Aqdā quḍāt Dīn al-Islām, and ten years later by the Seljūq Sanjar chief *qādī* of his whole kingdom. He served on several missions between Sanjar and the caliph al-Mustarshid and Sultan Muḥammad and was also sent as an envoy to Syria and Fāṭimid Egypt. Besides his scholarship in Ḥanafī law and legal methodology, he was an expert in Arabic language and calligraphy and

composed fair Arabic poetry. He was assassinated together with his son by Ismā'ilīs in the mosque of Hamadān in 518/1124.³

Baghdād had, as noted, always had a strong Ḥanafī community and was not occupied by any sizable Seljūq army as were the major towns in Iran and Syria. It is thus not surprising that the town, though often visited by prominent eastern Ḥanafī scholars, did not attract any of them as permanent residents in the 5th/11th century. In the 6th/12th and 7th/13th centuries, however, numerous Ḥanafī scholars from central Asia came to live and teach in Baghdād. Here is not the place to enumerate them. The ascendancy of the eastern Ḥanafī scholastic tradition is well illustrated by the fact that the first professor chosen by the caliph al-Mustaṣṣir to teach at the highly prestigious Mustaṣṣiriyya *madrassa* in 631/1234 was Rashīd al-Dīn Abū Hafs 'Umar b. Muḥammad al-Andukānī al-Faraghānī. Al-Andukānī had studied in Farghāna (most likely with the famous Burhān al-Dīn al-Marghinānī (d. 593/1197), author of the *Hidāya*) and had come to Baghdād as a young man to join the circle of the Sūfī shaykh 'Umar al-Suhrawardī. After some travelling in Irāq and Syria, he taught in Sinjār. Offended by the Ayyūbid al-Mālik al-Ashraf, the left Sinjār and accepted the invitation of the caliph to teach at the newly founded Mustaṣṣiriyya. The Rūm Saljūq 'Alā al-Dīn Kayqubādh at this time sent a messenger to invite him to come to Anatolia. Al-Mustaṣṣir, however, retained him in Baghdād. He died there in 632/1235, only a year after his appointment.

Damascus lacked a Ḥanafī community before the Turkoman Atsız captured the city from the Fātimids in 468/1076. the Seljūq Tutush named an eastern Ḥanafī, 'Alī b. Muḥammad al-Ghaznawī, judge after his arrival in 471/1079, but deposed him in 477/1084.⁴ His son Duqāq appointed a Turk from Balāsāghūn, Abū 'Abd Allāh Muḥammad b. Mūsā b. 'Abd Allāh *qādī* in 491/1098. Al-Balāsāghūnī is described as a fanatical Ḥanafī and is quoted as stating: "If I had the rule, I would take the poll-tax (*jizye*) from the Shāfi'ī." He appointed a Ḥanafī imam for the great mosque of Damascus, a position previously held by Shāfi'īs, and introduced the repetition of the phrases of the *iqāma* in accordance with the Ḥanafī ritual rules. The people, however, refused to pray behind the Ḥanafī imam and held the Friday prayer in the Dār

3. Ibrāhīm b. 'Uthmān al-Ghazzī wrote some slighting lines of poetry about him, impugning his competence. Ibn Abī al-Waf'ā, III, 381.

4. The reason was, according to Ibn 'Asākīr (*Ta'rikh madīnat Dimashq*, ed Muḥibb al-Dīn al'-Amrawī, Beirut 1995-2000, XLIII, 226-7. For al-Qarnawī read al-Ghaznawī), that al-Ghaznawī told the sultan that a group of his guards intended to seize and surrender him to his enemy Muslim b. Quraysh. When the sultan demanded evidence, he was unable to produce it. On Tutush's order he was severely beaten and removed from office.

al-khayl. Al-Balāsāghūnī was dismissed some time before his death in 506/1112 and the position of *qāḍī* soon reverted permanently to the Shāfi'ī s.

More successful were the efforts of the Seljūqs to spread the Ḥanafī *madhhab* in Damascus by founding Ḥanafī *madrasas*. The first *madrasa* in Damascus, the Ṣādiriyya, was built for the Ḥanafīs in 491/1098, long before the foundation of any Shāfi'ī and Ḥanbalī *madrasa*. Its first professor was Abū'l-Ḥasan 'Alī b. Makkī al-Kāsānī from Farghana. According to Ibn 'Asākīr, he had studied in Transoxania and came to Damascus, where he taught, gave *fatwās* according to Ḥanafī law, acted as a witness and debated on points of legal dispute.⁵ The real founder of Ḥanafī scholarship in Damascus, however, was his successor, Burhān al-Dīn 'Alī b. Ḥasan al-Balkhī al-Sikilkandī. A native of Sikilkand near Balkh, he had studied in Bukhārā with the famous Burhān al-Dīn 'Abd al-'Azīz b. 'Umar b. Māza, known as al-Ṣadr al-Māzī, a pupil of al-Sarakhsī, and with the leading Māturīdī *kalām* theologian Abū'l-Mu'in al-Nasafī al-Makhūlī. In Damascus he arrived first between 511/1117 and 519/1125 and stayed at the Ṣādiriyya *madrasa* with 'Alī b. Makkī al-Kāsānī. He engaged in debates on controversial legal issues and was given a chair for public admonition (*tadhkīr*). His success in attracting large audiences aroused, according to Ibn 'Asākīr, the envy of al-Kāsānī, while his outspoken criticism of the Ḥanbalīs, presumably for their anthropomorphist theology, exposed him to opposition from their side. He left for Makka, where he became the imam of the Ḥanafīs in the Sacred Mosque.

Al-Kāsānī soon regretted his departure and sent him a message, offering to turn the Ṣādiriyya *madrasa* over to him. After some hesitation, al-Balkhī visited Baghdād and then returned to Damascus and took over the *madrasa*, where he engaged in teaching and preaching. He attracted a large number of students from the elite as well as the common people. Three more *madrasas* were endowed for him in the town, one of them, the Ṭarkhāniyya, to house his books which he sent for to be brought from Khurāsān. He did not touch any of the income from the endowments, but left the administration to the curators. When he married the daughter of the sharīf Qāḍī Abū Ismā'il b. Ibrāhīm her brother intervened to have the marriage annulled because he was not equal to her in birth. Only now he revealed that he was a descendant of Ja'far b. Abī Ṭālib, cousin of the Prophet. As he continued, in the words of Ibn 'Asākīr, "to order what is proper and to prohibit the reprehensible", he offended the ruler Abū (Mansūr) Muḥammad b. Būrī (953-4/1039-40), who

5. Ibn 'Asākīr, *Ta'riḥ Dimashq*, XLIII, 252.

expelled him from Damascus. He left for Buşra, where the governor received him with honours, and stayed there some time. Eventually he was able to return to Damascus. In 543/1148 he was invited by Nür al-Din Maḥmūd b. Zangī to come to Aleppo and to become the first professor at the large and prestigious Ḥalāwiyya *madrassa* founded by him. Al-Balkhī accepted and successfully undertook to abolish the Shi'ite call to prayer still used in Aleppo. He soon returned to Damascus, however, and pursued his teaching there until his death in 548/1153.

Burhān al-Din al-Balkhī did not write any books of his own and evidently followed closely the doctrine of his teachers. He is said to have taught the *ṭariqa* of his teacher Ibn Māza twice from memory. When his books arrived, his lessons were compared with the copy he had made as a student and were found to agree perfectly.⁶

Through the activity of Burhān al-Din al-Balkhī and his pupils the Ḥanafī school became firmly established in Damascus. As in the case of Baghdād, the sources provide a long list of names of central Asian Ḥanafī scholars who lived and taught there during the 6th/12th and 7th/13th centuries. Famous in the early 7th/13th century was Jamāl al-Din Maḥmūd b. Aḥmad b. 'Abd al-Sayyid al-Ḥaṣiri, born in Bukhārā in 546/1151. he had studied in his hometown with the imam Qādikhān al-Ūzjandī and others and was appointed professor at the great Nūriyya *madrassa* in Damascus in 611/1214. There he taught the Ayyūbid al-Mālik al-Mu'azzam (d. 624/1127) who, exceptionally among the Ayyūbids, was a Ḥanafī, the Sibṭ Ibn al-Jawzī, and Ṣadr al-Din al-Adhra'i, intimate of the Mamlūk sultan Baybars and chief judge in Cairo. Among his works were a short and a large commentary on al-Shaybānī's *al-Jāmi' al-kabīr* and a book entitled *Khayr al-matlūb fi'l-'ilm al-marḡhūb* dedicated to al-Mālik al-Mu'azzam's son al-Malik al-Nāṣir Dāwūd. He died in 636/1238.

Later in the century Jalāl al-Din 'Umar b. Muḥammad al-Khabbāzī from Khujand taught in Damascus until his death in 691/1291. He had studied in Bukhārā with 'Alā al-Din 'Abd al-'Azīz b. Aḥmad Bukhārī, an outstanding expert in legal methodology (*uṣūl al-fiqh*). Al-Khabbāzī wrote a commentary on al-Marḡhinānī's *Hidāya* and a highly successful book on legal methodology entitled *al-Muḡnī fi uṣūl al-fiqh* which received numerous commentaries the first one written in Makka by Abū Muḥammad Mansūr b. Aḥmad b. al-Mu'ayyad al-Qā'ānī al-Khuwārazmī (d. 705/1305).⁷

6. Ibn Abī al-Wafā', II, 562.

7. Ḥājji Khalifa, *Kashf al-Zunūn*, ed. Ş.Yaltkaya and K. Bilge, Istanbul 1360-62/1941-43, II, col. 1749-50.

In Aleppo the Turkish conquerors seeking to promote Ḥanafī teaching faced a different problem. The town had become predominantly Shi'ite under Ḥamdānid and Fāṭimid rule. The local family who traditionally held the office of *qāḍī*, the Banū Abī Jarāda known in later times as Banū'l-'Adīm, were nominally Ḥanafī, but had cooperated with the Shi'ite authorities and apparently gave judgment in accordance with Shi'ite law. It was only Nūr al-Dīn (541-69/1646-74) who succeeded in establishing Sunnite domination. As already noted, he gave Burhān al-Dīn al-Balkhī the professorship of the great Ḥalāwiyya *madrasa*, and Burhān al-Dīn carried through the abolition of the Shi'ite call to prayer. When he resigned soon afterwards because of differences with Nūr al-Dīn's deputy in Aleppo, Nūr al-Dīn 'Abd al-Raḥmān b. Maḥmūd al-Ghaznawī; his son Maḥmūd; Rādī al-Dīn Muḥammad b. Muḥammad al-Sarakhsī, a pupil of the "martyred Ṣadr (*al-Ṣadr al-Shahīd*)" of Bukhārā Ḥusām al-Dīn 'Umar b. 'Abd al-Azīz b. Māza, and the author of a Ḥanafī legal work *K. al-Muḥīt* describes as having consisted of forty volumes which he progressively abridged in three stages to two volumes; Nāṣir al-Dīn 'Alī b. Ibrāhīm al-Ghaznawī al-Balaqī; and finally 'Alā' al-Dīn Abū Bakr b. Mas'ūd al-Kāsānī.

While 'Abd al-Raḥmān al-Ghaznawī was professor of the Ḥalāwiyya, another eastern Ḥanafī scholar, Zāhir al-Dīn Abū Bakr b. Aḥmad b. 'Alī b. 'Abd al-'Azīz al-Balkhī al-Samarqandī, came to stay and teach there. His family originated from Balkh, but he had grown up in Samarqand. He studied Ḥanafī law there under Qutb al-Dīn 'Alī b. Muḥammad al-Isbijabī al-Samarqandī and received an *ijāza* from Najm al-Dīn 'Umar b. Muḥammad b. Aḥmad al-Nasafī for all of his works. For some time he taught in Marāgha in Ādharbayjān at the Madrasat al-Khalīfa before coming to Aleppo. Leaving his books in the Ḥalāwiyya, he next went to Damascus where he taught first in the western library (*khizāna*) of the great mosque and then in the mosque of al-Khātūn outside the town. Shortly before he died in 553/1158, he bequeathed his books to the Halawīyya in Aleppo. Ibn al-'Adīm notes that he found among them a commentary on al-Shaybānī's *al-Jāmi al-saghīr* which, in his words, was a good book in its class. Zāhir al-Dīn evidently was an admirer of Abū Bakr al-Sarakhsī, for he reported that he met him in a dream vision he had in Marāgha.⁸

'Alā' al-Dīn al-Kāsānī is called by Ibn al-'Adīm the amir of Kāsān. Ibn al-'Adīm describes him as a tough man who always carried a lance with him and rode on horses, although he was badly afflicted with the gout toward the

8. Ibn al-'Adīm, *Buḡyat al-talab fi ta'rikh Ḥalab*, ed. Suhayl Zakkār, Damascus 1408/1988, X, 4341.

end of his life. His teacher was the renowned Ḥanafī and Māturīdī scholar Alā' al-Dīn Muḥammad b. Al-Samarkandī in Bukhārā who gave him his daughter Fāṭima in marriage. Fāṭima was equally learned in Ḥanafī law, had memorized her father's *Tuḥfat al-fukahā'*, and at times corrected the *fatwās* of her husband. He then taught some time in Anatolia. During an angry debate with another scholar in the presence of the king. Kiliġ Arslān II (550-88/1155-92), he raised his whip against his opponent. The king was annoyed and wanted to dismiss him, but his vizier advised him that a man of such standing should not be dismissed but rather be sent on a diplomatic mission. Al-Kāsānī thus was sent as an envoy to Nūr al-Dīn in Aleppo who, at the urging of the 'ulamā', offered him the Ḥalāwiyya. Al-Kāsānī accepted and, after delivering Nūr al-Dīn's reply to Kiliġ Arslān, returned to Aleppo where he taught at the Ḥalāwiyya. until his death in 587/1191.

'Alā' al-Dīn al-Kāsānī is the author of the *Bada'i' al-sanā'i' fī tartīb al-Sharā'i*, a rigorously systematic survey of Ḥanafī law which has received much praise in modern times among Muslim as well as western scholars. In the *Encyclopaedia of Islam* it is described as "a master-piece of a quality which was never reached subsequently in Ḥanafī legal literature. Al-Kāsānī also wrote a book on theology entitled *al-Sultān al-mubīn fī usūl al-Dīn* and a Qur'an commentary. His belief was, according to Ibn al-'Adīm, soundly orthodox and he frequently reviled the Mu'tazila and other heterodox schools in his lessons.

'Alā' al-Dīn al-Kāsānī evidently established Ḥanafī scholarship in Aleppo on a firm basis just as Burhān al-Dīn al-Balkhī had done a century before in Damascus. His recapitulator (*mu'id*) in the Ḥalāwiyya was Tāj al-Dīn Aḥmad b. Maḥmūd b. Sa'id al-Ghaznawī (d. after 593/1197), himself a scholar of rank. Al-Ghaznawī composed a *Kitāb rawḍat al-'ulamā'* and a brief *Muqaddima* on Ḥanafī law, a book on legal methodology, and a book on theology entitled *Rawḍat al-mutakallimīn* which he abridged under the title *al-Muntaqā min Rawḍat al-mutakallimīn*. Ibn al-'Adīm quotes two lines of poetry by him in which he condemned the Ṣūfī practices of dancing, listening to music and seeking states of ecstasy. Ṣūfīs, he charged, did not come together to obey their lord, but rather to fill their bellies.⁹ Chief (*ra'īs*) of the Ḥanafī community in Aleppo at this time was Iftikhār al-Dīn 'Abd al-Muṭṭalib b. al-Faḍl, an 'Abbasid *sharīf* from Balkh, where he had studied with the Ḥanafī jurist and Ṣūfī 'Umar b. 'Alī al-Maḥbūbī. Iftikhār al-Dīn wrote a commentary on al-Shaybānī's *al-Jāmi' al-kabīr*. After the death of al-Kāsānī he succeeded to the chair at the Ḥalāwiyya and died in 616/1219.

9. Ibn al-'Adīm, *Bugyat al-talab*, III, 1029, 1126.

A prominent central Asian Ḥanafī scholar who came to Aleppo in the early 8th/14th century may still be noted here: Ḥusām al-Dīn al-Ḥusayn (or al-Ḥasan) b. ‘Alī b. Ḥajjāj al-Sighnāqī. He studied in Bukhārā with Ḥafīz al-Dīn Muḥammad b. Muḥammad b. Naṣr al-Bukhārī (d. 693/1204) and Fakhr al-Dīn Muḥammad b. Muḥammad b. Ilyās al-Māymarghī. Later he came to Baghdād, where he taught at the shrine of Abū Ḥanīfa, and visited Damascus. He wrote a popular commentary entitled *al-Nihāya* on al-Marghinānī’s *Hidāya* and commentaries on the theological work *al-Tamhīd fī qawā’id al-tawhīd* of Abū’l-Mu’in al-Nasafī, on Abū’l-Yusr al-Bazdawī’s *Usūl al-fiqh*, on the *Muntakhab* on legal methodology of Ḥusām al-Dīn Muḥammad b. Muḥammad b. ‘Umar al-Akhsikathī (d. 644/1246), as well as on al-Zamakhsharī’s *al-Mufaṣṣal* on grammar. This list of books commented upon distinctly reflects the predominance of works by central Asian scholars in Ḥanafī scholastic teaching in this age.

Egypt was seized from the Fāṭimids by the Kurd Ayyūbid Ṣalāh al-Dīn, who strongly favoured the Shāfi’ī madhhab as the official school of law in his kingdom. In his efforts to further Sunnism in Cairo, he did found, however, besides more prestigious Shāfi’ī and Mālīkī madrasas, a modest Ḥanafī madrasa, the Ṣuyūfiyya, in 571/1176-7. As the first professor he appointed an eastern Ḥanafī scholar, Majd al-Dīn Muḥammad b. Muḥammad b. Muḥammad al-Khutani. Al-Khutani is said to have been the son and heir-apparent of the ruler of Khutan. He decided, however, to leave the reing to his younger brother and devoted himself to the study of Ḥanafī jurisprudence in Samarqand, Bukhārā and Khurāsān. Then he came to Syria with intention of entering a *ribāt*, but Nūr al-Dīn visited him and appointed him professor at the Ṣādiriyya *madrasa* in Damascus. Then he came to Cairo under Ṣalāh al-Dīn. In protest against an illegal tax measure he left his post and departed in the company of the renowned Mālīkī Qur’ān scholar Abū’l-Qāsim al-Shāṭibī, for Andalus. When Ṣalāh al-Dīn learned of this, he rescinded the tax measure, and al-Khutani returned to his *madrasa*. He died not much later in 576/1180.

Most of the Ḥanafī scholars and judges active in Cairo thereafter were local or from Syria and Irāq, although some of them had studied with eastern scholars. Only a few central Asian Ḥanafī came to stay and teach there in the early Mamlūk age. Mention may be made of Shujā al-Dīn Hibat Allāh b. Aḥmad al-Ṭarāzī from Ṭarāz on the Ṭalas river. He had studied Ḥanafī law with Jalāl al-Dīn ‘Umar al-Khabbāzī in Damascus and then perhaps legal methodology and theology with

Abū'l-Barakāt 'Abd Allāh b. Aḥmad al-Nasafī (d. 710/1310). 'Abd al-Qādir Ibn Abī al-Wafā', in any case, read Abū'l-Barakāt's *al-Manār fī usūl al-fiqh* and *al-Manār fī usūl al-dīn* with him in Cairo. There he taught at the Zāhiriyya *madrasa* until his death in 733/1333. Among his works were commentaries on al-Shaybānī's *al-Jāmi' al-kabīr*, al-Taḥāwī's creed ('*aqīda*) and on Abū'l-Barakāt al-Nasafī's *al-Manār (fī usūl al-Fiqh?)*.

A younger contemporary of al-Ṭarāzī was Qiwām al-Dīn Abū Ḥanīfa Amīr Kātib b. Amīr Ghazī al-Itqānī (or al-Atqānī) al-Farābī. His teacher of Ḥanafī law was Burhān al-Dīn Aḥmad b. As'ad al-Kharīfa'nī al-Bukhārī whom he rapturously calls "the lord of the '*ulamā*' of his time and the performer of scientific miracles (*sāhib al-karāmāt al-'ilmiyya*)." He is himself described as highly conceited and an ardent and aggressive champion of the Ḥanafī school, who vigorously attacked al-Ghazālī for his criticism of Abū Ḥanīfa in his *Kitāb al-Mankhūl*. He taught for some time at the shrine of Abū Ḥanīfa and was later appointed *qāḍī* there. After an earlier visit (in 720/1320) he came to Damascus in 747/1347 to become the successor of Shams al-Dīn al-Dhahabī as professor at the Dār al-Hadīth al-Zāhiriyya. He quickly stirred up a controversy by accusing a Shāfi'ī imam of having spoiled his prayer by the raising of his hands against the Ḥanafī practice. The Shāfi'ī *qāḍī* Tāj al-Dīn al-Subkī now wrote an angry treatise refuting his claim, which was in turn refuted by al-Itqānī in a treatise. Al-Itqānī was forced, however, to leave Damascus and in 751/1350 came to Cairo for the second time to teach at first at the Māridīnī mosque. Then the Mamlūk amīr Šarḡatmish, a fanatical Ḥanafī with a strong bias for non-Arabs, built a *madrasa* for him. After a year of teaching there al-Itqānī died in 758/1357. He is the author of a major commentary on al-Marghīnānī's *Hidāya* entitled *Ghāyat al-bayān* and a commentary on al-Akhsikathī's *Muntakhab* with the title *al-Tabyīn*.

In Anatolia, which was first conquered for Islam by the Seljūq Turks, the Ḥanafī school predominated from the beginning. The conquerors clearly gave preference to Ḥanafī scholars of central Asian origin. The first known *qāḍī* and teacher of Ḥanafī law there was Abū Sa'id (or Sa'd) 'Abd al-Majīd b. Ismā'il b. Muḥammad al-Harawī (d. 537/1143 in Kayseri). He was a native of Awba near Herāt and a student of the renowned Fakhr al-Islām 'Alī b. Muḥammad al-Bazdawī in Transoxania. Later he taught in Baghdād, Başra and Hamadān before moving to Anatolia. He wrote works on Ḥanafī law and legal methodology, among them a *Kitāb al-ishraf 'alā ghawāmid al-hukūmāt*. His son Ahmad became *qāḍī* of Malatya, and his son Ismā'il taught

in Kayseri. Another student of his, the *qāḍī* Muhammad al-Bustī, taught in Sivas.¹⁰

Another distinguished central Asian Ḥanafī scholar and contemporary of 'Abd al-Majīd Harawī gained great prestige and influence in Anatolia at this time. 'Alā al-Dīn Abū Mansūr Muḥammad b. Aḥmad b. Abī Aḥmad al-Samarqandī¹¹ was a student of Abū'l-Yusr al-Bazdawī (d. 493/1100) and the Māturidī theologian Abū al-Mu'in al-Nasafī al-Makhūlī (d. 508/1114). He lived and taught in Transoxania, and it is doubtful if he ever personally visited Anatolia. However, several (*jamā'a*) "princes of al-Rūm" are said to have asked for the hand of his learned daughter Fāṭima whom he, as noted, preferred to give in marriage to his brilliant pupil 'Alā' al-Dīn al-Kāsānī. The latter and his wife visited Anatolia and evidently stayed there some time in the presence of the king before he was persuaded by Nūr al-Dīn to come to Aleppo. 'Alā' al-Dīn al-Samarqandī is the author of the Ḥanafī legal compendium *Tuḥfat al-fuqahā'*, and of a commentary on al-Māturidī's *Ta'wilāt al-Qur'ān*, both of them popular in Anatolia. He also wrote a work on legal methodology entitled *Mizān al-uṣūl fī natā'ij al-'uqūl*.

In the 7th/13th century the historian Ibn Bībī mentions judges of central Asian origin such as Fakhr al-Dīn al-Bukhārī, *qāḍī* of Amasya, al-Tirmidhī, *qāḍī* of Konya, and Kamāl (or Jamāl) al-Dīn al-Khutānī. A Khorazmian Ḥanafī scholar who made a major contribution to Ḥanafī learning in Anatolia but has not yet received due attention was Najm al-Dīn Abū'l-Rajā' Mukhtār b. Maḥmūd b. Muḥammad al-Zāhidī al-Ghazminī. Al-Ghazminī studied in Khorezm with a number of the most prominent scholars of his time, among them Burhān al-'A'imma Muḥammad b. 'Abd al-Karīm al-Turkistānī al-Khuwārazmī, the *qāḍī* Fakhr al-Dīn Badī' b. Abī Maṣṣūr al-'Arabī al-Qubaznī (or al-Quzabnī), Najm al-Dīn Abū'l-Ma'ālī Ṭāhir b. Muḥammad b. 'Imrān al-Ḥafṣī, 'Alā' al-Dīn Sadīd b. Muḥammad b. al-Khayyātī, the Qur'ān expert Rashīd al-Dīn Yūsuf b. Muḥammad al-Qandī (?) al-Khuwārazmī, the rhetorician Sirāj al-Dīn Yūsuf b. Abī Bakr al-Sakkākī and the philologist Burhān al-Dīn Naṣīr b. 'Abd al-Sayyid al-Muṭarrizī. He

10. Ibn 'Asākīr, *Ta'riḥ Dimashq*, XXXVI, 472-3. Ibn 'Asākīr also mentions (Burhān al-Dīn) 'Alī (b. al-Ḥasan) b. Muḥammad al-Balkhī al-Skillkandī among 'Abd al-Majīd al-Harawī's pupil in *fiqh*.

11. His death date has sometimes erroneously been assumed to be 539/1144. This is the date given by al-Sam'ānī for the death of Abū Aḥmad Muḥammad b. Aḥmad b. Abī Ḥamīd al-Samarqandī (Ibn Abī al-Wafā', III, 77), who can hardly be identical with 'Alā' al-Dīn Abū Mansūr. In his edition of 'Alā' al-Dīn's *Tuḥfat al-fuqahā'* (Damascus 1958, p.14), Muḥammad b. Zakī 'Abd al-Barr has argued that the date refers to 'Alā' al-Dīn's death. The argument rests, however, on a mistake (see the note to Ibn Abī al-Wafā', III, 77). The date of 'Alā' al-Dīn's death thus must be considered unknown.

visited Baghdād, where he engaged in debates with the leading scholars, and later lived and taught for some time in Anatolia. Shortly before his death in 658/1260 he completed a *Risālat al-Nāşiriyya* dedicated to Berke, the Chingizid Khān of the Golden Horde, who had been converted to Islam. Western Khorazm had become part of the territories of the Golden Horde, and al-Ghazmīnī thus was addressing the ruler of his home land. The *Risāla*, whose purpose evidently was to strengthen Berke Khān's faith in Islam, is not known to be extant, but its contents are briefly described by Ibn Abī al-Wafā'. In the first part al-Ghazmīnī established the proofs for the truth of the prophetic mission of Muḥammad and described many of his miracles, which in all were said to number one thousand or three thousand. In the second section he mentioned the opponents of Muḥammad's prophethood and refuted their arguments. In the third part he discussed the dispute between Muslims and Christians in particular.¹² This latter discussion distinctly reflects the intense rivalry between the Muslims and Christian missionaries for the conversion of the Mongol rulers and their subjects at that time.

In his legal treatise *al-Qunya* (or *Tuḥfat al-munya*), al-Ghazmīnī selected and analyzed specific legal cases and *fatwās* from the *al-Baḥr al-muḥīt* and *Munyat al-fuqahā'* of his teacher, the *qāḍī* Fakhr al-Dīn Badi'. This treatise has attracted the interest of modern scholars since Zaki Velidi Togan first discovered in it phrases in the largely lost Iranian Khorazmian language.¹³ Togan also noted that it contained a substantial amount of data on contemporary conditions in Khorazm. A second work of al-Ghazmīnī based on his teachers *Munyat al-fuqahā'* is the also extant *Hāwī masā'il al-wāqī'āt wa l-munya*. Al-Ghazmīnī furthermore composed a major commentary (*sharḥ*) on al-Qudūrī's *Mukhtaşar* which, like his *Qunya*, contains interesting information on contemporary Khorezm. Thus he describes the early discussion among the local scholars concerning the status of the territories conquered by the pagan Mongols as to whether these reverted to the *Dār al-ḥarb* or remained part of the *Dār al-Islām*. Al-Ghazmīnī's legal works become popular in Anatolia and were apparently widely used in the teaching of Ḥanafī law for at least two centuries. Togan counted seventy-eight manuscripts of the *Qunya* in Turkey, and there are at least twenty manuscripts of his *Sharḥ Mukhtaşar al-Qudūrī* in Turkish libraries.

12. Ibn Abī al-Wafā', III, 461-2.

13. A. Zaki Validi, "Über die Sprache und Kultur der Alten Chwarezmier", in ZDMG 90 (1936), pp. 27-30.

Like most Khorazmian Ḥanafī scholars at the time, al-Ghazmīnī was Mu'tazilī in theology. This may well have contributed to the eventual loss of popularity of his works. He composed a book on theology entitled *al-Mujtabā*, perhaps the latest work in defense of Mu'tazilī teaching by a Sunnite author. No copies of it have so far been found, but quotations from it are contained in the works of the Yamanite Zaydī author Muḥammad b. Ibrāhīm Ibn al-Wazīr (d. 840/1436).¹⁴

14. See Maḥmūd b. Muḥammad al-Malāḥimī, *al-Mu'tamad fī usūl al-dīn*, ed. M. McDermott and W. Madelung, London 1991, introd. p. vii.