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Manaqib Al-Qarabah Wa-L-Sahabah*

Abdullah Al-Amri, Husayn

How to cite:

Abdullah Al-Amri, Husayn (1983) *The yemeni scholar muhammad B. Ali Al-Shawkani (1173-1250/1760-1834) his life, works and times, together with a critical edition of Darr Al-Sihabah Fi Manaqib Al-Qarabah Wa-L-Sahabah*, Durham theses, Durham University. Available at Durham E-Theses Online: <http://etheses.dur.ac.uk/7704/>

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THE YEMENI SCHOLAR MUHAMMAD B. ʿALĪ AL-SHAWKĀNĪ

(1173-1250/1760-1834)

HIS LIFE, WORKS AND TIMES, TOGETHER WITH

A CRITICAL EDITION OF DARR AL-SIHĀBAH

FĪ MANĀQIB AL-QARĀBAH WA'-L-SAHĀBAH

by

HUSAYN B. ʿABDULLĀH AL-ʿAMRĪ

VOLUME I

Thesis submitted to the Faculty of Arts in the University
of Durham for the Degree of Doctor of Philosophy

April, 1983

School of Oriental Studies
Elvet Hill
Durham

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27 APR 1984

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ACKNOWLEDGEMENTS

I am deeply and greatly indebted to my supervisor and friend, Dr G Rex Smith, not only indeed in this research but also through our association of more than a decade. It is true to say that, without his assistance and support, the research involved in producing this dissertation could not have been carried out.

I must also take this opportunity of expressing my heartfelt thanks to my brother, Qādī [°]Alī b. [°]Abdullāh al-[°]Amrī for his constant encouragement and his practical assistance.

To Sayyid Ahmad b. Muhammad al-Shāmī, "the °ālim and adīb", and Qādī Muhammad b. Ahmad al-Jirāfī, "the °ālim", I also extend my thanks for their numerous acts of kindness and help.

My special thanks too go to Mrs Cerries Smith, not only for her typing of a fairly difficult manuscript, but also for her many invaluable suggestions. Her generosity at home and the warm reception she has extended to my wife and children will never be forgotten.

Words of thanks sometimes seem meaningless, especially when addressed to those who are nearest and dearest. My wife Hasībah has given me her constant support and encouragement. She and my four children have endured much during the period of gestation of this thesis and all deserve my sincere and affectionate gratitude.

It is my final pleasure to acknowledge the considerable encouragement I have received from ex-President Qādī °Abd al-Rahmān b. Yahyā al-Iryānī; my friend Dr °Abd al-Karīm al-Iryānī, the present Prime Minister; °Abd al-°Azīz °Abd al-Ghanī, the Vice-President of the Yemen Arab Republic; Dr °Abd al-°Azīz al-Maqālīh, Director of the University of San°ā'; Mrs Jill Butterworth, the Islamic Assistant Librarian in the Durham University Library, has been of immeasurable assistance to me throughout my stay in Durham.

Indeed the list is endless. To all my friends and associates both Arab and British, who have taken an interest in my work, I say thank you.

ABSTRACT

The purpose of this dissertation is twofold. Firstly my aim has been to produce an edition of the so far unedited text of Muhammad b. [°]Alī al-Shawkānī, Darr al-sihābah fī manāqib al-qarābah wa-'l-Sahābah. This edited text is to be found in Volume II.

Muhammad b. [°]Alī al-Shawkānī, who died in 1250/1834, was a figure of major importance in the Yemen. A man of tremendous intellectual stature he wrote extensively on a number of subjects and for much of his life was chief qādī in San[°]ā'.

Volume I of this study is devoted to the man, his life, works and times. It is divided into two parts: the first an historical survey, spanning the reign of four Zaydī imams and the second concerning the man and his works.

Chapter one describes the Yemen under Imam al-Mahdī [°]Abbās (d. 1189/1775). His son, al-Mansūr [°]Alī, was then appointed imam and his long reign until 1224/1809 occupies chapters two and three. Power then passed to al-Mansūr's son, al-Mutawakkil Ahmad (d. 1231/1816), and a survey of

his reign appears in chapter four. Finally of the Zaydī imams al-Mahdī^c Abdullāh (chapter five) follows. He was to die a year after al-Shawkānī in 1251/1835.

Part two begins in chapter six with a discussion of al-Shawkānī, the man, his education, his period of office as chief qādī and his disciples. It has then been my task to discuss al-Shawkānī under the various disciplines in which he wrote: chapter seven, the mujtahid and faqīh; chapter eight the muhaddith; chapter nine the mufassir and chapter ten the biographer/historian and poet.

PART ONE

A HISTORY OF THE YEMEN

1161-1251/1753-1835

140. If a wound hath touched you,"
Be sure a similar wound
Hath touched the others.
Such days (of varying fortunes)
We give to men and men
By turns: that God may know
Those that believe,
And that He may take
To Himself from your ranks
Martyr-witnesses (to Truth).
And God loveth not
Those that do wrong.

﴿١٤٠﴾ إِنْ يَمَسُّكُمْ فَرْحٌ فَقَدْ مَسَّ الْقَوْمَ فَرْحٌ
مِثْلُهُ وَتِلْكَ الْأَيَّامُ نَتَاوَلُهَا بَيْنَ النَّاسِ
وَلِيَعْلَمَ اللَّهُ الَّذِينَ آمَنُوا وَيَتَّخِذَ
مِنْكُمْ شُهَدَاءَ وَاللَّهُ لَا يُحِبُّ الظَّالِمِينَ

سورة آل عمران

"There is a certain relief in change even though it be from
bad to worse!"

Washington Irving (1783-1859)

"Revolt and terror pay a price
Order and law a cost"

Carl Sandburg (1878-1967)



CHAPTER ONE

The Yemen under Imam al-Mahdī °Abbās, 1161-89/1748-75

Al-Mahdī °Abbās succeeded his father al-Mansūr Husayn as the new imam of Yemen in the year 1161/1748. He became the tenth imam of the House of al-Qāsim which had replaced the House of Sharaf al-Dīn in 1006/1598.

It is my opinion that al-Mahdī °Abbās was the last important imam in the whole of the history of the imamate. He was succeeded by his son al-Mansūr °Alī (1189-1224/ 1775-1809) and his grandson al-Mutawakkil Ahmad b. °Alī (1224-1231/1809-1816), who was in turn succeeded by his son al-Mahdī °Abdullāh. The latter ruled until his death in the year 1251/1835. A short time before this the Turks returned for the second time to Yemen and a new period of anarchy and chaos began. In the south, Aden was bombarded on 19 January 1839 and occupied by the British. The Sultan and his family fled to Lahj. This new era is, however, outside the scope of this study.

1. The Yemen and the Arab World

The Yemen, as a part of the Arab world, was no worse than others in this important period of its history. It must, however, also be said that it was no better. We see that the Yemen was an independent country and not under the domination of the Ottomans, nor the despotism of the Mamluks. To the north of the Yemen the Wahhābī movement was already involved in fighting to gain supremacy and in the long struggle to unite the fragments of various bedouin societies and establish the first Saudi state. The Wahhābīs spread in the north, but in the south as well, when in 1219/1804 they occupied Tihāmah on the Red Sea coastal plain and historically part of the Yemen. As we shall see in a later chapter it was not until the campaigns of Muhammad ^CAlī, which took place between 1226-1234/1811-1818, that the Wahhābīs were driven out of the Hijaz and Tihāmah of the Yemen and the power of the House of Sa^Cūd in Najd ^{was} itself broken.

As elsewhere in the Ottoman Empire the weakening of central control in the 11th/17th and 12th/18th centuries was reflected in the Iraqi and Syrian provinces in the rise of

local despotism and domination of the garrison troops in the towns. In this period the people of the Fertile Crescent suffered much from injustice, famine and illness. Down to the mid-13th/19th century, therefore, it can be said that the era had remained "medieval" in all the varied aspects of life.⁽¹⁾

To complete the picture we need to look at Egypt which was to play an important role in Arab affairs. Under Muḥammad ^CAlī (1805-1848) who has been called the founder of the modern country (though he was also the founder of the last and the most successful of the lines of local despots), Egypt was full of anarchy and killing. One hears ~~too~~ only the tragic news of disasters and the appalling conditions of the people under diverse fighting Mamluk groups. In the Tārīkh of Jabartī,⁽²⁾ who was a contemporary writer (1167-1240/1754-1825), we read throughout the three volumes nothing but reports of disasters which occurred daily. The famous modern Egyptian historian ^CAbd al-Rahmān al-Rāfi^Cī painted a gloomy picture of Egyptian

(1) Hitti, Short History, 228; History of the Arabs, 719-21; ^CAbd al-Karīm, Hawādith, 28-31

(2) For Jabartī and his ʿAja'ib al-āthāt, see ^CAbd al-Rahmān al-Jabartī, dirāsāt wa-buhūth, ed. Ahmad ^CIzzat ^CAbd al-Karīm, Cairo, 1976

life of the period: (3)

"Judges positions were bought and sold, subject to supply and demand. With the coming of the Mamluks (white slaves) the country was left to their administration which had a disastrous effect. Personal capital disappeared and poverty and disease were rife with no physicians or medical treatment. Ignorance spread and mosque-schools had little influence on education generally."

"...If you examine the biographies in Jabartī's work you will not find any ulema of that period who can be considered as distinguished in either philosophy, science or literature."

al-Rāfi^cī adds. (4)

We can more or less say that al-Rāfi^cī's comments on the condition of Egypt could well apply all over the Arab world at that time, including the Yemen. It is of special interest, from a Yemeni point of view, to read some contemporary remarks about Egypt and its education. "On Thursday 19 Rabī^c I [1233/1818] Shaykh Muhammad ^cĀbid al-Sindī arrived from Egypt. He commented on the weakness of Egypt and that he had found nobody there who knew the Hadīth or who was

(3) Rāfi^cī, Tārīkh, I, 39.

(4) Ibid., 41.

concerned with it. This is something astonishing!" (5)

A modern Egyptian scholar has recently written in the same vein, when he said:

"This writer [i.e. himself] is one of ahl al-Sunnah [Shāfi'ī] but he cannot hide his admiration for the Zaydiyyah for a number of reasons: firstly, in the period of the decline of intellectual activity the Zaydī madhhab gave birth to great mujtahids, such as al-Maqbilī, Ibn al-Amīr and al-Shawkānī. That happened during a period when all other madhhabs had become sterile and had not produced anyone like them. It is strange enough that the Yemen, at that time, was not considered better than other Islamic nations. She might be worse than them in life, intellectual activity, politics or her economic condition." (6)

As we have already pointed out, we agree with this scholar more or less on the question of politics and the economic situation, but not on the question of intellectual activity. If we accept what Subhī says, what then was he admiring in the intellectual society of the Yemen?

In spite of the economic and social upheaval caused by diverse events and the damage left in their train, the

(5) Jāhhāf, Sīrat, 48; see also al-Shawkānī, al-Badr, II, 227-8.

(6) Subhī, al-Zaydiyyah, 729.

activity of the mosque (the qāḍīs, ulema and udabā') nevertheless contributed to the continuing debate (jadāl), literary activity and ijtihād in this period. There arose many notable ulema and udabā' among whom al-Shawkānī was the greatest and probably the last. The Zaydiyyah, being distinguished for its freedom of thought, had always emphasised the importance of encouraging the Yemeni ulema and imams towards ijtihād in the different sciences of religion and law, and rejected the idea that the door of ijtihād had virtually been closed.⁽⁷⁾ As a result of this, many of their ulema, commentators and fuqahā' became famous in different periods of Islamic history. Moreover, since one of the fourteen articles of the imamate in the Zaydī doctrine (madhhab) has to be ʿilm,⁽⁸⁾ if not ijtihād, we find that apart from Yemeni scholars, there were thirty-one imams at least (out of seventy-two who ruled the Yemen between 284-1382/898-1962) who wrote works which had a

(7) Al-Shawkānī, al-Qawl al-Mufīd, 26-8; Dīwān, 127; al-Badr, I, 2; Abū Zahrah, Tārīkh, II, 496-500; Subhī, al-Madhhab al-Zaydī, passim. See also Shawkānī, Irshād al-fuhūl, 223.

(8) Al-Jāsim b. Muhammad, al-Aṣāḥ, 162; al-Shawkānī, al-Sayl al-jarrār, MS, II, 257, although al-Shawkānī says: "There is no proof" (laysa hunālika dalīl).

great influence on the development of Islamic thought. (9)

There was another factor in this concern for scholarship and research which contributed to the prolific output of works of jurisprudence and interpretation, and that was the Shāfi^Cī (Sunni) madhhab of the south, which started to spread from the middle of the fourth/tenth century. (10)

There was rivalry and debate between the two schools. The Zaydiyyah was more open to outside opinions if they were intellectually tenable. As Ahmad Amīn and other modern Islamic scholars observe, "the Zaydiyyah is of the Shī^Cah the most moderate and closest to the Sunnis." (11)

2. Al-Mahdī^C Abbās

To return to the Yemen, to the year 1161/1748. Imam al-Mansūr Husayn died on 7 Rabī' I and his son ^CAbbās,

(9) See al-Hibhī, Masādir, 506-631; al-^CAmrī, Masādir, 133-47, 151, 169-83, 192-217, 226, 149.

(10) Ibn Samurah, Tabaqāt, 80-93.

(11) Amīn, Fajr al-Islām, 262; Abū Zahrah, Tārīkh, II, 493; Subhī, al-Zaydiyyah. See also Watt, Islamic philosophy, 100; Hitti, History of the Arabs, 449; E.I.¹, 'Zaydiyya'.

received the unanimous oath of allegiance (bay'ah) from the eminent people and ulema of the country, among whom were Sayyid Muḥammad Ishāq, Sayyid Aḥmad ^CAbd al-Raḥmān al-Shāmī and Sayyid Muḥammad b. Ismā'īl al-Amīr who all played important roles politically and intellectually during this period. Those who had rebelled against his father gave the oath of allegiance as well; among them was his uncle, Aḥmad b. al-Mutawakkil, governor of Ta'izz.⁽¹²⁾

^CAbbās styled himself al-Mahdī. He was a strong and ambitious man in the prime of his life.⁽¹³⁾ The Yemeni historians avoid all mention of the fact that al-Mahdī ^CAbbās was the son of a slave woman, a negress, and that he was of dark complexion like his mother, as Niebuhr, the famous Danish traveller, who had audiences with him in San'ā' in 1177/1763, claimed.⁽¹⁴⁾ They generally agree that al-Mahdī's reign was better than that of his father, al-Manṣūr Ḥusayn, and than that of his grandfather, al-Mutawakkil Qāsim b. Ḥusayn (d. 1139/1727) before him

(12) Al-Shawkānī, al-Badr, I, 310; Zabārah, Nashr al-^Carf, II, 12.

(13) He was born in 1131/1719, so his age at this time was about thirty.

(14) Niebuhr, Travels through Arabia, I, 321-2.

and of all his descendants after him, i.e. his son, al-Mansūr, and grandson, al-Mutawakkil Ahmad. (15) Unfortunately there has been no specific biography (sīrah) of al-Mahdī, as there has, for example, of his son, al-Mansūr, or some of his ancestors, although in his time culture flourished and many famous scholars, writers and poets were contemporary with him. (16) Al-Mahdī ^cAbbās himself was well educated and a disciple of the famous ālīm, Sayyid ^cAbdullāh b. Lutf al-Bārī al-Kibsi (d. 1173/1759) (17) and many other ulema. The longest biographical entry on him is that of al-Shawkānī in his al-Badr al-Mālī. (18) Al-Shawkānī was born in the tenth year of al-Mahdī's reign and was sixteen when al-Mahdī died. All those who wrote about al-Mahdī up to the late Zabārah (d. 1380/1960),

(15) Zabārah, Nashr, II, 12.

(16) Al-Shawkānī and Jāhhāf both mentioned that their contemporary Qādī ^cAlī b. Qāsim Hanash (1143-1219/1730-1804) who was a man of letters and historian, wrote a history of al-Mahdī's reign and the events in his time. Nothing so far has come to light concerning this work. (See: al-Shawkānī, al-Badr, I, 472-3; Jāhhāf, 5, 362; Zabārah, Mayl, II, 154).

(17) Al-Shawkānī, al-Badr, I, 393.

(18) *Ibid.*, I, 310-3.

depended on al-Shawkānī for their biographical information,
 though one sometimes finds slight changes of detail in the
 accounts.⁽¹⁹⁾ Al-Shawkānī describes al-'ahdī as being
 perspicacious, intelligent and just, and a strong manager
 (qawī 'l-tadbīr). He was high-minded, with a penchant for
 scholars, dispensing justice to the wronged, diplomatic
 (sayūs), resolute (hāzim). He was ever aware of the
 conditions of his subjects and would scrutinize the
 behaviour of his amils. No secret was hidden from him,
 since he had spies who would bring it to his ears. Those
 close to him (khawāss) had a respectful fear (haybah) for
 him in their hearts, aware that everything they did would
 be reported to him. In consequence many injustices were
 removed. In dealing with tyrants (bughāh) who ostensibly
 rebelled against the caliph, (i.e. al-'ahdī), though in
 fact their aim was to rid themselves of the peasants
 (ihlāk al-ra^cīyah), he would at times reconcile them with
 gifts (sing. atā'); at other times he would send a body
 of troops to intervene between tyrants and peasants. His

(19) Cf. Zabārah, Nashr, II, 7-16; al-Māsi^cī, Tārīkh, 224-5.

power in the Yemen increased and his reputation was enhanced. Because of his generosity to those of quality, scholars and writers came to him from distant parts. Al-Shawkānī tells us that after becoming caliph al-Mahdī would, when alone, engage in scholarship (mushtaghil bi-l-ilm), always looking up some book or other. He studied under the supervision of a group of ulema.

In time of revolution or rebellion it seems that al-Mahdī became anxious and uneasy, until he succeeded in defeating those who opposed him. He granted many gifts to the poor (fugarā') and weak (du'afā') and received envoys and visitors frequently. He had indeed many merits, establishing many good customs (sunan) and driving out corruption. Al-Shawkānī considers al-Mahdī ^CAbbās unique in that he preserved the border regions of his kingdom by his own energy and vigorous ^{actions} ~~assault~~. He had full control in affairs of state, deciding important matters by himself without his ministers having any say in them. No affair in the kingdom escaped him and his ministers were unable to deceive him. He was a shrewd judge of human nature

and he fully understood his contemporaries. He knew how to strip the pretence from anyone making an outward show of ascetism (zuhd) and virtue and from those who appeared to reject worldliness on the surface, but not in reality.⁽²⁰⁾

Neibuhr in his turn has told us what the court of al-Mahdī was like and how he received envoys and ambassadors or his visitors:

"On the 19th of July [1763], the Secretary of the Vizier Faqih Ahmed, came to conduct us to an audience of the Imam in his palace of Bustan al-Mutawikkil. We had expected that we should be introduced privately to an audience of this monarch or at least in the presence only of a few of his principal courtiers. We were surprised therefore to see everything prepared for an occasion of great ceremony, the court of the palace was so full of horses, officers, and others, that we should scarcely have made our way through the crowd, if the Makib Gar Allah, who had been a slave, but was now master of the horse, had not come, with a great staff in his hand, to open a passage for us.

The hall of audience was a spacious square chamber having an arched roof. In the middle was a large basin, with some fountains (jets d'eau), rising

(20) Al-Badr, I, 310-2.

fourteen feet in height. Behind the basin and near the throne were two large benches, each a foot and a half high; upon the throne was a space covered with silken stuff, on which, as well as both sides of it, were large cushions. The Imam sat between the cushions, with his legs crossed in eastern fashion; his gown was of a bright green colour, and had large sleeves. On each side of his breast was a rich filleting of gold-lace, and on his head he wore a great white turban. His sons sat on his right hand, and his brothers on his left. Opposite to them, upon the highest of the two benches, sat the vizier; and our place was on the lower bench. On the two sides of the hall, sat many of the principal men about court. We were first led up to the Imam, and were permitted to kiss both the back and the palm of his hand, as well as the hem of his robe. There was a solemn silence through the whole hall. As each of us touched the Imam's hand, a herald still proclaimed: "God preserve the Imam" (Allāh yahfaz al-Imām), all who were present repeated those words aloud after him. I was thinking at that time, how I should pay my compliment in Arabic and was not a little disturbed by this noisy ceremony; but I had afterwards time to recollect myself."⁽²¹⁾

Al-Mahdī made them welcome and later sent them money, sheep, robes and a ceremonial dagger (janbiyyah). Niebuhr admired the minister of al-Mahdī whom he called Faqīh Ahmad,

(21) Niebuhr, Travels through Arabia, I, 368-9.

and who was, I presume, Faqīh Ahmad b. ^CAlī al-Nihmī. He served al-Mahdī as grand wazīr for twenty-five years and was veracious, sincere and pious. He died three years before al-Mahdī (1186/1772).⁽²²⁾ Niebuhr said about him:

"The Vizier received us with great politeness, and expressed himself highly pleased with what we showed him. He put various questions to us from which he appeared to possess considerable knowledge, and to have studied the sciences with a degree of care far from common among his countrymen. By means of Turkish, Persian and Indian merchants, he had acquired tolerably correct notions of geography. The Arabians imagine that Europe lies South from them, because the Franks whom they see come from India. But the Faqih knew well the situation of the different states of Europe, with their respective powers and forces, both by sea and land. Nor could more be expected from an Arabian who had never seen a map."⁽²³⁾

That was the bright side of al-Mahdī ^CAbbās and his court. Nevertheless he did have faults and shortcomings, as of course is the case with many rulers and indeed with mankind in general. Al-Mahdī's desire, even greed for buying up land led him to be involved in 1180/1767 in an important case concerning waqf property in Jan^Cā'. This

(22) Al-Shawkānī, al-Badr, I, 92.

(23) Niebuhr, 372.

involved his buying up of waqf lands and transferring them from waqf to private ownership.⁽²⁴⁾ He also gained possession of two main ghayls whose ownership was supposed to be common or to be under the control of the Treasury (Bayt al-Māl). In 1181/1766 al-Mahdī claimed that he had rebuilt the canals and re-excavated the two ghayls and that all the expenditure had been from his own private income. This roused criticism and opposition from the ulema. Among them was the aged and famous Ḥalīm, Muhammad b. Ismā^ḥīl al-Amīr. Al-Mahdī certainly did not forgive his critics and those who opposed him. The punishment for them proved, more than once, to be confiscation of land or imprisonment.⁽²⁵⁾ Al-Mahdī left behind him huge amounts of land and properties for his heirs.

It was not long after al-Mahdī's death that al-Shawkānī addressed to his son, al-Manṣūr ^ḤAlī (1189-1224/1775-1809), a long and important poem criticising the

(24) Zabārah, Mashr, II, 10.

(25) Cf. my contribution to Bidwell and Smith (eds.) Arabian and Islamic Studies..., 'Document', chapter 3.

court and its circumstances. To close this chapter it is relevant to quote the following lines from this poem:

"From poverty, many of your kin and relatives
suffered gravely indeed,
They became humble beggars at people's doors
and there is no one at all to honour them,
They became, sadly, despicable after they had
been respectable royal personages.
What a disaster! Haven't you seen your father's
sons begging from people? It is a terrible thing!
If al-Mahdī had seen his sons as we do, he would
have shed tears.
Your subjects are dying openly from hunger as
others have died, their bounty unhidden."

٤٦ وقد نال أرحامكم وقرابة من الفقر أوصاف تجل وتُعظم
٤٧ وصاروا بأبواب الرجال أذلة وليس لهم من مكرم قط يكرم
٤٨ وهانوا وقد كانوا ملوكاً أجلة وصاروا إلى حال تضر وتؤلم
٤٩ ألت ترى أبناءيك فإبهم غدوا يسألون الناس والأمر أعظم
٥٠ فلو شاهد المهدي أولاده كما شاهدهم أضحى لـ الدمع ينجم

(26)

Why had that happened? How many sons did al-Mahdī have and what was their role and importance after his death? This will be considered at the beginning of the next chapter.

BAYT AL-QĀSIM

al-Qāsim b. Muhammad
(1006-1029/1558-1620)

al-Mansūr Husayn (9th generation)
(1139-1161/1727-1748)

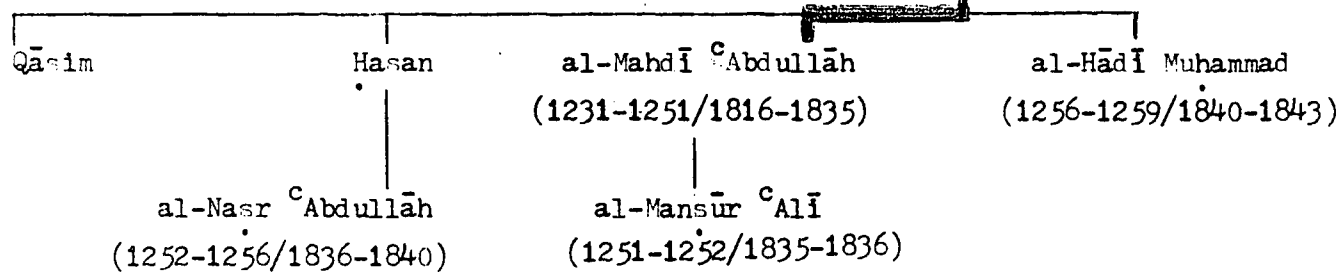
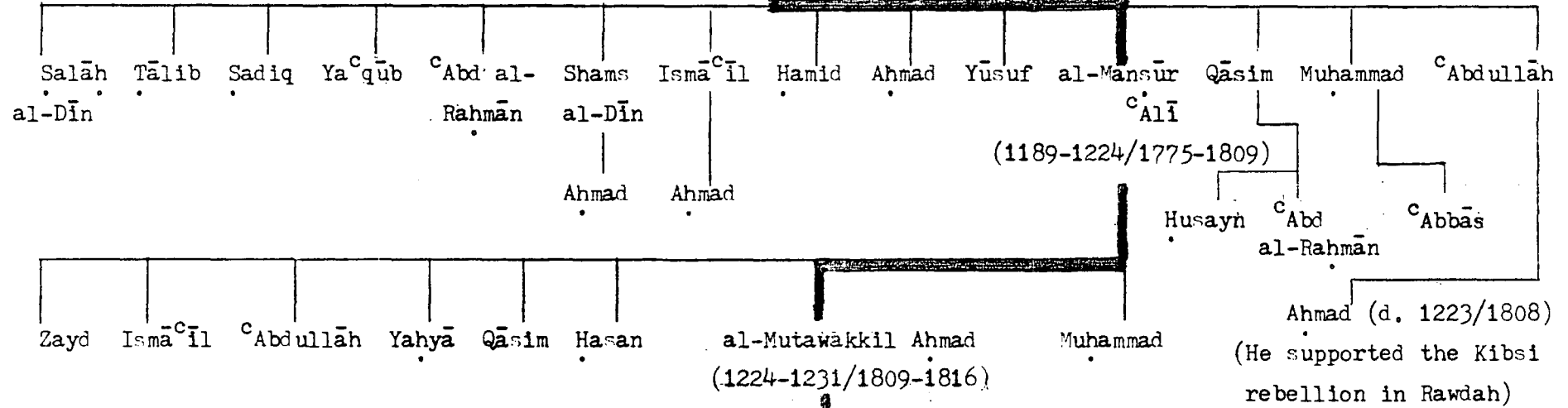
^cAbd al-Rahmān

Muhammad

al-Mahdī ^cAbbās
(1161-1189/1748-1775)

Ahmad

Yahyā



CHAPTER TWO

Al-Mansūr °Alī and his reign

(1189-1224/1775-1809)

"If...it proves necessary to execute someone, this should be done only when there is proper justification and manifest reason for it. But above all a prince should abstain from the property of others; because men sooner forget the death of their father than the loss of their patrimony. It is always possible to find pretexts for confiscating someone's property; and a prince who starts to live by rapine always finds pretexts for seizing what belongs to others."

Machiavelli (1469-1527).

"What a disaster! Haven't you seen your father's sons begging from people? It is a terrible thing!

Al-Shawkānī's address to al-Mansūr °Alī.

Al-Mansūr ^CAlī and his reign (1189-1224/1775-1809)

1. The Royal Family (Bayt al-Imām)

When al-Mahdī ^CAbbās died on 9 Rajab 1189/1775 he left behind him a large number of sons, brothers, uncles and cousins. Among those uncles and cousins were Bayt al-Mansūr, Bayt al-Mutawakkil and Bayt Ishāq, who were not without aspirations to the imamate.

We know that many of al-Mahdī's sons played a role in the political or literary life of the Yemen in the reign of al-Mahdī's successor, al-Mansūr ^CAlī. Al-Shawkānī ends al-Mahdī's biography by giving us a general and brief account of these sons, speaking in praise of them in eloquent saj^C.

"...He has a number of sons. They are the sayyids of the sayyids. None of them is without merit. Mastery in horsemanship, high moral standards and a predilection for knowledge are common to them all.

The eldest was ^CAbdullāh who died during his father's life-time. After him, comes our lord (mawlānā), the imam, caliph of our time, al-Mansūr ^CAlī. Next is Muhammad, who is one of the greatest of the imam's family (Āl al-imām) and who has a great amount of excellent qualities (nasīb min al-kamālāt wāfir). Then comes al-Qāsim, who is one of the important sayyids (fuhūl al-sādāt) and one of the eminent leaders. He has an excellent involvement in ^Cilm. After him comes Yūsuf, who is of high moral standards and a deep-seated nobility (hasan al-aklāq karīm al-a^Crāq). He is followed by Ahmad who has the greatest breadth of knowledge and the most sound understanding of them all. He is exceedingly erudite and is accomplished in many fields of scholarship. He composes poems and thirsts after knowledge. He is extremely generous; indeed he is unique. The next son is Ismā^Cīl, who has no equal in moral standing, moderation, resolution and virtue. Those are the adults..."(1)

We feel that there is a need to add to and clarify, from other sources, what al-Shawkānī says here in general terms. Jāhhāf's Durar (2) is especially important for the information it provides concerning many figures we shall meet in this study. Apart from this a more detailed

(1) Al-Shawkānī, al-Badr, I, 312.

(2) For his biography, cf. Appendix I, note 1 and see the bibliography. The abbreviation in the footnotes "Jāhhāf" refers to the Durar.

picture of some of the sons of al-Mahdī ^CAbbās will provide us with valuable and fascinating information on the literary and scientific milieu of the time.

a) Muhammad

Muhammad Ibn al-Mahdī was the third son. Jāhhāf tells us that he was one of those involved in the question of the choice of the imam (ahad al-mushāwiyīn fī amr al-imāmah). He was the one who said "there is no one but my brother ^CAlī who is worthy of the imamate."⁽³⁾

He was intelligent and stable; he did not involve himself in state affairs. He devoted himself to mixing scents and perfumes until, after spending a great deal of money, he discovered the secret of shāhī perfume. If he happened to pass along the street, the smell (of perfume) lingered for a long time. He used to give his brother, the imam, and his son, Sayf al-Islām ⁽⁴⁾ Ahmad, a gift of shāhī perfume. Imam al-Mansūr granted him a piece of land

(3) Jāhhāf, 341.

(4) Sayf al-Islām was formerly the title of princes of the royal house of the Yemen right down to 1962.

(aqṭa^cahu 'l-imām al-Mansūr qit^catan) in Ānis. His sons retained it after his death on 15 Ramaḍān 1218/1803.⁽⁵⁾

b) Aḥmad

Qāsim and Aḥmad represented the cultured class of the time, though they had very different ways of life. Both of them were disciples of the eminent faqīh and philologist Qādī Aḥmad b. Ṣālih b. Abī 'l-Riḡāl (1140-91/1727-77),⁽⁶⁾ who was in al-Mahdī's court and was his adviser and confidant, as well as on occasion his wazīr. It is especially worthy of note that he was the tutor of al-Mahdī's sons⁽⁷⁾ and was clearly proud of the achievement of Aḥmad Ibn al-Mahdī (1164-1220/1750-1805) who was a man of letters, a faqīh and an historian. Aḥmad was well acquainted with a great variety of subjects, especially astronomy and philosophy.⁽⁸⁾ He was a very intelligent man, modest and completely generous. Unfortunately, how-

(5) Jahhāf, 341; Zabārah, Nayl, II, 280.

(6) The grandson of the famous historian and man of letters, Qādī Aḥmad b. Ṣālih b. Abī 'l-Riḡāl (d. 1092/1681). Cf. also al-^cAmrī, Maṣādir, 280.

(7) Al-Shawkānī, al-Badr, I, 61; Jahhāf, 50.

(8) Al-^cAmrī, Dīwān al-Shawkānī, 260, footnote.

ever,

"...he was accused of madness because of his excessive generosity (isrāf), his humility (ittidā^c) and his hot temper (hiddah). Thus he was confined twice in his home in Bustān al-Sultān for a long period."⁽⁹⁾

Jahhāf was very sorry for him, as were others, and when Ahmad died on Friday 5 Jumādā II 1220/1805, he mourned him in three lines of poetry, the last of which indicates the date of his death:

"...fī jināni 'l-khuldi qad
halla Ahmadu." (1220/1805) ⁽¹⁰⁾

"In the everlasting Gardens
Ahmad took his place."

Six weeks before that, his brother Hamīd died at the age of thirty-six, ⁽¹¹⁾ but we do not know much about him nor about two other brothers who by coincidence died in the same week in the year 1203/1789. They were al-Sādiq and Shams al-Dīn. The latter died in the port of al-Layth in the Hijaz on his way to Mecca for the pilgrimage. ⁽¹²⁾

(9) Jahhāf, 403.

(10) Ibid. 403.

(11) Ibid. 443.

(12) Ibid. 175.

c) Qāsim

Qāsim was well educated; his tutor, Abū 'l-Riḡāl, and the famous faqīh, scholar and teacher al-Sayyid 'Abd al-Qādir b. Ahmad (1135-1207/1723-92) had great admiration for his memory (ḥāfizah) and ability to make quotations (istihdār al-shawāhid). (13) It was not long before he became one of those of the imam's family engaged in various important functions. His tutor, Abū 'l-Riḡāl, became his secretary (wazīr), when Qāsim was responsible for Bilād al-Haymah, an area west of San'ā'. (14) He held his brother 'Alī (later the imam Mansūr) in high regard and considered him a more capable leader than himself. He therefore suggested once that 'Alī should be al-Mahdī's deputy in San'ā' instead of himself, when al-Mahdī left San'ā' for al-Rawḍah to fight the tribes of Arḥab. (15) Al-Mansūr 'Alī held him in mutual respect and, on becoming imam, did not refuse his mediation. Qāsim died in his

(13) Jāhḥāf, 164. Cf. also the biography of Sayyid 'Abd al-Qādir, Appendix II, footnote.

(14) Jāhḥāf, 40, 164.

(15) Ibid. 164.

forties, on 13 Jumādā I (in the same year as his brothers al-Sādiq and Shams al-Dīn, 1203/1789). When he died, al-Mansūr grieved deeply:

"He prayed for him in the Great Mosque in San^{Cā}' and forbade all means of providing pleasure (wa-manā^{Cā} jālibāt al-surūr). He suspended for several days the playing of the drum (nawbah) at his gate and received condolences..." (16)

d) Abd al-Rahmān

It appears that the last son of al-Mahdī to die in al-Mansur's reign was Abd al-Rahmān, who was loved by all the people (ahabbahu 'l-khāṣṣ wa'l-^{Cā}amm). He was the kindest and most elegant (zarīf) of the whole family. He was a man of letters and poet and died in 1221/1806. (17)

2. Al-Mansūr ^CAlī Ibn al-Mahdī ^CAbbās

^CAlī was born in San^{Cā}' in 1150 or 1151/1738. (18) He grew up in the same milieu as his brothers and was well

(16) Jahhāf, 164; Zabārah, Nayl, II, 177-9, who copies Jahhāf's account verbatim here and throughout his book.

(17) Jahhāf, 423.

(18) al-Shawkānī, al-Badr, I, 459; Zabārah, Nayl, 140.

educated. He liked luxury and horsemanship. Just as Abū 'l-Rijāl was the tutor of his brothers, Qāsim and Ahmad, 'Alī's tutor was the competent scholar and famous wazīr, al-Qādī al-Hasan b. 'Alī Hanash (1152-1225/1739-1810), who had his education under Abū 'l-Rijāl, Ibn al-Amīr and others of their scholarly class.

"He was ordered by al-Mahdī to contact his son...so he did, and 'Alī learned under his supervision and accompanied him for a time. When al-Mahdī died he [Hanash] was to be one of his ['Alī's] closest ministers..." (19)

Al-Manṣūr 'Alī was a man of the sword, not so much a man of letters. The reason for this might well be that he was the eldest son and his father depended on him in military matters, since al-Shawkānī says of him in this regard:

"...he delights in reading precious books, wherever he is, and has many of them." (20)

When he was twenty-one years of age his father appointed him governor (wālī) of San^cā' and commander of

(19) al-Badr, I, 201.

(20) Ibid. I, 464.

the troops (amīr al-ajnād). He ordered him to reside in the Qasr of San^Cā'. He carried out his duties:

"...to the letter, firmly (bi-hazm), with dignity (mahābah), and morality (ḥusn al-akhlāq). He showed remarkable powers of endurance (sabr) and diplomacy (siyāsah) in dealing with people." (21)

One of his military exploits at this stage was his victory against Dhū Muḥammad and Dhū Husayn of Baraṭ led by Hasan al-^CAnsī. It was in the year 1184/1770 when they rebelled and came down to attack San^Cā'. Al-Mahdī's army under one of his slave officers, al-Amīr Sindraws, was tricked by al-^CAnsī. ^CAlī with less than five hundred men defeated thousands of troops led by al-^CAnsī. Al-Shawkānī describes with admiration what happened in that battle which took place in Sa^Cwān, a village east of San^Cā' and talks, using the style of Ibn Khaldūn, about the tribes employing such words as:

"...jamarat a^Crāb al-Yaman
idh dhāka wa-ahl al-shawkah
min-hum..." (22)

(21) al-Badr, I, 459.

(22) Ibid. I, 459

"... the assembly of the Arab
tribes of the Yemen at that time,
and those of valour of them..."

He ends his account with this assessment of ^CAlī's
bravery:

"...and thus bravery is. After
this battle all people, old and
young, great and small, even his opponents,
recognize that he is
extremely brave and no one
else could show such bravery." (23)

In short, ^CAlī was generous and brave. All adult
sons, Ahmad, who was to succeed him, Ḥaṣan, ^CAbūllāh and
Muḥammad were involved in the affairs of state. Rivalries
among some of them increased as al-Ḥansūr's strength de-
creased. However Ahmad had the upper hand and was in
control, as we shall see below.

(23) al-Badr, I, 460.

3. The reign of al-Mansūr (1189-1224/1775-1809)

The historian al-Kibṣī (d. 1308/1819) was far-sighted and to the point, when he described al-Mansūr's imamate as follows:

"When al-Mahdī ^CAbbās died in 1289/1775 he was succeeded by his son ^CAlī. His reign continued with good fortune (sa^Cādah) and progress (iqbāl) at the beginning and in the middle. He remained in this situation, spending money liberally building houses and palaces. He surrounded himself with great pomp (ziyy ^Cazīm) but also the reign became unproductive (ṣulḥ ^Caqīm), from 1189/1775 till 1210/1795 when things declined for him and Tihāmah and its seaports (banādir) fell into the hands of Kharijites of Najd (Wahhābīs)..." (24)

We can then divide al-Mansūr's reign into two or three stages. The first was the longest (about twenty years) but the third lasted less than a year, namely when he lost control completely and his son, Ahmad took over authority. The period in between cannot be classified clearly for it was in fact a time of difficulties and troubles, internally and externally. However al-Mansūr was partly but not directly responsible for what had

(24) Al-Kibṣī, al-Iatā'if, 373-4.

the
happened and for economic and social upheaval caused by
events and instability at the end of his reign. We shall
examine below from beginning to end al-Mansūr's era which
lasted thirty-four years, six years more than his father.

4. The early days of al-Mansūr.

On Thursday 19 Rajab 1189/7 September 1775 ^CAlī Ibn
al-Mahdī ^CAbbās, after he had buried his father, received
the oath of allegiance (bay^Cah) from all the people (al-
khass wa-'l-^Cāmm) in the dome (qubbah) of his father in
Bustān al-Sultān. He styled himself al-Mansūr. He then
went up to the Qasr of San^Cā' where an audience with the
eminent people (akābir) took place. They came from all
quarters of the country both to congratulate and to present
their condolences to him and that continued for many days.
Poets and literary figures praised and immortalized the
occasion. Among them were Qādī Ismā^Cīl al-Khatīb of
Qa^Ctabah, Sādiq b. Muḥammad b. Zayd, Aḥmad Ḥasan Barakāt,
al-Sayyid Ya^Cqūb b. Muḥammad b. Ishāq and his nephew, the
outstanding scholar, man of letters and politician, Sayyid

^cAlī b. Ahmad Ishāq (1150-1220/1738-1805) and others. (25)

The latter was to rebel against al-Mansūr a few years later. (26)

a) Al-Sahūlī, the chief qādī

The first decision al-Mansūr took in his first day was to reappoint the great ʿālim, faqīh, littérateur and politician Qādī Yahyā b. Sālīh al-Sahūlī (1134-1209/1722-1795) as his chief qādī (qādī 'l-quḍāh). (27) This was the position al-Sahūlī had occupied in al-Mahdī's reign until he was imprisoned for three years and his property confiscated in 1172/1758. The new appointment was a sympathetic gesture towards a respected qādī and an outstanding statesman. The appointment met with general approval. Al-Sahūlī held this high post until his death in 1209/1795 and was succeeded by the subject of this study, al-Shawkānī. (28)

(25) Jahhāf, 5-6; Zabārah, Nashr, II, 900.

(26) al-Badr, I, 427; Zabārah, Mayl, II, 120-3; see below p. 61-71.

(27) al-Shawkānī, al-Badr, I, 461.

(28) al-Badr, II, 333-7; see also Jahhāf, 343; al-Hūthī, Nafahāt, Appendix III below; al-Hajrī, Masāhid, 53-8; Zabārah, Mayl, II, 324-31.

b) The new mint and commander of the army

On 1 Sha^cbān 1189/12 September 1775 al-Mansūr ordered the mint to be reopened. On Friday nineteen coins were minted in his name. People were ordered to use the new currency instead of that of al-Mahdī called al-Mahdawiyyah. Horses were also branded in the whole of the Yemen in al-Mansūr's name. (29)

In the same month, on 17 Sha^cbān, al-Mansūr appointed his brother, Qāsim, governor of San^cā' and al-Janād, as well as commander of the army (amīr al-ajnād), the same position which ^cAlī himself had occupied up to the death of his father. It was only for a very brief period however that Qāsim became the second man in the state. It was not long before he was replaced by al-Mansūr's son, Ahmad, a man of considerable ability and action. (30)

(29) Jannah, 6.

(30) Ibid. 6; Shawkānī, al-Badr, 461.

5. The "slave-princes"

It is worthy of note that al-Mahdī^c Abbās and his successors employed many of their own slaves, originally Abyssinians, as generals and commanders of their troops, sometimes even as governors. They gave each one title of amir al-iund.⁽³¹⁾ We believe that the reason behind this was the ease with which their masters could employ and dismiss them. Moreover they had no tribal or partisan links. In these early days of al-Manṣūr, he did not change his father's commanders (umārā' al-ajnād), who were Emir Fayrūz (d. 1202/1788) and Naqīb Rayhān. When they both died, they were replaced by other slaves, Emir Surūr and Naqīb Jawhar, but only for a short time.⁽³²⁾

On the other hand, Emir Sa^cd was dismissed from the governorship of Hodeida. He had been the slave of Yahyā al-^cUlufī and his assistant in many positions. After his master's death, al-Mahdī appointed him in Raymah and other places in Tihāmah. He was brave, rich and generous, but

(31) We know of many of these slaves. Their function and role is a subject of study by the present writer who feels that there is no need at present to give more details concerning them.

(32) al-Badr, II, 461.

he was of doubtful reputation. He was accused of mixing majoon (ma^cjūn) (33) and beverages (mashrūbāt) and using in his service beautiful young slaves in the presence of his guests. He was also accused of corruption. Al-Mahdī dismissed him and after investigations his property was confiscated. However he was reappointed in Raymah and Hodeida. He died shortly after his dismissal, four months after al-Mansūr's elevation to the imamate. (34)

6. The old and new ministers.

Al-Mansūr kept some of his father's ministers and appointed or changed others. Among those retained was the famous old wazīr, al-Sayyid ^cAlī b. Yahyā al-Shāmī. He remained in his post till his death in 1197/1783. He was the one who advised al-Mansūr to turn his attention to the previously unknown Faqīh Hasan b. ^cUthmān al-^cUlufī

(33) "Confection made of hemp leaves, henbane, fatura seeds, poppy seeds, honey and ghee, producing effects similar to those of hashish and opium." cf. Wehr, Dictionary, ^c-j-n.

(34) Tahhāf, 13-7; Mayl, II, 137.

who was to be a minister after al-Shāmī's death in 1197/1783 and at that time to play an unpopular role, together with his son, Ḥasan b. Ḥasan and his family, in al-Manṣūr's administration. (35)

a) Ḥusayn b. Zayd al-Mihṛabī

From the old administration of his father there were at least three ministers who continued for a few years after which al-Manṣūr treated them harshly on the pretext that he was thereby serving the public good. The first of these was al-Sayyid Ḥusayn b. Zayd al-Mihṛabī (1152-1232/1703-1817). After two years al-Manṣūr confiscated his property and imprisoned him. The victim tried to commit suicide. Jahhāf, as the official historian, gave five reasons for his misfortune, as follows. The inhabitants of San^Cā' had complained of his unjust taxes, so they prayed that God would help them to be rid of him. He was in disagreement with the influential wazīr al-Akwa^C, behaved presumptuously towards al-Manṣūr's court and showed disrespect for the presence of the imam himself. Moreover, al-Mihṛabī was hostile to Emir Qāsim al-Nahdī, brother of

(35) Jahhāf, 126-7; Zabārah, Ḍhayl al-Raḍr al-Talī^C, II, 182.

the imam. Hence his properties were confiscated and he was imprisoned. The slave-prince, Fayrūz, was made responsible for the execution of the imam's orders. (36)

b) Qādī^c Alī b. Hasan al-Akwa^c

The second case is that of Qādī^c Alī b. Hasan al-Akwa^c who was one of al-Mahdī's famous ministers and was responsible for tribal affairs. It was an important position and he was well experienced in it. He continued for five years in al-Mansūr's service. It appears that al-Akwa^c was an extreme Shī'ī and a proud man, who had many enemies and critics. Jahhāf repeated those same accusations levelled against al-Mihribābī, adding that al-Akwa^c had no control over Bakīl. Al-Mansūr on this occasion acted in a particularly cruel way. He decided to inflict punishment on al-Akwa^c after showing him a great deal of respect over a period of several days. On the first Friday in Ramadān 1193/July 1779, he sent al-Akwa^c one of his finest horses and after prayers he ordered him to be provided with a horse even more magnificent than his own. The people were astonished and thought that al-Akwa^c had be-

(36) Jahhāf, 27-8; Zabārah, Mayl, I, 279.

come more important than the imam himself. (37) On Saturday morning he ordered him to be tortured and imprisoned with all his family, relatives and supporters and confiscated some of their property. He ordered the slave-prince, Surūr, to stay with them until they had settled the amount due, sixty thousand qirsh from Qādī al-Akwa^C himself and forty thousand from all his family. They were charged with the daily payment of fifty qirsh which was to be paid to Surūr. They were imprisoned for two months. Among them was the ʿālim and faqīh ʿAbd al-Rahmān b. Ḥasan al-Akwa^C (1137-1207/1723-92), brother of Qādī ʿAlī, who was a famous Zaydī teacher in the Great Mosque, and was one of al-Shawkānī's shaykhs. Although he had no connection with state affairs he was nevertheless imprisoned. Surely al-Mansūr acted with great tyranny when he went so far as to imprison the students and friends of ʿAbd al-Rahmān al-Akwa^C who came to intercede with the imam in order to secure a pardon ~~a pardon~~ for al-Akwa^C. Al-Mansūr did not release them until each suppliant guaranteed that he would not come

(37) Tahhāf, 71.

back to petition him further. (38)

When al-Akwa^c was released after a year he was not involved again with the imam, as was the first one to fall from grace, al-Mihṛābī. Al-Akwa^c left the Yemen with his son Husayn for Mecca on the pilgrimage and after his return he retired to a life occupied solely by scholarship and religious works until his death in 1203/1788. (39)

c) Faqīh ^cAlī b. Hasan al-Jirāfī

The last case is that of the faqīh and wazīr ^cAlī b. Husayn al-Jirāfī who was responsible for the taxes and treasury of the Lower Yemen. The first position he held was in 1173/1759 in al-Mahdī's reign. He showed a high standard of professional capability. He continued with al-Mansūr who confiscated his property many times on the advice of some of al-Jirāfī's enemies, particularly on that of Qādī Ahmad Muḥammad Qāṭin (d. 1199/1785), (40) the last occasion being in Sha^cbān 1197/1783 when al-Mansūr

(38) Jahhāf, 71; al-Shawkānī, al-Badr, I, 335; Zabārah, Nayl, II, 26.

(39) Jahhāf, 124, 171-2.

(40) al-Badr, I, 114.

sent Faqīh Sa^cīd b. ^cAlī al-Qarawānī ⁽⁴¹⁾ to confiscate his property in the Lower Yemen. Then it became a part of al-Mansūr's own private property. From then on he refused all employment in government service and avoided state affairs (wa-tajannaba amr al-dawlah) till his death in 1210/1795. ⁽⁴²⁾

7. Shaykhs and personal friends as ministers

Among the new ministers of al-Mansūr were two with whom he was on friendly as well as official terms. We shall mention them briefly in this survey, not only to complete the picture of al-Mansūr's administration and behaviour, but also to show what kind of people they were and what their social origins and attitudes were.

(41) Faqīh Sa^cīd al-Qarawānī (1141-1204/1729-89) was an adīb and poet, companion of wazīr Ahmad al-Nihmī and close friend of Qādī Qātin. He was employed by Imam al-Mahdī. Jahhāf, 177-81; al-Shawkānī, al-Badr, I, 263; Zabārah, Nayl, II, 6-8.

(42) Jahhāf, 252-53; Zabārah, Nayl, II, 131, erroneously 1206/1791.

a) Muhammad b. Ahmad Khalīl (1160-1220/1747-1805)

The first was Muhammad b. Ahmad Khalīl al-Hamdānī, who was a shaykh of Hamdān. He was one of the very few Yemeni tribal shaykhs to be well educated and to occupy a ministerial position in the government. Actually, there were other shaykhs who held positions outside their traditional ones as leaders of their tribes. These held official civil posts in the government as well as military ones and men like al-Bilaylī of Bal-Hārith, al-Dul^{cī} of ^cIyāl Sirayh, Sharyān of Dhū Ghaylān and al-Shaqqāqī of al-Haymah. They were however exceptions, as was Khalīl. He was an adīb, poet and politician. (43) He had good relations with al-Mansūr prior to the latter's elevation to the imamate and in 1194/1780 he was appointed as minister and was responsible for tribal affairs. He also succeeded Qādī Hasan al-Husūsah in the function of what appears to have been chamberlain (wisālat al-bāb). (44)

(43) Al-^cAmrī, Dīwān al-Shawkānī, 80.

(44) Jahhāf, 73; al-Shawkānī, al-Badr, II, 124.

He is described as big, forceful, handsome and white. He carried out his duties successfully for sixteen years until 1211/1796 when the minister Hasan al-^CUlufī al-Umawī accused him falsely of embezzling state funds. Al-^CUlufī persuaded al-Manṣūr to imprison him and ^{impound} his houses in al-Rawḍah, al-Wādī and Bi'r al-^CAzab were confiscated. Only his house in San^Cā' was left to him. Al-^CUlufī gave him no chance to contact al-Manṣūr. So, even after his imprisonment, he was placed under house arrest for a long time. (45)

b) Ahmad b. Ismā^Cīl Fāyī^C (d. 1219/1804)

Sayyid Fāyī^C was the second minister who was also a friend of al-Manṣūr. He was born and educated in San^Cā'. Jāhhāf insists, with his usual tendency to label those whose biographies he writes, that he was Hāshimī from the

(45) Al-Shawkānī, al-Badr, II, 126; Jāhhāf, 250-60, 406; Zabārah, Nayl, II, 219-21.

Hijaz by origin. (46) He also for example calls al-^CUlufī and his family Umayyads, saying that they were related to the famous caliph, ^CAbd al-Mālik b. Marwān (d. 86/705) and were therefore not Yemenis! Fāyī^C was a man of letters, a Humaynī poet, a generous and amiable character. He was the closest and most favoured friend of al-Manṣūr who used to visit him in his houses and sometimes stay as his guest for many days. On one occasion in 1217/1802 al-Manṣūr and his family stayed with him in one of his well-known houses east of San^Cā' for sixteen days. When al-Manṣūr left his host's house for Bi'r al-^CAzab, the western area of San^Cā',

(46) Jahhāf, 366. In the biography of Muḥsin a. Muḥammad Fāyī^C, uncle of Aḥmad, who died in 1194/1780, Jahhāf says that Muḥsin's father came to Yemen for the first time from the Hijaz asking for alms in order to live and support his family. He was poor until employed by al-Mahdī Muḥammad Ibn al-Mahdī Aḥmad (d. 1130/1718), lord of al-Mawāhib. His son Ismā^Cīl, father of our present subject, Aḥmad, was a minister and an eminent person till his death in the time of al-Mahdī ^CAbbās in 1195/1771 (Jahhāf, 104-5). See also Zabārah, Dhayl al-Badr, II, 163; in his Dayl al-Husnayayn, 168, he says that Fāyī^C came originally from Sa^Cdah, not from the Hijaz.

cannons were fired in salute and a special poem was composed by the famous poet Qāḍī ^CAbd al-Bahmān al-Ānīsī (1168-1250/1755-1834) to mark the occasion! (47)

Because of this special relationship between himself and the imam, it was difficult for Fāyī^C's opponents and critics to persuade al-Mansūr to dismiss him or change his position. On occasions, however, they partly succeeded in limiting his authority, for example when al-Mansūr relieved him of his responsibility for Hodeida in 1194/1780 and Harāz in 1206/1791. (48) Nevertheless Fāyī^C lived in prosperity and luxury, holding his position until his death five years before his imam. But not long after his death, his family was in need and the vicissitudes of fate brought upon them great hardships. (49)

(47) Jahhāf, 326; Zabārah, Nayl, I, 71-4.

(48) Jahhāf, 329, 368; Zabārah, Nayl, I, 73.

(49) Jahhāf, 368.

8. Punishment of slaves

We have seen how al-Mansūr dealt with some of his ministers. The punishment meted out by him to the slave-emirs was more severe than to others. In the same month as the confiscation of al-Jirāfī's property in Lower Yemen, al-Mansūr tortured one of his own father's slave-emirs, ^cAnbar al-Mahdī, ordering him to be brought under the window of Dār al-Futūh, stripped of his clothes and lashed. (50) Al-Mansūr went to excess in his punishment of ^cAnbar. He imprisoned him in the fuel-area (millah) (51) of a public bath where he remained for a whole month. The reason for this punishment was that al-Mansūr asked ^cAnbar to share with him what he had taken from the people of al-^cUḡayn. When he refused al-Mansūr took him out of

(50) Jahhāf, 124.

(51) A large underground area where the fuel used to heat public bath water is stored. It should be pointed out that most of the fuel used in San^{cā}' public baths is human excreta collected from the lavatories of the city houses. Cf. Serjeant and Lewcock, San^{cā}', 546b.

the fuel-area and put him in prison. (52)

It is clear that al-Mansūr began to take every opportunity to confiscate money as a punishment in order to finance his own penchant for building palaces and fine luxurious houses and for marrying frequently as we shall see below.

9. Palaces and weddings

Even though al-Mansūr already had houses in San^Cā' and Bi'r al-^CAzab, he started in 1196/1782 to build Dār al-Is^Cād in the Tawāshī quarter of the city. He bought all the houses around it and demolished them. In the same year he took another wife, the daughter of Ṭaḡīh ^CAbdullāh b. Haran al-Akwa^C, governor of Mocha, with a ceremony of great pomp and extravagance. (53) She died in

(52) Jāhhāf, 124. The story would seem to be unlikely. Would the imam really offer to share such monies with his slave in the first place? If so, could the slave then refuse?

(53) Jāhhāf, 104-5

the middle of Rajab 1200/1786. The following year he married the daughter of ^CAlī Zabībah, the Hāshimī. At these wedding festivities there was even more pomp than at the previous one. Al-Manṣūr invited his soldiers and the eminent people of San^Cā' to the banquet. He set up a pavilion for forty days. It is strange that less than two months later he married again, this time the daughter of Shaykh Muḥsin b. Zayd b. Rājih al-Khawlānī. He invited only the chiefs of Hāshim and Bakīl. It might have been a political marriage, but in any case it appears that it was unsuccessful, since al-Manṣūr divorced the daughter of al-Khawlānī and, still in the same year, 1201/1787, married the daughter of a certain Rājih of Dhū Jiblah. The ceremony was in the palace of his son, Ahmad, in Bi'r al-^CAzab, as the second one had been in the palace of his brother, Qāsim. (54) During the same year, al-Manṣūr also bought the houses around another new palace, Dār al-Futūḥ,

(54) Jahhāf, 152-3.

and demolished them to widen the east road of the Dāwud Mosque.⁽⁵⁵⁾ It is noteworthy that his son Tayf al-Islām Ahmad was following in his father's footsteps. Or perhaps there was competition between the two. Ahmad built Dār al-Dhahab and moved out of his old home in Bi'r al-^cAzab in 1200/1786. He invited his father and his uncle Muḥammad and their followers on this occasion. His father stayed with him for three days.

Again in 1200/1786 Ahmad married, albeit quietly, the daughter of Muḥammad b. Ḥasan al-Aḥjarī. This was less than a year after his marriage to the daughter of Qādī ^cAlī b. Yahyā Ḥanash (1155-1224/1742-1809) which had been a sumptuous wedding feast.⁽⁵⁶⁾

(55) Jāhhāf, 152.

(56) Jāhhāf, 148, 151.

10. Administrative system and monetary affairs

The imam was an absolute ruler.⁽⁵⁷⁾ He appointed and dismissed all ministers and judges. His power and control

(57) In order to be eligible for the office of imamate the candidate was required to possess the following fourteen qualifications, according to the Sayfī madhhab: he must be adult (mukallaf), male, free, a descendant of Imam ^cAlī and his wife Fāṭimah, (even if he be the son of a freed slave-woman, (wa-law ^catīqan)), of sound mind (salīl al-hawāss) and limb, mujtahid, qualified to formulate a legal opinion, just, generous..., competent (as a ruler), most of his independent judgement bringing success, courageous without being foolhardy (miqdām), none before him having been generally accepted as imam. The path of the imamate is da^cwah and there cannot be two imams...These excellent, high qualifications sometimes worked in reality, but not always, especially in the era in question and later. See al-Murtadā, al-Azhār, 313-5, al-Bahr al-Zakḥkhār, VI, 371-92; al-Qāsim b. Muḥammad, al-Asās, 160; al-Maqbalī, al-Manār, II, ff.190-4; al-Shawkānī, al-Sayl al-jarrār, II, F. 250; cf. Ibn Khaldūn, al-Muqaddimah, I, 344-64; for imāmah, da^cwah and bay^cah see EI² and its bibliographies.

over them usually depended on his personality and strength of character. The imam used not to interfere in judicial affairs (ahkām al-shar^cīah). The official responsible for the latter was the chief qādī (qādī 'l-quḍāh), the first of whom, during the period under discussion, was Qādī al-Sahulī and later Qādī al-Shawkānī. We shall return to judicial affairs in chapter V below.

The authority of the various ministers was diverse and their jurisdiction extended over certain districts whose governors came directly under their instructions. For example, the wazīr Fāyī^c was responsible for Hodeida, al-Haymah and occasionally for Lower Yemen (al-Yaman al-asfal). The minister would have under his control within his area a number of governors (āmīl or wālī). One minister was responsible for waqf, (nādir or āmīl), as well as for tribal affairs or public works. Some ministers were guilty of exploitation and nepotism. Some, on the other hand, were honest and of good reputation.

We know from Jahhāf that the coastal districts (banādīr Tihamah) for instance used to spend monthly sums of money from the taxes and from commerce to the treasury (bayt al-mal) in Saṇā' in order to keep a reserve for times of

need. (58) Hodeida used to send three thousand riyāls monthly. When the minister Fāyī^c in 1196/1782 ordered Emir Rizq Allāh, governor of Hodeida, to increase the customary sum, the latter wrote directly to al-Mansūr who deprived Fāyī^c of his responsibility for Hodeida. (59) Mocha was the largest district in Yemen (60) and an important source of funds for the treasury. Its governor was always an important and capable person, e.g. ^cAlī al-^cAmmārī⁽⁶¹⁾ and Sayyid Ibrāhīm al-Irmūzī.⁽⁶²⁾ The wazīr,

(58) Jāhhāf, 108; Zabārah, Mayl, I, 73.

(59) Jāhhāf, 108.

(60) al-Shawkānī, al-Badr, I, 447.

(61) ^cAlī b. Sālīh al-^cAmmārī (1149-1213/1736-98) was an ālīm, poet, man of letters, a man of wide knowledge. He worked under al-Mahdī and al-Mansūr for a long time. After his governorship of Raymah and Mocha and other areas, he became the private designer of al-Mansūr's buildings, being particularly interested in architecture. In addition to the many houses in San^cā' and Bi'r al-^cAzab for whose design he was responsible, he built the famous Dār al-Hajar of Wadi Dahr which remains in a good condition to this day. (Jāhhāf, 126, 285-91; al-Shawkānī, al-Badr, I, 447-56; Zabārah, Mayl, II, 136-9); Ghānī, Shi'r al-ghinā, 273, 372.

(62) He was the descendant of the historian 'Utahhar b. Muḥammad b. Aḥmad al-Irmūzī (1003-77/1595-1667), the niḥab being from the B. Irmūz villages of Bal-Hārith, north of San^cā'.

who had more influence, was almost invariably in charge of Mokha.

Al-Jurmūzī was appointed governor in Raymah in 1192/1778. He showed there his great qualities, both as administrator and as human being, for he had arrived at a difficult time of extreme drought when the peasants had neglected their lands and migrated. He asked the minister of Tihāmah, ^CAlī al-Shāmī, to lend him thirteen thousand riyāls. He then bought three hundred oxen and distributed them to the farmers and granted them loans. In the next year 1193/1779 he sent back to al-Shāmī seventy-three thousand riyāls. His achievements and his governorship were talked of far and wide in the Yemen. (63) Al-Jurmūzī, after that, was appointed governor in Mocha in 1196/1782. When Hasan al-^CUlufī succeeded al-Shāmī as minister, however, he treacherously dismissed al-Jurmūzī in 1198/1784. Al-Jurmūzī came to San^Cā' and presented his accounts. They were for a total of three hundred and eighty seven thousand riyāls for the period of his governorship. He

(63) Jāhhāf, 63.

gave al-Mansūr precious gifts, including twelve stallions with gilded caparisons and a fine umbrella which took the name al-Jurruziyyah after him. ⁽⁶⁴⁾ This illustrates the willingness of al-Mansūr to accept gifts from his officials.

(64) Jahhāf, 62, 69, 118, 127-8; Zabārah, Nayl, I, 16-7.

CHAPTER THREE

Internal upheaval and external events

"Injustice ruins civilization. The ruin...has as its consequence the complete destruction of the dynasty /dawlah/.

...Injustice should not be understood to imply only the confiscation of money or other property from the owners, without compensation and without cause. It is commonly understood in that way, but it is something more general than that..."

Ibn Khaldūn

"I send to the noble Dir^Ciyah, telling her what her soldiers have done..."

If worthy advice comes from a man of truth,

O Sa^Cūd, aid me in this!

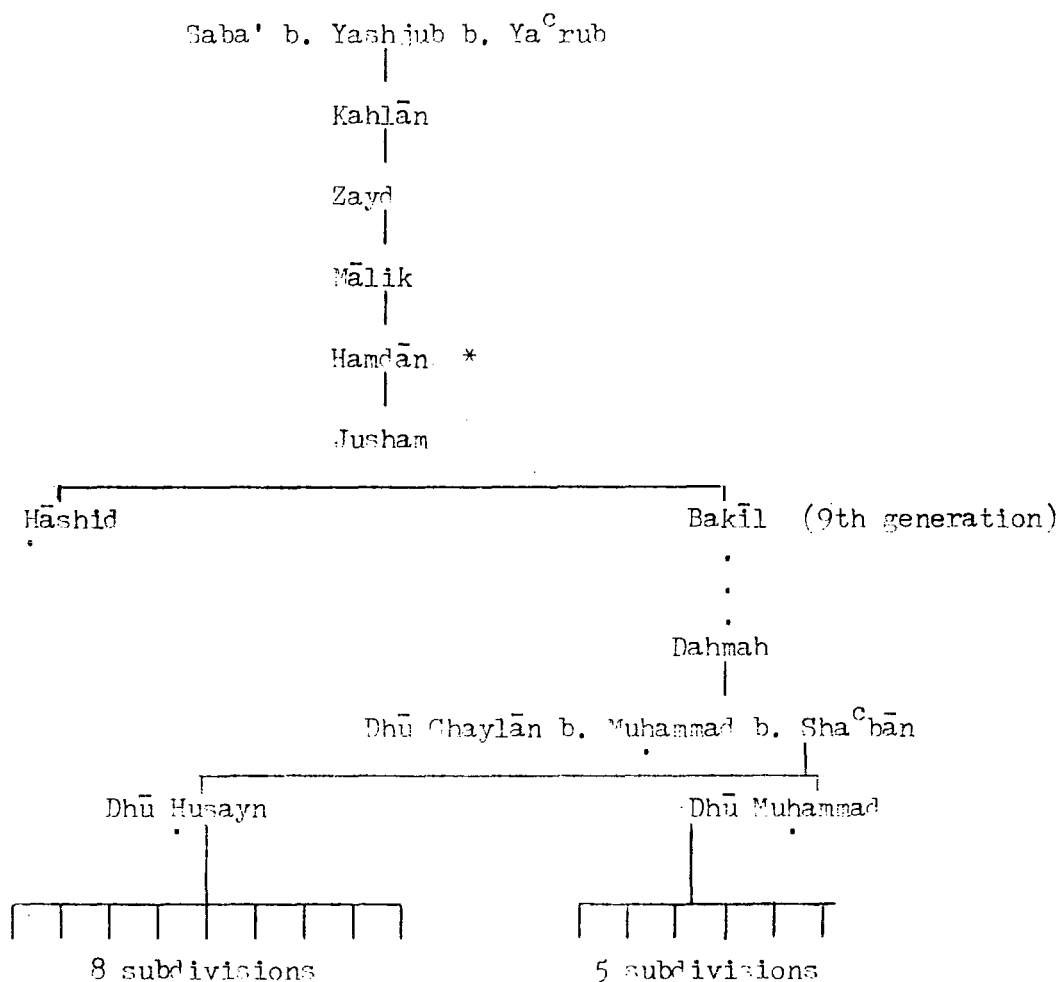
Al-Shawkānī

إِلَى الدَّرْعِيَّةِ الْغَرَاءِ تَسْرِي فَتُخْبِرُهَا بِمَا فَعَلَ الْجُنُودُ
وَتَصْرُخُ فِي رَبِّهَا نَجْدٍ جَهَاراً فَيَسْمَعُهَا إِذَا صَرَخَتْ سُودُ

1. The aggressive and rebellious behaviour of the tribes

One of the oldest problems which had to be faced by the central authority in the Yemen was the disobedience of the tribes and their attacks on and plundering of settlements.

The tribes of Bakīl were more troublesome than others. Their confederation consisted of Sufyān, Arḥab, Bal-Hārith, B. Ḥushaysh, Sanḥān, ^CIyāl Sirayh, Mihn, Jabāl ^CIyāl Yazīr, Dhū Muḥammad, Dhū Ḥusayn and others. Their lineage is as follows:



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- * The name of Hamdān b. Mālik b. Zayd, the ancestor of the two large tribes, Hāshid and Bakīl, has now become that of Hamdān of Hāshid, a small tribe living about ten miles north-west of San^Cā'; see al-Hamdānī al-Iklīl, II, 103, 381; X, 7 (who says: "There is no Hamdān, but only Hamdān b. Mālik b. Zayd". Ibn al-Kalbī, al-Anṣāb, (Ma'ab Hamdān, Table 227); Naḥwān al-Himyārī, Sham, 3; al-San'ānī, al-Anṣāb, II, 278-9; al-Uṣṣāfī, al-Muqtataf, 182; al-Akwa^C, al-Yaman, 112; and cf. Stookey, Yemen, 81, who partly misunderstood the tribal divisions.

The last two tribal groups have always lived in Jabal Barat in the far north-east of the Yemen. Al-Hamdānī (280-344/893-955) describes them as strong and quick to defend their clients. He also said that they were called Quraysh Hamdān. ⁽¹⁾ Al-Shawkānī describes them too, as we have mentioned above, as "those of valour", ⁽²⁾ although on another occasion he classifies them as dissidents. He goes on to inform us that they do not pray or read and states "...even if there is anyone of them [who can read], he would not read correctly..." Instead of the Sharī'ah they submit to the customary laws of their predecessors (ahkām al-tāghūt). Moreover, al-Shawkānī adds the majority of them allowed the spilling of Muslim blood and the seizure of their properties. ⁽³⁾ Before al-Shawkānī, Ibn al-Amīr had already described in one of his poems the tribes of the Barat region as terrorists. In another, he says that during the sixty years of his life Dhū Hurayn had continuously acted in a shameful and disgraceful manner. ⁽⁴⁾

(1) Al-Hamdānī, Ṭīfat, 351; al-Iklīl, I, 28-50.

(2) Al-Shawkānī, al-Baṣīṭ, I, 459, and see above p. 28-9.

(3) Al-Shawkānī, al-Dawā' al-ʿāṣil, 11-2.

(4) Ibn al-Amīr, Dīwān, 42; cf. Zabārah, A'īnat al-Yaman, I, 25; Wakāʾir, II, 213.

The government of Ṣan^Cā' used to deal with tribal attacks either by force, (sometimes using one tribe against another) or, avoiding conflict, by handing over sums of money. If the government were to stop or decrease the sum in question, then attacks on the towns held by the government would follow. Yām of Ḥāshid and Khawlān were among the other tribes who participated in the long series of disturbances.

2. The beginning of the troubles

In 1192/1778 Dhū Muḥammad, led by Āl-Juzaylān, left their territory for Miḥān. Sayyid Muṭayn al-Shir^Cī, the governor, with a few people of Ḥāshid, was advised by some of his aids to conciliate Dhū Muḥammad by handing over to them three thousand riyāls, three horses and three pieces of cloth. Al-Manṣūr agreed, but decided not to give Dhū Muḥammad their annual sums of money that year. They returned home. (5) It was not long before Dhū Muḥammad came down to Ṣan^Cā', in Sha^Cbān 1192/1778. But when they failed to achieve what they wanted there, they went to

(5) Jahhāf, 61.

Tihāmah. On the long road between al-Haymah, Raymah and Harāz they killed and plundered wherever they went. They followed the same practice in the area of Bayt al-Faqīh and al-Zaydiyyah. From there they directed themselves to Wadi Mawr with the object of joining their rebellious brothers who had already arrived under the leadership of Sayyid Husayn b. ^cAlī b. Qāsim of Sa^cdah. The reason for the Sayyid's rebellion was greed. He had written to al-Mansūr and his minister asking for an increase in the sums previously paid by custom to himself and his family. When his request was refused, however, he openly rebelled against the imam and went down to Tihāmah.⁽⁶⁾ He led a group of various tribes including Dhū Muhammad, B. Suraym, Khuraym under the leadership of Ibn Nāshir, al-^cUsaymāt and Sahār. The governor of Hajjah, Sayyid Yahyā b. Muhsin b. ^cAlī b. al-Mutawakkil ⁽⁷⁾ led a small army and attacked them by surprise in Mawr. Eventually by clever tactics he defeated them and their leader, Sayyid Husayn, returned

(6) Jahhaf, 61.

(7) Yahyā b. Muhsin al-Mutawakkil (d. 1221/1806) was a brave leader. He achieved fame by leading his men against numerous rebellions. He died in Zabīd, poisoned, with his son, ^cAlī. Cf. Jahhāf, 166, 411-3; Zabārah, Nayl, II, 398-9.

with his followers to a disappointed Saḥār.⁽⁸⁾ On the other hand, in the same year, 1192/1778, ^cAlī b. Rājih al-Khawlānī persuaded Khawlān to follow him, promising them wealth and glory. He led a large army of Khawlān and attacked the territory of Ānis, plundering travellers on his way. Al-Mansūr sent Emir Fayrūz at the head of his troops, who dispersed them and pushed them back into the plain of Jahrān about fifty miles south of Saṇ^cā'.⁽⁹⁾

3. The battle of Umm Sarjayn

In 1193/1779 news reached Saṇ^cā' that the former rebel, Husayn b. ^cAlī b. Qāsim of Sa^cdah, had again taken up the leadership of a group of thirteen hundred men from Dhū Muḥammad. They declared their rebellion against Saṇ^cā' and left Baraṭ on their way there. Al-Mansūr ordered Hamdān to prevent them from crossing their territories north of Saṇ^cā'. The two sides met in battle at a place known as Umm Sarjayn. Dhū Muḥammad were defeated some of them killed. Then they changed their direction

(8) Jahhāf, 61.

(9) Jahhāf, 61.

towards Jabal Ḥadūr west of San^{Cā}'. Al-Mansūr summoned Emir ^CAbbās b. Ismā^Cīl b. Muḥsin b. al-Mutawakkil, (10) governor of al-Ghirās about twenty miles north-east of San^{Cā}'. He came at the head of five hundred men from Nihm and five hundred from Arhab. In Baw^Can, west of San^{Cā}', he led his troops into battle and defeated the rebels, although he was initially losing the battle and was himself captured.

4. The rebellion of Ibn Ishāq

Five years after giving his oath of allegiance in the early days of al-Mansūr, as we have stated above, Sayyid ^CAlī b. Ahmad b. Ishāq, who was an eminent figure and the head of Āl Ishāq, left San^{Cā}' in an angry mood in Rajab 1194/1761 for the strong tribe of Arhab after he had already made secret contact with them and others. From there Ibn Ishāq declared the imamate of al-Mansūr null and

(10) ^CAbbās al-Mutawakkil (1135-1219/1722-1804) was a second cousin of Yahyā al-Mutawakkil, previously mentioned, of Ḥajjah. Both of them were leaders in many battles and occupied the position of ^Camil in different places in the time of al-Mahdī and his son al-Mansūr. Cf. Jahhāf, 166, 359, 411-3; Zabārah, Ḥayl, II, 17-3.

void, claiming the office for himself. His attitude in this connection left behind him in San^Cā, a serious political situation.⁽¹¹⁾ Although Jahhāf, as well as Shawkānī, recognised the importance and abilities of Ibn Ishāq, Jahhāf alone gives the impression that he rebelled motivated by personal reasons, not because of al-Mansūr's behaviour which would necessitate his rebellion, that of a Zaydī ālīm against the unjust imam. He said that Ibn Ishāq was angry with the minister, Alī b. Yahyā al-Shāmī, who was not just in dealing with his dispute with the emir-slave, Ziyād al-Habashī, governor of Hays, over the question of the high taxes raised on the properties in Hays of Ibn Ishāq's agent. Ibn Ishāq used as intermediaries such important men as Qādī al-Sahūlī, Alī b. Yahyā al-Mutawakkil and others, but without achieving any result. He referred his case personally to al-Mansūr who, however, returned it to the administrative office (dīwān).⁽¹²⁾ However, Ibn Ishāq settled in Shi^Cb, a small town in Arhab, and camped

(11) Al-Shawkānī, al-Badr, I, 427; Jahhāf, 76.

(12) This office was in operation until 1962. For the word dīwān, cf. Ibn Khaldūn, II, 21-32, a description which accords well with the Yemeni context.

there. He was followed by some of his family, Al Ishāq, and a few other important figures including his uncle, Ya^cqūb b. Muhammad who died in the following year, 1195/1781, in his nephew's camp in B. Jurmūz. (13)

Al-Mansūr prepared an army under the command of Emir Surūr and Sayyid ^cAbbās b. Ismā^cīl al-Mutawakkil mentioned above, and Āl Khalīl of Hamdān. The army left San^cā' in Ramadān two months after his rebellion and the territories of al-Jahiliyyah were brought under its control. In B. Jurmūz, an area and village in the frontier region of Bal-Hārith, there were clashes between the two sides, but without any result.

Emir Ziyād of Hays assured al-Mansūr that he could seize Ibn Ishāq, who was his enemy. So he also left San^cā' for al-Rawdah, a few miles to the north, on his way to the battle-field, but he soon returned to San^cā'. When Ibn Ishāq knew that Ziyād was coming, he swore an oath to kill him, if he left San^cā'. He is said to have declared ambiguo-

(13) Jahhāf, 101; al-Hūthī, Nafahāt, III, 449; Zabārah, Nashr, II, 900.

ously:

"Wa-llāhi law faraqahā la-faraqahā'!"

"Indeed, if he were to leave it [i.e. San^Ca']
He would leave it [i.e. this life]!" (14)

At the same time certain Khawlānīs left San^Cā'. They attacked and plundered a merchant caravan south of San^Cā' but then later they themselves were attacked in the Sanhān and Asnāf areas. The Khawlānīs were glad to return safe and sound, although empty-handed.

In Ramadān 1194/1780 the same Khawlānīs returned under the pretence that al-Mansūr had stopped their customary stipends. They cut roads and attacked Ānis territory. For this reason al-Mansūr summoned Emir Ziyād from al-Rawdah. Instead of asking him to join the army fighting Ibn Ishāq, al-Mansūr sent him at the head of troops to fight the Khawlānīs. The tribes were afraid of Ziyād and his troops, since he was known as a brave and courageous man, and they fled. Ziyād pursued them with only ten of his men to al-Sharazah. There he was killed together with

(14) Jahhāf, 76-7.

his brother-in-law, Ibn Bīqrāt and another slave. When the rest of Ziyād's men arrived, they captured some of the Khawlānīs and brought them down to the imam in San^Cā'. He asked Qādī Yahyā al-Sahūlī for his formal legal opinion (fatwā) and ordered that their heads be cut off. They were thirty in all, including Shaykh Muhammad b. Husayn al-Fahdī who was at that time in San^Cā' and in fact absent from the battle. He was brought from the Great Mosque and, together with the thirty, was put to death and all their heads were displayed on the Bāb al-Yaman. (15)

Six months or more passed without any decisive outcome between al-Mansūr's army and Ibn Ishāq. Al-Mansūr therefore decided to make peace with him. He sent his chief qādī, Yahyā al-Sahūlī, his brother Emir Qāsim, Sayyid Ismā^Cīl b. Ibrāhīm b. al-Mahdī Muhammad (1165-1237/1781-1821) (16) and other eminent personalities, to negotiate his return to San^Cā'. Al-Mansūr accepted all Ibn Ishāq's demands. The latter asked for horses, slaves,

(15) Jahhāf, 77-8.

(16) He was a companion and disciple of al-Shawkānī. For his biography, cf. al-Shawkānī, al-Badr, I, 137; al-Shijnī, al-Tiqsār, ff. 118A; Zabārah, Nayl, I, 253; al-^CAmrī, Dīwān, 101.

money and a monthly stipend. He requested also to be accepted as a mediator, to become governor of Hays and Wusāb. Finally he asked to be allowed to remain some time where he was in Arhab. Al-Mansūr agreed and there was a temporary truce between them.⁽¹⁷⁾

Less than a year later in Shawwāl 1195/1781 the Barat of Bakīl came down to al-Rahabah about twenty miles north of San^cā'. They wrote threatening al-Mansūr. He asked them to remain where they were and gave them money and sustenance. They stayed for three months and during that time Sayyid ^cAlī Ibn Ishāq took the opportunity to go to them asking for their cooperation and for help to cross to Wusāb. Actually they used him against al-Mansūr. The latter was compelled to pay out more money to them in order to persuade their leaders to return home and abandon Ibn Ishāq. ⁽¹⁸⁾

(17) Jahhāf, 76-7; al-Shawkānī, al-Badr, I, 427; Zabārah, Nayl, II, 121.

(18) Jahhāf, 91.

5. The alliance between Ibn Ishāq and Qādī al-^CAnsī

However, the Baraṭ came back to al-Rahabah on Wednesday 17 Jumādā 1196/2 June 1782, this time under their rebel leader Qādī ^CAbdullāh b. Ḥasan al-^CAnsī al-Baraṭī. (19) He waited for five days accepting some money from al-Mansūr in order to bring about a reconciliation with him. After that however al-Mansūr neglected him and when Ibn Ishāq came down to meet Qādī al-^CAnsī al-Baraṭī the two of them agreed to attack San^Cā'. On the evening of Monday 22 Jumādā II 1196/7 June 1782 they left al-Rahabah in the north with their tribes for Haddah about five miles south-west of San^Cā'. When they passed by the western side of Qā^C al-Yahūd, the Jewish quarter, (20) they were shot at by the garrison. Then al-Mansūr decided to go out to fight them himself. He gathered his troops and a few men from various tribes and divided them into three groups, headed by Emir

(19) They were known also as al-^CUkām. The family was descended from the famous apostate of the time of the Riddah wars, al-Aswad al-^CAnsī, who came from the same area. The ^CAnsī family as a whole played a destructive role during the period under discussion.

(20) Now Qā^C Maydān al-^CUlufī after the officer Muhammad al-^CUlufī who tried to assassinate Imam Ahmad in Hodeida Hospital in 1381/1961.

Mirjān, Emir Rayhān and his son Ahmad who played a brave and important role in combatting the three divisions of Qādī al-^CAnsī and Ibn Ishāq in Haddah, San^Cā' and Bayt Sabatān. After a long day of fighting al-^CAnsī was defeated and fled to Jabal ^CAybān in the west where he was faced with al-Halīlī leading the tribes of Bilād al-Bustān. Then he turned south and fled with his companions to the Lower Yemen. Ibn Ishāq against his will was forced to continue to co-operate with al-^CAnsī. The result of the encounter was seventeen killed and many injured on al-^CAnsī's side, including his brother Qādī Muhammad b. Hasan al-^CAnsī who was carried from the battle-field and died in Qa^C Dhamār. On al-Mansūr's side his minister, ^CAbdullāh b. Ahmad al-Nihmī, Emir Nājī al-Mansūr, Emir Yāqūt al-Mahdī, Shaykh Muhammad b. Salāh Radmān, ^CAlī b. Fath Yahyā Surūr and two others were killed. (21)

Three years after that Ibn Ishāq decided to break off relations with his allies after two or three abortive attacks in the area of San^Cā' and in the Lower Yemen. Moreover, he was disgusted by the way in which the tribes

(21) Jahhāf, 106-7; al-Shawkānī, al-Badr, I, 427-8.

used to kill and dishonour women. (22)

From Ba^cdān in Rabī^c II 1199 / January 1785 Ibn Ishāq sent a message to the imam's minster, al-Hasan b. ^cAlī Hanash, through the governor of Yarīm Qādī Yahyā b. Muḥsin Hanash (d. 1132/1720) (23) telling al-Mansūr that he had decided to get rid of the rebels and their corruption. He asked permission to stay wherever al-Mansūr wished him to live, but not to come to San^cā'. (24) Al-Mansūr sent some of his men to verify Ibn Ishāq's sincerity. Eventually Ibn Ishāq left the camp of Qādī al-^cAnsī al-Baratī and joined a group of Khawlānīs who had already left him. Some tribal leaders (nugabā') (25) of Dhū Muḥammad, Dhū Humaydān, Dhū Husayn and of Khawlān also joined Ibn Ishāq. When al-^cAnsī realised at the last moment that they had abandoned him, he gave vent to his disappointment and exclaimed: "Something has been plotted at night!" (26)

(22) Al-Shawkānī, al-Badr, I, 428.

(23) His biography is in Zabārah, Nayl, I, 397; Jāhhāf has mentioned his achievements in settling disputes.

(24) Jāhhāf, 141; al-Shawkānī, al-Badr, I, 428.

(25) Sing. naqīb, tribal leader. In Bakīl especially the title is used instead of shaykh.

(26) Jāhhāf, 141; a well known Arabic proverb.

The governor of Yarīm sent all means of help to ^CAlī Ibn Ishāq and his followers and told him that al-Mansūr insisted he come to San^{Cā}' where he would be pleased to see him. After consulting with the leaders of the tribes Ibn Ishāq agreed to go. He remained three days in Yarīm on his way to San^{Cā}'. Al-Mansūr sent two of his own horses and pieces of cloth for him and his son, Ismā^{Cīl}. When he arrived in San^{Cā}' on Thursday 2 Rabī^C II 1199/1 January 1785, he was received by a crowd of people with great pomp. On the same day his brother ^CAbd al-Karīm b. Muhammad (1159-1225/1746-1810) was released from prison. Al-Mansūr received him kindly and generously. (27) From that time he frequented the ulema and udabā' and propagated the virtues of Imam ^CAlī b. Abī Tālib, since he was an extreme Shī^{Cī}.

In 1203/1788 Ibn Ishāq went to Mecca on the pilgrimage. There he read some fine poems of his own composition in praise of the Prophet Muhammad, reciting them at his tomb in Medina. After his return he retired to Rawdah to a life

(27) Al-Shawkānī, al-Badr, I, 428; al-Hūthī, Nafahāt al-^Canbar, II, 289.

of scholarship and poetry, writing exclusively on the merits of Imam ^cAlī b. Abī Tālib. He asked singers (munshidīn) to compose music to his words. He continued in this way of life until 1210/1795 when it happened that al-Mansūr visited al-Rawdah and met him there. After that day he left al-Rawdah for Haddah. It appears that he was not happy with the meeting with the imam and he had had contact again with his old allies. Al-Mansūr seized him and imprisoned him with his son Ismā^cīl in the Qasr of San^cā' until 1218/1803. There he wrote other poems of a general nature. Two years later he died in his home in San^cā'. (28)

6. Qādī al-^cAnsī and his rebellion

The late historian Muhammad Zabārah says that Tihāmah was attacked for the first time by Barāt, Hāshid and Bakīl in 1145/1732 when these tribes came down led by ^cAbd al-

(28) Jahhāf, 404-6; al-Shawkānī, al-Badr, 428; Zabārah, Nayl, II, 120-2; al-Hūthī, Nafahāt, II, 290.

Rahmān b. Muḥammad al-^cAnsī and plundered al-Luhayyah.

" "...it was the first time they displayed such boldness and plundered. From then on they frequently came and attacked it [al-Luhayyah] and other towns of the country..." (29)

We have already mentioned other attacks led by ^cAnsīs, either during the time of al-Mahdī ^cAbbās, or later in al-Mansūr's reign. (30) In one year, 1198/1784, al-^cAnsī led four attacks (31) and after separating from Ibn Ishāq in 1199/1786 he left Baraṭ for al-Sharqḍhanah. This time he was at the head of Khawlān and al-Hadā, in addition to his own men. He camped in Ba^cdān and settled in Fajrat Qayḍān. From there he sent bands to attack al-Qafr of Yarīm and Suq Rihāb. (32) These events in the central areas were accompanied by attacks and plundering in Wadi Dahr of Hamdān and Bayt al-Khawlānī, north-west of San^cā' by five hundred of Dhū Muḥammad. (33)

(29) Zabārah, Nashr, II, 887.

(30) Indeed ^cAnsī qādīs continued to organize acts of sabotage until their territories in Baraṭ submitted later in Imam Yahyā's time in 1351/1932. Cf. Zabārah, A'immah, I, 26, II, 312; Nashr, II, 15; al-Jirāfī, Muqtataf, 61.

(31) Jahhāf, 129-30.

(32) Ibid., 142.

(33) Ibid. 142.

In 1200/1786 Husayn b. Hasan al-^cAnsī and his brother continued their trouble-making in the central areas. Emir Yahyā Hanash, governor of Yarīm, did his best to drive them away, but finally al-Mansūr was forced to send his adviser, Qādī Ahmad Muhammad al-Harāzī (d. 1227/1812), who on numerous occasions mediated between al-Mansūr and his opponents, ⁽³⁴⁾ to conciliate the two brothers. ⁽³⁵⁾ Another ^cAnsī, Ahmad b. ^cAlī, created trouble in the same area, but was defeated by Hanash after he had tried to establish control over Jabal Riyāb. The farmers returned to their fields after they had been threatened with imprisonment by al-^cAnsī. ⁽³⁶⁾

In the next year 1208/1793 Qādī Husayn b. Hasan al-^cAnsī again gathered some of the Dhū Muhammad in al-Shi^cr and built a defensive position in a place called Hamar. From there he engaged in murder and terrorism. Jahhāf, for the first time, says that he also openly drank wine and practised all manner of vile deeds. ⁽³⁷⁾ Al-Mansūr was obliged to conciliate him with a quantity of millet.

(34) Al-Shawkānī, al-Badr, I, 96; Zabārah, Nayl, I, 197.

(35) Jahhāf, 146.

(36) Ibid., 194.

(37) Ibid., 230.

Only a year after these events Qādī Husayn al-^cAnsī al-Baratī resumed his acts of sabotage by cutting the Sumārah pass on ^cĪd al-Adhā 1209/July 1795 and plundering defenceless travellers. (38) His nephew Sālīh b. Hasan seized the fort of Habb of Dhū Jiblah when he had heard the complaint of its garrison against the governor of the area. Actually they handed over another fort to him in return for sixty riyāls. (39)

^cAbdullāh b. Hasan al-^cAnsī at the same time left Bakīl to join his brother, Husayn, and the others in al-Shi^cr. He passed through San^cā' with men on his way to to the centre of the troubles, but the Imam al-Mansūr did not interfere. (40) Jahhāf is clearer in his explanation when he comments on the events of the year after, 1210/1795-6. Here he says that, despite the passing through San^cā' of the tribes, their frequent sieges and plundering, made necessary by a severe drought, al-Mansūr, being pre-occupied with his own affairs, did nothing. (41) Jahhāf

(38) Jahhāf, 235.

(39) Ibid., 235.

(40) Ibid., 235.

(41) Ibid., 250.

adds that he was seriously concerned as to how to destroy the tribes of Khawlān, who were also led at that time by al-Muthannā ^cAlī Sabr, and who made a series of attacks on Khawlān itself, ^cAns, Wusāb al-Asfāl and ^cUtumah. He brought a thousand camels with him to carry the loot and the product of his greed. ⁽⁴²⁾ Al-Mansūr persuaded a group of Dhū Husayn of Bakīl to punish Khawlān. He secretly discussed the affair with their leader, Naqīb Yahyā b. Hādī al-Shāyif and his family, Āl al-Shāyif, enticing him with the promise of retaining whatever Khawlān themselves had taken, which was indeed a very great deal. ⁽⁴³⁾ Actually Khawlān were defeated in ^cAns territory and lost the battle and what they had won and their own camels. Also two hundred men were buried in ^cAyshān, a village northwest of Dhamār, where the battle took place. ⁽⁴⁴⁾

Bakīl returned victorious to San^cā'. Al-Mansūr expressed his approval by treating Āl al-Shāyif and their tribes with great generosity, which thus rendered them

(42) Jahhaf, 250.

(43) Ibid., 250-1.

(44) Ibid., 251.

beholden to him.

As for the ^CAnsīs in the central and lower Yemen, they continued to act, and the imam to react, in the same way, until the end of al-Mansūr's reign. But nothing decisive was gained by either side. Indeed an accident was to happen in San^Cā' to one of them in the final year of al-Mansūr's reign. This turned out to be one reason for his downfall, as we shall see in the following chapter.⁽⁴⁵⁾

7. Abū Hulayqah and his trouble-making

Among those who caused trouble for al-Mansūr was Muhammad b. Sa^Cīd Abū Hulayqah of Khawlān. He was originally an unknown person and left his tribe, Khawlān, looking for a means of supporting himself. He came to Hubaysh and entered the service of its governor, ^CAlī b. Ismā^Cīl b. Ibrāhīm, who was in need of troops. Abū Hulayqah led a handful of mercenaries carrying out the governor's instructions in the area. He showed intelligence and ability.⁽⁴⁶⁾ In 1198/1283-4 Abū Hulayqah left his master

(45) See below, p.99.

(46) Jahhāf, 165-6.

in Hubaysh and came to San^cā', looking to improve his position, despite his low social origins. Jahhāf claims that he bribed the minister, Ahmad Fāyi^c, with one thousand riyāls in order to get the latter to help him in his ambition. Fāyi^c, however, disappointed him. (47) Abū Hulayqah returned to his old master, ^cAlī b. Ismā^cīl, and continued in his service, waiting for more favourable circumstances. However, In 1203/1788-9, he led his men in an attack on Hubaysh and occupied Dār ^cAlwah, belonging to the sons of ^cAlwah. He remained there and sent some of his men to occupy the fort of Dār al-Hafā which dominated the area of Hubaysh. Then he started to plunder and loot the nearby villages and spread his disturbances throughout the area. (48) It was the beginning of his trouble-making which continued intermittently, but also severely, for seventeen years, till his death in 1220/1805. (49)

(47) Jahhāf, 166.

(48) Ibid., 160.

(49) Ibid., 415.

Al-Mansūr sent Yahyā b. Muḥsin al-Mutawakkil ⁽⁵⁰⁾ at the head of five hundred troops. Al-Mutawakkil moved by forced march and attacked Hubaysh by night, recapturing it. But after four days of siege, he failed to take the fort, Dār al-Hafā, and he thus resorted to his usual clever tactics. He sent to Arhab asking for fifty clever thieves who soon arrived. ⁽⁵¹⁾ He used them to climb up to and spy on the fort in secret. Finally he ordered them to throw dead dogs into the wells to poison the water supply. So Abū Hulayqah's men could only hold out for two days before being forced to surrender. Meanwhile the minister, Fāyī^c, had also sent Sahykh ^cAbdullāh al-Dul^{cī} at the head of a group of ^cIyāl Sirayh and Nihm and summoned al-Mutawakkil back to San^{cā}'. Al-Dul^{cī} was directed to Dār ^cAlwah where he met Abū Hulayqah and his men. Al-Dul^{cī} defeated Abū Hulayqah who withdrew with his men to a fortress and fortifications in which to protect themselves. ⁽⁵²⁾ Fighting continued for two months without any decisive result. Al-Dul^{cī} sought help from Dhū Jiblah, since Yahyā al-Mutawakkil had already left for San^{cā}', and it appeared

(50) Zabārah, Nayl, 388; Jāhhāf, 166; Cf. above p. 59, footnote 7.

(51) Jāhhāf, 166.

(52) *Ibid.*, 167.

that there was no governor in the town, but only the judge, Sayyid Zayn al-^cAbidīn b. Yahyā al-Khubānī (d. 1247/1831) (53) who came to help with a few people, dragging a cannon with them. They fired the cannon without immediate result, but at last conciliation was brought about and Abū Hulayqah left the area for his home territory. (54)

Abū Hulayqah stayed in Khawlān for only twenty-eight days. There he collected mercenaries and again prepared himself for new attacks. He marched once more against Ānis and Raymah where he attacked their territories. There was fighting between him and the garrison, aided by the people of al-Dawmar. Once again he was defeated and the heads of some of his men were sent to al-Manṣūr in San^cā', in Jumādā II 1203/1789. However, Abū Hulayqah returned to attack Ānis and to terrify its people. At this point al-Manṣūr decided to lead personally a punitive expedition, not only against Abū Hulayqah, but also to purge all areas of troubles and disobedience, so preparations started in a state of extreme alert. (55)

(53) He served as judge in many different areas for a long time and died in Ibb. For his biography, cf. Zabārah, Nayl, I, 421.

(54) Jahhāf, 167.

(55) Ibid., 167.

8. The Campaign Army

Al-Mansūr took certain measures in his preparations for the campaign. On the advice of his minister, Hasan al-^CUlufī, he summoned two of the latter's relatives from their governorships to lead the campaign. They were al-Husayn b. Ahmad al-^CUlufī of Bayt al-Faqīh and Hamīd b. ^CAbdullāh of Raymah. After consultations between Imam al-Mansūr and his minister, it was generally agreed that the former should pretend to lead the army personally. This clever decision on the part of al-Mansūr to seek the advice of the Āl al-^CUlufī embarrassed their opponents in the capital and their competitors within the administration who as a result hastened to promise all means of support and a great deal of money for the imam's cause. From them and from his own treasury, al-Mansūr collected the sum of three hundred and sixty thousand silver riyāls.

Secondly, al-Mansūr ordered one of his ministers, Muhammad Khalīl, to recruit the army from different tribes, namely from Wādī^Cah of Bakīl and from al-^CUsaymāt, B. Mālik, B. Suraym, Khārif, B. Sihām, al-^CArūsh of Hāshid and others. The enlisted tribal men numbered ten thousand and the army

in all reached twenty-four thousand. (56) Al-Mansūr also ordered cannons to be brought down to the gate of Dār al-Is^ḥād from the Qasr of San^ḥā'. Engineers, labourers, possibly from the smith market (Suq al-haddādīn), and carpenters were all involved in the transportation of the cannons, under the instruction of Hājj ^ḥAlī al-Sā^ḥātī, renowned for his expertise in the field of engineering. Ladders for scaling and saws for cutting trees were made. Seven hundred Muslims and Jews were chosen to demolish forts and fortifications. All received ample living expenses.

As soon as the mobilization had taken place al-Mansūr sent his ministers and officials to Dār Salm, a village a few miles south of San^ḥā', to bid the army farewell and satisfy all their needs. He gave clothes to the tribal chiefs and to the army officers.

On Monday 15 Sha^ḥbān 1203/15 May 1782, al-Mansūr paraded the army, as numerous as locusts, in the words of Jahhāf, (57) before his palace. It was only after the army had left to carry out his military aims that al-Mansūr

(56) Jahhāf, 167.

(57) Ibid., 168.

disclosed that he would remain in San^Cā'! It is clear that his son Ahmad was not among the military leaders either and it is possible that he allowed Ahmad with certain others to remain with him to protect the capital.

After camping the first night in Raymat Ibn Humayd, the army moved the second day to Saynān Khawlān. With such military preparation news of the campaign quickly reached every quarter of the Yemen. The first action was against Abū Hulayqah in Bayt al-Wazān where the fort of al-Khaw^Cah and the nearby villages of Khawlān were destroyed and Abū Hulayqah disappeared. The army advanced east and south sacking all the fortresses, castles and fortified walls. This punitive expedition and purge extended to al-Hadā where Shaykhs al-Bukhaytī, al-Qawsī and Bayt Abū Ā^Cṭif submitted and the imam appointed Shaykh Ahmad Qāsim Shamsān as governor. From there they continued to Radā^C and Bilād^C Ans where they destroyed the fort of al-Dhahab and all the heads of Qā'ifah (Qayfah) gave their allegiance to the imam. These included Husayn al-Hutām, Husayn b. Zayd, Abū Suraymah and others. The army advanced to Bilād al-Rasās, in the province of al-Baylā', in the east and

al-^CAwāliq in the south. Al-Rasās, who had submitted, sent messages to Hadramawt and al-Shihr telling them that no-one could face or fight this enormous and terrifying army.⁽⁵⁸⁾ In fact, the south was not in the plan of campaign, since al-Mansūr was content with nominal sovereignty in the area over which San^{Cā} had gradually lost control after the death of al-Mahdī ^CAbbās.

However, the army carried out all its aims successfully and all tribes and rebels submitted, sometimes without fighting, and many shaykhs and tribal leaders sent their hostages to al-Mansūr in San^{Cā}.

Finally after about three months the leaders and the army returned victorious to San^{Cā} on 17 Dhū 'l-Qa^Cdah 1204/31 July 1790. It seems that al-Mansūr's position was strong and the state found itself in a time of stability. The only new threat and serious danger was now in Tihāmah.

(58) Jahhāf, 171.

9. Sharīf Hamūd of Tihāmah and the Wahhābī threat

It is a well known fact that the era under discussion is in part contemporary with the spread throughout the Peninsula of Wahhabism,⁽⁵⁹⁾ a new and rigid doctrine. The Wahhābīs sacked Karbalā' in 1216/1801, captured Mecca in 1218/1803 and Medina in the following year. They destroy-

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- (59) The Wahhābiyyah is an Islamic movement founded by Muhammad b. ^ḥAbd al-Wahhab (1115-1201/1703-87). This name was given to the community by its opponents during the founder's lifetime and is used by Europeans; it is not used by its members in Saudi Arabia, who call themselves the Muwahhidūn (unitarians) and their system (tarīqah), the Muḥammadiyyah. They regard themselves as Sunnīs, following the school of Ahmad b. Hanbal (d. 241/855) as interpreted by Ibn Taymiyyah (d. 728/1328) who attacked the cult of saints in many of his writings, especially in his Risālah, condemning the visitation of tombs. His ideas were accepted also by the Zaydī school. Al-Shawkānī, among others, wrote a commentary on one work of Ibn Taymiyyah's grandfather, ^ḥAbd al-Salām (d. 652/1254). See below, part II. For the Wahhābiyyah, cf. Ibn Bishr, Unwān al-Majd, I, 120-5; EI¹, IV, 1086; Serjeant and Ghul, 'Arabia', EB, 1049; Hourani, Arabic thought, 37-8; Hitti, History of the Arabs, 740-1; Watt, Islamic philosophy, 164-5. For further details, cf. Rashīd Ridā, al-Wahhābiyyūn wa'l-Hijāz, Cairo, 1344 H.; Husayn Ibn Ghannam, Tārīkh Najd, Cairo 1949; Ahmad Muhammad al-Dubayb, Āthār al-Shaykh Muhammad b. ^ḥAbd al-Wahhāb, Riyadh, 1397.

ed venerated tombs and purged these cities of anything which smacked of idolatry. ⁽⁶⁰⁾ They also invaded Syria and Iraq. They planned to extend their activities to Tihāmah of the Yemen. In Tihāmah it was not until the end of the twelfth/eighteenth century that the Sharīfs of Āl Khayrāt emerged as the local rulers of the area. Their most important leader was Sharīf Hamūd b. Muḥammad Abū Mismār (1170-1233/1756-1818) ⁽⁶¹⁾ who was originally acting in the name of Imam al-Mansūr °Alī of San°ā'. ⁽⁶²⁾ Sharīf Hamūd was ambitious and brave. The weakness of the administration in San°ā' in these difficult times encouraged him to take the opportunity to establish himself in Abū °Arīsh as an independent sovereign. At about the same time in the mountains of al-Sarāh the leadership crystallised under °Abd al-Wahhāb b. °Āmir Abū Nuqtah al-Rufaydī. He, together with his brother Muḥammad b. °Āmir (who died on his return), made a visit to °Abd al-°Azīz b. Su°ūd (d. 1218/1803) in his capital, al-Dir°īyyah in Najd, and both accepted Wahhabism enthusiastically. ⁽⁶³⁾ Abū Naqtah

(60) Ibn Bishr, °Unwān al-Najd, I, 121-3.

(61) Al-Shawkānī, al-Badr, I, 240 and see his biography in our edition of Dīwān al-Shawkānī, 251-2, n.3.

(62) Al-Shawkānī, al-Badr, I, 240.

(63) Al-Bahkalī, Nafh al-°ūd, 128.

was appointed governor of Upper ^CAsīr by Ibn Su^Cūd. Several times the Wahhābīs clashed with Sharīf Hamūd, who nevertheless, for reasons of expediency, acknowledged Saudi authority at times. Basically, however, the lowland ^CAsīrīs, like the Hijāz, did not readily take to Wahhabism. (64)

Fighting between Hamūd and Abu Nuqtah, supported by and on behalf of the Saudi Wahhābīs, came to a peak in an unequal battle in the middle of Ramadān 1217/17 January 1803 near Abū ^CArīsh. Here Hamūd, after showing great personal courage, (65) was defeated and surrendered. Hamūd, in new circumstances, tactically feigned loyalty to the new lord of al-Dir^Ciyah and the Wahhābī cause when he met Emir ^CAbd al-Wahhāb Abū Nuqtah in the Saudi camp two days later.

Meanwhile he sent his envoy Sayyid Hasan b. Khālīd al-Hāzimī (1188-1234/1774-1819) (66) on a mission to Imam al-Mansūr.

He carried a message explaining to al-Mansūr the exact situation, that Hamūd had submitted to Wahhabism only apparently, not in reality. He declared himself with the imam against the Saudis and informed him that he was urgently awaiting

(64) Winder, Saudi Arabia, 27.

(65) Al-Bahkalī, Nafh al-^Cūd, 128-38; al-Aqīlī, Tārīkh al-al-Mikhḷāf, I, 451.

(66) His biography in Zabārah, Nayl, I, 323-7.

help before the Wahhābī mission (da^cwah) spread all over al-Mikhlāf al-Sulaymānī. If this were to happen, it would be extremely difficult to save what was already in Wahhābī hands. (67) Sharīf Hamūd's compatriot and biographer, al-Bahkalī (d. 1248/1832), who was once one of al-Shawkānī's disciples and close friends, (68) has revealed Hamūd's hopeless condition at this time. The envoy met al-Mansūr's minister, al-^cUlufī, in San^cā', warning him that, if the imam were not to send troops, Hamūd would be at liberty to go over to the Wahhābīs (Ahl al-Da^cwah). (69) When al-Hāzimī, the envoy of Sharīf Hamūd, asked for a meeting with al-Mansūr, al-^cUlufī advised him not to exaggerate the situation to the imam! Al-Hāzimī met al-Mansūr and then waited for six months in San^cā' for the troops and help. He was followed there by Sharīf Yahyā b. ^cAlī Fāris, another envoy from Sharīf Hamūd to San^cā'; but all their exhortations fell on deaf ears. (70)

Eventually, Sharīf Hamūd received the area from the Wahhābī emir Abū Nuqtah, who appointed him emir on behalf

(67) Al-Bahkalī, Nafh al-ūd, 139.

(68) Al-Shawkānī, al-Badr, I, 318-22; cf. his biography in our edition of Dīwān al-Shawkānī, 83-4.

(69) Al-Bahkalī, Nafh, 139.

(70) Al-Bahkalī, Nafh, 139-40, 154-5.

of Ibn Su^cūd to act as his agent on certain conditions.

Sharīf Hamūd was to:

"...fight the Yemenis on his borders, break off relations with the imam of San^cā' and fight against him if he were to send any troops. [Hamūd] had no choice but to meet his obligations. He thought that Imam al-Mansūr would not delay in sending troops to defend his territories all over his kingdom, the lowlands and the highlands, particularly after he [Hamūd] had sent to him [al-Mansūr] the scholar, al-Hasan b. Khālīd al-Hāzimī." (71)

Thus Hamūd's pragmatism led him to support the Saudis for some time. Later, however, he turned his back on them. Over the next three years he strengthened his position and became the real master of the whole of Tihāmah when he captured al-Luhayyah, al-Hudaydah, Zabīd and Hays. (72) He tried to extend his sovereignty not only over the Tihāmah area, but also over the Hajjah district in the high mountain region north-west of San^cā'. However he was driven out in 1220/1805 (73) and the poet, Qādī ^cAbd al-Rahmān al-Ānisī was reappointed governor of Hajjah. (74)

(71) Bahkalī, Nafh, 142.

(72) Al-Shawkānī, al-Badr, I, 240; al-Bahkalī, Nafh, 170-6.

(73) Al-Bahkalī, Nafh, 177-9; Jāhhāf, 389.

(74) Jāhhāf, 390; al-Bahkalī, Nafh, 178.

Al-Mansūr was not able to send more troops, especially after the rise of new opposition in Harāz, the area between Hamūd in the west in Tihāmah and al-Mansūr in the east. The latter sent an expedition under his slave Maysūr who however lost control over his troops and who was therefore reinforced later by Faqīh Yahyā b. Muḥsin Hanash with some of Bakīl. This was, however, to no avail and the latter took flight, returning to San^{Cā}.

It was clear around the year 1220/1805 that Hamūd had the upper hand since al-Mansūr faced many political and economic difficulties in the capital. (75) What is more, he fell under the influence of his minister, Hasan b. Hasan al-^CUlufī and his relatives. Moreover, al-Mansūr had prepared Sayyid Yahyā b. Muḥsin al-Mutawakkil (76) to lead an expedition to Tihāmah. The latter left San^{Cā} after the Friday prayer, 20 Rajab 1221/7 October 1806 with one thousand warriors of Dhū Muḥammad and Dhū Husayn together with some of al-Mansūr's own court and thirty cavalrymen from San^{Cā}. He camped in ^CAsīr, west of San^{Cā}, until the Sunday, after which he went down to Matnah, about

(75) Jahhāf gives us a good idea of the harm of Hamūd's control over Tihāmah and the damaging effect on the monetary system.

(76) See above p. 73, n. 50.

forty kilometres west of San^{Cā}' on his way to Tihāmah. For three days he waited with his men for reinforcements and provisions and everything the minister, al-^CUlufī, had promised. After sending letters of complaint to San^{Cā}' and suffering a great deal, the majority of al-Mutawakkil's men returned to San^{Cā}' where they demonstrated in Maydān Sharārah (the Maydān al-Tahrir of today) threatening to loot and cause trouble within the capital, in their frustration at not receiving the promised help from the imam. Emir Farhān Yāqūt of al-Mahdī, a military leader of slave origin, passified them and al-Mansūr also sent his son Muhammad to address them and ask for a respite until Thursday 25 Sha^Cbān, after which all would be handed over to them. They agreed and returned to their leader. Al-Mansūr in his enthusiasm decided to lead personally a fresh campaign against Tihāmah. However, the enthusiasm of this aged monarch waned and he changed his mind. (77) It was the beginning of the end.

Hamūd, finding himself in a strong position, refused Abū Nuqtah's interference in the affairs of his territories

(77) Jahhāf, 410-1.

or any form of supervision over himself. They both many times referred their complaints to Ibn Su^ḥūd, who began to doubt Hamūd's loyalty. In 1223/1808 Ibn Su^ḥūd summoned Hamūd to al-Dir^ḥīyyah and when he refused to come, he ordered Abū Nuqtah to make war on him and his territories. (78)

In 1224/1809 the hostility developed into a real war between Sharīf Hamūd and Abū Nuqtah in which, even though the latter was killed, Hamūd was defeated. (79)

(78) Al-Bahkalī, Nafh, 124-5; Jahhāf, 390, 410; ^cAbd al-Rahīm, al-Dawlah al-Su^ḥūdīyyah al-Ūlā, 175-82.

(79) al-Bahkalī, Nafh, 254-5; al-Shawkānī, al-Badr, I, 240-1; Jahhāf, 534.

CHAPTER FOUR

Al-Mutawakkil Ahmad and his reign

(1224-1231/1809-1816)

"Few sons, indeed, are like their fathers.

Generally they are worse; but just a few are better!"

Homer, Odyssey, 12.

The reign of al-Mutawakkil Ahmad (1224-1231/1809-1816)

There are few examples in Yemeni history of sons overthrowing their fathers. Ahmad b. al-Mansūr^c Alī is one of these examples and the final one in modern history. Emir Ahmad was not ambitious or keen to rule, but because he was himself a real partner with his father in authority, and because of the serious condition of the country and the real hazards which he and his father had to face, responsibility fell into his hands.

There were many serious problems which could not wait. Some of these were chronic and unsolved like the situation in Tihāmah. The tribes had renewed their traditional rebellions, but there were also others which had risen like the rebellion of Āl-al-Kibṣī in al-Rawdah, just a few miles north of San^ca'. There was also the problem of the economy and a shortage of cash to pay salaries (jāmakīyah) and

other sufficient living expenses for threatening troops, especially those who had recently returned from Zabīd and Tihāmah after their leader ^cAlī b. Muhsin al-Mutawakkil had died there. (1) The climax was reached when the ill-starred Qādī al-^cAnsī of Baraṭ tightened his siege on San^cā'. We shall give a survey of these events in the face of which al-Mansūr was crippled and during which his son Ahmad emerged as the Zaydī saviour.

1. Acceleration of events

Jahhāf begins his description of the year 1222/1807-8 with the statement that it is the year of 'wonders (^cajā'ib), strange happenings (gharā'ib), misfortunes (nawā'ib) and disasters (masā'ib). (2) Indeed it was so.

Al-Mansūr sent his son Muhammad as governor of Dhamār and the central area where trouble-making had started up again. We might mention especially that of Shaykh ^cAlī b. Nājī al-Qawsī and Shaykh Sa^cd Miftāh al-Bukhaytī of al-Hadā who threatened the security of the area and closed

(1) See above p. 59.

(2) Jahhāf, 435.

the main road between $\text{San}^{\text{C}\bar{\text{a}}'}$ and Dhamār . Muḥammad punished them, imprisoned them in Dhamār and reopened the road. (3)

The Imam's son, Ahmad , returned to $\text{San}^{\text{C}\bar{\text{a}}'}$ from Harāz , angry and disappointed, since the minister, $\text{Hasan al-}^{\text{C}}\text{Ulufī}$, had delayed the sending of men and money to support him in the continuation of his advance on Tihāmāh . Ahmad rejected Sharif Ḥamūd 's blandishments, realising that there was no room for compromise in his weak position. (4) When Ahmad decided to leave for $\text{San}^{\text{C}\bar{\text{a}}'}$, after settling affairs in Harāz , $\text{al-}^{\text{C}}\text{Ulufī}$ persuaded Imam al-Mansūr to try to prevent his son, Ahmad , from entering the city and to appoint him instead as governor of $^{\text{C}}\text{Amrān}$. It was the first manifestation of a real challenge to Ahmad . He refused the offer of governorship and insisted on entering the city. He arrived at al-Masājīd , about thirty kilometres west of $\text{San}^{\text{C}\bar{\text{a}}'}$ and received delegations from nearby tribes. Negotiations took place through $\text{Muḥammad b. }^{\text{C}}\text{Alī b. }^{\text{C}}\text{Abd al-Wāsi}^{\text{C}}$, acting as ambassador between the Imam and the Crown Prince, Ahmad , during which the latter tried not to

(3) Jahhāf , 441.

(4) Jahhāf , 441-2.

show disobedience and thus alienate his father. (5)

However, al-Manṣūr consulted his ministers, Qādī al-Ḥasan b. ʿAlī Ḥanash (6) and ʿAlī b. Ḥusayn al-Ānisi (d. 1223/1808) (7) who both advised him to permit his son to enter. Ahmad came down and settled once again in Ṣanʿā', though in an atmosphere of distrust and difficulty. Al-ʿUlufī's position became intolerable and soon he was to lose everything.

Now the situation everywhere in the country was one of lawlessness and instability. Prices had increased dramatically since al-Manṣūr had changed his currency three or four times in two years. One change was at the beginning of 1220/1805 when one riyal (or qirsh) became 350 hurūf (sing. harf) and 450 in Lower Yemen. From then

(5) Jahhāf, 443.

(6) See chapter II, p. 27 above.

(7) He was a faqīh and a capable administrator. He was the ʿāmil of Ṣanʿā', one of prince Ahmad's secretaries and when the minister Ahmad Fāyī^c died in 1219/1804 he replaced him in his position. He died five years later, suffering from dropsy (istisqā'). Zabārah, Nayl, I, 131; Jahhāf, 493.

onwards the number of hurūf in the riyāl increased and its value fell. (8) The merchants complained of less silver and more copper in the coinage. (9)

When people complained of high prices and the troops asked for their rations, al-Mansūr banned the old currency and ordered new to be minted from Sunday 13 Jumādā II 1222/ 21 August 1807. (10) The economy was thus damaged and people lost a great deal of money; the poor suffered even more and those with commercial monopolies became more greedy. Al-Mansūr, under pressure from the public and on the advice of some of his counsellors banished grain merchants and the Jew who had been in charge of the mint. It was, however, too late. (11) The capital and its inhabitants suffered greatly from these bad conditions

(8) Jāhhāf, 398.

(9) Jāhhāf, 380.

(10) Jāhhāf, 447, who uses kasara 'l-darbah to describe the change. The new issue was of a different value: one riyal = half a Maria Theresa dollar, a silver coin struck in Austria (one being worth about six U.S. dollars in 1982). The Maria Theresa was abandoned officially in 1965.

(11) Jāhhāf, 458.

within and also from the siege of Dhū Muḥammad without. This situation continued until 5 Ramadān 1222/9 October 1807, when the tribes, ashamed of continuing these warlike practices in Ramadān, left their control of the gates of the city and returned to their own territories.

The people of San^Cā' sighed with relief, but on Friday 20 Ramadān al-Mansūr's troops left San^Cā' in an angry mood, since they had not received their rations. They retained a hold on the city just as Dhū Muḥammad had done, before their departure. They closed the gates of the city, cut the roads around it and plundered travellers.⁽¹²⁾ On Saturday evening, 22 Ramadān, the chief qādī, Muḥammad b. ^CAlī al-Shawkānī, the minister Ḥasan b. Ḥasan al-^CUlufī and Emir ^CAbdullāh, the Imam's eldest son, went to meet Emir Ahmad in Dār al-Dhahab to discuss the situation with him and the necessity of opening the gates of the city and giving the troops their payments.⁽¹³⁾ It is not clear what happened exactly at this meeting, but the gates were opened the next morning and the situation returned to normal.

(12) Jahhāf, 459.

(13) Jahhāf, 459.

2. The incident of al-^CAnsī and al-^CUlufī

On Monday 11 Shawwāl 1222/13 November 1807 Qādī Yahyā b. ^CAbdullāh b. Hasan al-^CAnsī arrived in San^Cā' with some of his men to see Imam al-Mansūr. In the evening of the same day he devised a plot to kill the minister, Hasan b. Hasan al-^CUlufī, but for some reason postponed his plan. (14)

However, on 22 Shawwāl 1222/24 November 1807, ten days later, Qādī Yahyā al-^CAnsī went to Dār al-Is^Cād to attend an audience with Imam al-Mansūr. There, he faced the minister al-^CUlufī and stabbed him with his janbiyyah. The blow, however, did not strike him in a vulnerable spot and al-^CAnsī ran away, crying "Lion! Lion!" (15) The incident happened while Emir Ahmad and Qādī al-Shawkānī were in the next room. They both emerged quickly with some courtiers to discover what exactly had happened. However, everything was in turmoil. They found al-^CUlufī

(14) Jahḥāf, 459.

(15) Jahḥāf, 459; al-Shijnī, Tiqsār, f. 12b. Al-^CAnsī was thereby cleverly distracting attention from himself by mention of the lion kept by the imam in Dār al-Is^Cād, in order to make good his escape.

and helped him, still bleeding, to his lord, al-Mansūr, to complain of the attack. (16) Al-^cAnsī hid in the house of the agent of the tribe near the school of Imam Sharaf al-Dīn. On hearing what had taken place, al-Mansūr, in a moment of anger, commanded the blood of Dhū Husayn (the tribe of al-^cAnsī) to be shed in ^cSan'ā'. So the inhabitants killed eighteen of them in the city. Emir Ahmad went himself and besieged the house where al-^cAnsī was hiding and threatened to destroy it with cannon fire if al-^cAnsī did not surrender. The latter asked to give himself up on the face of Emir Ahmad. The latter permitted this and at last al-^cAnsī surrendered and was put in prison. On the next day, Wednesday, al-Mansūr gave his personal amnesty to Dhū Husayn, but on Thursday at dawn he ordered that Qādī Yahyā al-^cAnsī, his son, Sālīh, and his uncle Yahyā b. Hasan, have their heads cut off, beside the Bakīriyyah Mosque. This was done without consultation with his son, Ahmad. (17)

(16) Jahhāf, 459; al-Tiqsār, f. 12b.

(17) Jahhāf, 459-60; al-Tiqsār, 13.

3. The rebellion of Āl al-Kibsi in al-Rawdah

The Kibsi Sayyids take their name from the hijrah of al-Kibs, situated between the two Yamāniyyah, al-^cUlyā and al-Suflā, of Khawlān, about thirty five kilometres south-east of San^cā'. (18) Genealogically, they are descendants, with some other Sayyid families, of Imam Hamzah b. Abī Hāshim al-Hasani who was killed in Arhab in 458/1066. (19) After his death, throughout the centuries, none of this branch attempted to assume the title of imam, though some of them were good scholars and ulema, thus having the qualifications for the office. This phenomenon was noticed by the Turkish governor of San^cā' Hilmi Bāshā in 1316/1898, and he asked two eminent ulema of this family, Husayn Ghamdān al-Kibsi (d. 1321/1903) and Zayd b. Ahmad al-Kibsi (d. 1316/1898), why this was so. They replied that both they and their predecessors like obscurity (khumūl). (20)

(18) Zabārah, Nashr, I, 250.

(19) Zabārah, Nayl al-Husnayayn, 116, 173-6.

(20) Zabārah, A'imma, I, 486.



Some of Āl al-Kibṣī lived in Rawḍah and many of them are still there to this day, involved in the service of the mosque, either in teaching or in the capacity of imam of the prayer and khatīb.

At the end of Shawwāl in 1222/November 1807 Āl al-Kibṣī led a rebellion in al-Rawḍah against al-Mansūr and his imamate in San^ā. Their candidate was the ḥalīm Sayyid Husayn b. ʿAbdullāh al-Kibṣī who was imam of al-Rawḍah's jāmi^c and qādī of the town. (21) Another eminent Kibṣī ḥalīm with them was Ismāʿīl b. Ahmad (1150-1233/1737-1817), whose relative had the same name and was known as Mughallis. The latter had already declared himself imam in Zāfir, giving himself the title of al-Mutawakkil ʿAlā ʾllāh. Later, however, he became disillusioned and gave up his claim. (22) However some of Bayt Abū Tālib and other sayyids of al-Rawḍah supported Āl al-Kibṣī who also persuaded Ahmad b. ʿAbdullāh b. al-Mahdī ʿAbbās, the nephew of al-Mansūr, to join them. It appears that he was himself

(21) Al-Shawkānī, Badr, I, 220; Jahhāf, 501.

(22) Al-Shawkānī, Badr, I, 220; Zabārah, Nayl al-waṭar, I, 260.

ambitious for the imamate. (23) The people of al-Rawdah supported the rebels both from greed and fear. (24) Some of their own tribes of Kibs Khawlān arrived with others. The rebels attacked and plundered al-Mansūr's palace, Dār al-Bashā'ir and the empty houses of his family and of other San^canīs in al-Rawdah. They drove out al-Mansūr's Cāmil and sent letters throughout the Yemen, especially to Qādī ^cAbdullāh al-^cAnsī of Barat. (25) They claimed that they had rebelled in order to "enjoin what is right and forbid what is wrong" (al-amr bi-l-m^carūf wa-l-nahy ^can al-munkar). (26) Al-Mansūr sent to them Qādī Ahmad b. Muhammad al-Harāzī (27) with letters from him written by al-Shawkānī meeting all their demands for justice and security. (28) They refused completely to accept al-Harāzī's mission and al-Mansūr's promise. Al-Harāzī barely escaped

(23) Al-Shawkānī, al-Badr, I, 144; al-Shijnī, al-Tiqsār, f. 116; Jahhāf, 459-60, who maintained that they sent to al-Mansūr's son Muhammad, governor of Dhamār, to ask for his support, but that he ignored them.

(24) Al-Shawkānī, al-Badr, I, 220.

(25) Al-Shawkānī, al-Badr, I, 220; Jahhāf, 460; Shijnī, 13.

(26) Jahhāf, 460.

(27) For this man, see above p. 72.

(28) Al-Shawkānī, al-Badr, I, 221; Shijnī, al-Tiqsār, 116; Jahhāf, 460.

with his life. Emir Ahmad tried also, when he sent his secretary Hasan b. ^CAlī b. ^CAbd al-Wāsi^C. During this difficult time the minister Hasan b. Hasan al-^CUlufī delayed payment to some tribes who were already prepared to attack al-Rawdah. Ahmad, personally handling the problem, turned to face the serious danger of al-Rawdah. He summoned B. al-Hārith, Bilād al-Bustān and B. Hushaysh and left San^Cā' in the last week of Dhū 'l-Qa^Cdah 1222/ December 1807 and camped in al-Jirāf, halfway between San^Cā' and al-Rawdah, a month after the beginning of al-Kibsi's rebellion. He positioned his troops and tribes around al-Rawdah and cut supplies, water and provisions. The siege was only a few days old when Āl al-Kibsi and their supporters surrendered on Thursday 27 Dhū 'l-Qa^Cdah. Emir Ahmad entered the next day. Only the house of Muhammad b. Yūsuf al-Kibsi refused to surrender; but he finally did on the Friday. On Saturday, 2 Dhū 'l-Hijjah 1222/2 January 1808 Emir Ahmad returned victorious to San^Cā' with the Kibsis, his nephew, prisoners and others who were all brought under al-Mansūr's window. Al-Shawkānī says that he personally pleaded for their lives and there-

fore al-Mansūr did not execute them, but rather imprisoned them. (29) Three months later Sayyid Husayn al-Kibsi died in the Qasr prison (30) and Ahmad b. ^cAbdullāh b. al-Mahdī also died on Tuesday 8 Muharram, 1224/24 February 1809, a year later, in prison. (31)

4. Ahmad's coup d'état

As a direct result of the execution of Qādī Yahyā al-^cAnsī, of his son, his uncle and some of Dhū Husayn in San^cā' on the order of al-Mansūr, (32) Dhū Husayn, led by ^cAbdullāh b. Hasan al-^cAnsī, Yahyā's father, came down to San^cā' to retaliate and take their revenge. This took place also at a time of drought and difficulty in every respect. The minister Hasan al-^cUlufī, in fear of his life after Yahyā's failure to assassinate him, remained at home exercising his duties from there and talking only behind a secure screen! (33) Al-^cAnsī and his men were

(29) Al-Shawkānī, al-Badr, I, 221; al-Shijnī, al-Tiqsār, f.116b.

(30) Al-Shawkānī, al-Badr, I, 221.

(31) Jāhhāf, 533.

(32) See above p.99-100.

(33) Al-Shijnī, al-Tiqsār, f. 14b; Jāhhāf, 483.

stationed in ^CAsur, west of ^CSan^ā'. By Wednesday 24 Rajab 1223/19 August 1808 he had come down to Bāb al-Yaman (the southern gate of the capital) and tightened his siege on ^CSan^ā'. No one was allowed to leave or enter the city. During this time al-^CAnsī's men attacked the villages and plundered travellers in the vicinity of ^CSan^ā'. Their aggressive practices continued both north and south of the main roads. There they killed, looted and terrorized the urban areas. Al-^CUlufī again refused to pay salaries (jāmakiyah) and other adequate living expenses to the troops. The inhabitants of the capital in a severe state of siege faced a real ordeal and some of them starved to death, while others were compelled to eat corpses (sing. maytah)! (34)

Al-Mansūr appeared completely powerless to face the new perilous situation. He was not, in fact, "approaching dotage" as Valentia reported in his Voyages, written after

(34) In what looks like an official historical report, Jahhāf gives us a sad and gloomy, but clear picture of these troubled days. For its importance and all details, cf. the introduction to my edition of the Dīwān of al-Shawkānī, 24-30. The chief points only are mentioned here.

his visit to the coast of the Yemen in 1220/1805, three years before. (35) The writer may mean that the aged imam, now about seventy-two, was fast becoming senile and weak. However, Emir Ahmad was the last hope to save the declining situation. He tried not to come into direct conflict with his father, but, when the leaders of the troops came to him seeking his intervention with the minister Hasan al-Uluḥī to pay them and the threatening troops their salaries, Ahmad responded and sent a messenger to al-^cUluḥī. The latter refused even to receive him. (36) Emir Ahmad then ordered some troops to arrest and bring al-^cUluḥī before him with some of his relatives and supporters. While these arrests were being carried out, Ahmad addressed a gathering of ulema and other eminent people, explaining the necessary steps which were being taken for the safety of the state. He sent a group of troops to surround al-Mansūr's palace, Dār al-Jāmi^c. The reaction on the part of Ahmad's father, al-Mansūr, was also dealt with by

(35) Valentia, Voyages, II, 381.

(36) Jahhāf, 432; al-Shawkānī, al-Badr, I, 466; al-Shijnī, al-Tiqsār, 14b.

the troops and some parts of the city were isolated. A limited exchange of fire took place with the followers of Emir ^cAbdullāh, the younger brother of Ahmad, who was at this time with his father al-Mansūr. The fighting was not so much a result of ^cAbdullāh's wishing to protect his father; rather it developed out of a long-standing enmity between the two brothers. Our author Qādī Muhammad al-Shawkānī mediated between al-Mansūr and his son Ahmad. An agreement was reached whereby Emir Ahmad was to take over the administration and act as minister to his father, while al-^cUlufī was to remain in detention.⁽³⁷⁾ Both the coinage and address at the Friday Prayer were retained in al-Mansūr's name and he asked also to keep the revenue of Yarīm as a private income for himself and to preserve the pomp of his position (ubbahat al-khilāfah ghayr mutahawwīlah ^canhu).⁽³⁸⁾ However, it was not long before al-Mansūr came to approve of his son's act and realized his good intentions and sincere motives. He was unhappy with his life in Dār al-Jāmi^c and moved to Dār al-Is^cād, where he resided till his death thirteen months later.

(37) Al-Shawkānī, al-Badr, I, 466-7; al-Kibsi, 375.

(38) Jahhāf, 485; al-Kibsi, 375.

5. Ahmad with the reins of power

On the third day after the suspension of al-Mansūr's absolute authority as imam and the dismissal of Āl al-^ʿUlufī, Emir ^ʿAbdullāh, the third son of al-Mansūr, attempted to move against his brother Ahmad, ostensibly in order to defend his father. Obviously the old rivalry between the two brothers was behind his action. However, on Monday 29 Rajab 1224/July 1809, Ahmad summoned the ulema to him and put the affair of his brother before them for discussion, repeating that what he had done was his duty to save Islam from violation, to protect the weak from severe harm and to abolish evil. They accepted his explanation and Qādī Muhammad b. Yahyā al-Sahūlī (d. 1233/1818)⁽³⁹⁾ went to ^ʿAbdullāh and succeeded in bringing the two brothers back together.⁽⁴⁰⁾ In the meantime, Emir Muhammad, the second son of al-Mansūr, who was at the time on campaign against ^ʿAns and al-Hadā, left Maghrib ^ʿAns for Yarīm to

(39) He was the son of the chief qādī Yahyā al-Sahūlī. He was an ʿālim and faqīh and was later killed in the time of al-Mutawakkil's son by a new attack on San^ʿā' by Bakīl; cf. below p. 157.

(40) Jahhāf, 485.

carry out a punitive expedition against its governor, Muhammad b. ^ʿAlī b. Ismā^ʿīl who refused to accept his instructions. Emir Muhammad besieged the town for about three months and refused his brother Ahmad's order to raise the siege, claiming that he had received a secret letter from his father the imam ordering him to do so and giving him a free hand in Lower Yemen. When Ahmad heard of this he became very angry with his father and sent Qādī Muhammad al-Shawkānī, the chief qādī, to investigate the matter with him. Al-Mansūr denied that he had sent a letter and swore not to interfere in state affairs and in his son's administration as he had previously agreed. (41) Ahmad used his power and summoned tribes from his brother's campaign. He also sent ^ʿAlī b. ^ʿAbdullāh al-Shāyif of Bakīl to persuade them and discuss this matter with ^ʿAlī Sa^ʿd al-Hājj, (42) the right-hand man of Emir Muhammad, who was in Dhamār. Al-Shāyif succeeded and returned to San^ʿa' with al-Hājj and the majority of the tribesmen. Muhammad

(41) Jahhāf, 486-7.

(42) ^ʿAlī Sa^ʿd al-Hājj came from Maghrib ^ʿAns and was described as a ruthless, insolent and ignorant man; Ibid; al-Shijnī, Tiqsār, 3a.

submitted to his brother, Ahmad, and asked for money and sufficient living expenses for his men. Emir Ahmad agreed and they exchanged written agreements to restore sincere friendship and fraternal cooperation. (43)

As for al-^CAnsī and his siege, since he knew of the fall and imprisonment of Āl al-^CUlufī, he accepted Ahmad's promises and Dhū Husayn called off the siege. A few days later Ahmad used them and their leader Qādī al-^CAnsī to campaign together with tribesmen from al-Haymah, Bilād al-Bustān, Hamdān and ^CIyāl Surayh. This campaign was led by the slave-emir Fayrūz against Kawkabān to compel them to submit again to the capital. (44) Finally satisfied, they left San^Cā' for Barat. On their way they attacked al-Hushayshiyah, a village a few miles north of San^Cā' and plundered forty camels. Ahmad heard the news and soon followed them with his men. He returned the camels to their owners after Dhū Husayn had disappeared in shame. (45)

(43) Jahhāf, 487-8. Ahmad sent the text of the agreement in a copy of the Qur'ān to emphasize his enthusiasm for the agreement.

(44) Jahhāf, 486.

(45) Ibid., 538.

In Tihāmah Ahmad started to communicate with Sharīf Hamūd, the Saudi agent, who was afraid of Ibn Su'ūd and was in a weak position. The most important and urgent matter for Ahmad was to secure Mocha as the main source of income for the capital. The governor of Mocha had been for a long time the slave-emir Sultān Hasan who had not recognised the change of power in San'ā'. Sultān had not only been very remiss in his returns of revenue to San'ā', but he also entertained the design of making himself independent. He exhausted large sums of money increasing and strengthening the defences of the place and augmented his forces by the recruitment of fifteen hundred 'Abdalī mercenaries from the territories of the Sultan of Aden. (46)

Emir Ahmad sent the faqīh Ahmad b. Ismā'īl Fāri^c, brother of his minister, on an unsuccessful mission to Mocha. He was also followed by Sayyid Yahyā al-Sirājī and slave-emir Yāqūt Muhammad al-Mansūr, accompanied by thirty men, as well as Sa^cd 'Udharah. Sultān received them with respect,

(46) Playfair, A History of Arabia, 127-8; Jahhāf, 536, who says there were six hundred men or more.

but had not changed his attitude towards San^Cā'. Only when al-Mansūr died a month later did Sultān make his submission to the new imam, Ahmad, who was soon to dismiss him. (47)

6. Al-Mutawakkil Ahmad's reign (1224-31/1809-16)

On Wednesday 15 Ramadān 1224/25 October 1809 al-Mansūr died. Al-Shawkānī led the prayer for him in the mosque of al-Mahdī ^CAbbās and he was buried in Bustān al-Mutawakkil near Bāb al-Sabḥah. (48)

At this point Emir Ahmad became officially the new imam when he received the oath of allegiance (bay^Cah) from the chief qādī Muhammad al-Shawkānī, on the same evening as his father's death. He was the first to render Ahmad allegiance and he had the responsibility of receiving the allegiance offered to Ahmad, the new imam, from his brothers, paternal uncles, as well as the rest of Āl al-Qāsim and all the notables, ulema and chiefs. (49) Ahmad

(47) Jahhāf, 537; Playfair, 128.

(48) Al-Shawkānī, al-Badr, I, 467; al-Shijnī, al-Tiqsār, 15a; Zabārah, Nayl, II, 142-4.

(49) Al-Shawkānī, al-Badr, I, 78-9; al-Shijnī, al-Tiqsār, f. 15b; Zabārah, Nayl, I, 154, II, 127.

styled himself al-Mutawakkil ^calā 'llāh and started, or in fact continued, the seven long years of struggle to put right what his father had ruined (aslaha mā qad afsada wālidu-hu), as al-Kibṣī states. (50)

Al-Mutawakkil appointed permanently his confidential secretary the faqīh ^cAlī b. Ismā'īl Fāri^c (d. 1230/1815) as his first minister, assisted by Qādī Hasan b. ^cAlī ^cAbd al-Wāsi^c al-^cUlufī. (51) Fāri^c, unlike his predecessor al-Manṣūr's minister Hasan al-^cUlufī, was with his ruler al-Mutawakkil in the field of battle in Khawlān, al-Hadā, Ānis, in Lower Yemen and other places where rebellions and acts of disobedience had taken place. He was described as being a man of dignity, clever and a faqīh. (52) ^cAbd al-

(50) Al-Kibṣī, 375.

(51) Al-Shawkānī, al-Badr, I, 79; al-Shijnī, al-Tiqṣār, f. 15b; Zabārah, Nayl, I, 154, II, 127. Hasan b. ^cAlī b. Ahmad b. ^cAbd al-Wāsi^c al-^cUlufī was a grandson of the ālim ^cAbd al-Wāsi^c. ^cAbd al-Rahmān al-^cUlufī al-Qurashī al-Umawī. Al-Shawkānī, in a biography of their grandfather mentions him and his two brothers, referring to him as one of the outstanding people of his time, a wise and generous man, without guile. al-Badr, I, 409.

(52) Zabārah, Nayl, II, 127.

Rahmān al-Ānīsī, the famous poet, praised him in many Hakamī (classical Arabic) and Humaynī (colloquial Yemeni) poems. (53) When Fārī^c died, a year before al-Mutawakkil, he was replaced by his son, ^cUthmān b. Ahmad.

Among the new administrators and governors around the time of the death of al-Mansūr, were some sons of the old generation in his régime, namely Muhsin b. Yahyā al-Mutawakkil, son of the old general, who was appointed governor (wālī) of Hufāsh and Milhān. There was also ^cAbd al-Karīm al-Jirāfī, son of Qādī ^cAlī, (54) the governor (ḥāmil) of San^cā', one of the positions formerly occupied by al-Mutawakkil himself. (55) Then there was ^cAbdullāh b. al-Mutawakkil, the eighteen year old son of al-Mutawakkil, who replaced Hamūd b. ^cAbdullāh al-^cUlufī as governor of Raymah al-Jaby and Kusmah. Al-Mutawakkil appointed Qāsim b. Ismā^cīl Fārī^c, the minister's brother, as ^cAbdullāh's secretary and ordered his son to follow his instructions. (56) Other ^cUlufīs and their supporters were dismissed and others appointed in their place.

(53) Al-Ānīsī, Dīwān; Tarjī^c al-atyār, 255-8, 368-71; Zabārah, Nayl, II, 127.

(54) See above p. 30.

(55) Jāhhāf, 529.

(56) Ibid., 534-5.

7. Al-Mutawakkil Ahmad's role

No sooner had al-Mutawakkil put down rebellion in one place than it arose again in another. His dynamic character and effective role had a favourable reception from both the people and historians. (57) We will give a general survey of his seven years of struggle to bring about peace in the land.

Only a few months after Ahmad's accession to the throne Shaykh Sālim Shudayq al-Tāhirī of Dabyān, supported by his neighbour Sa^cīd Abū Hulayqah (58) of Khawlān, raided the main southern road to San^cā'. Al-Mutawakkil quickly left San^cā' in Muharram 1225/February 1810 at the head of his men and attacked the two villages of al-Yamāniyyatayn and Khawlān al-^cAliyah and punished them all.

(57) Al-Shawkānī, al-Badr, I, 78; al-Shijnī, al-Tiqsār, 15b; al-Kibsi, 374-5; Zabārah, Nayl, I, 154.

(58) Abū Hulayqah had already been in communication with Ḥamīd al-^cUlufī, governor of Raymah, who refused to carry out the instructions of Ahmad before the death of his father. Both Ḥamīd and Abū Hulayqah failed to face the San^cānī troops under the new leadership of ^cAbdullāh, son of Emir Ahmad, and Qāsim Fāri^c. Jahhāf, 537-8, and on the subject of Abū Hulayqah, cf. above p. 76.

From there he turned to the nearby al-Hadā tribe where he arrested its chief shaykh, ^cAlī b. Najī al-Qawsī and others. In consequence al-Hadā submitted again to ^cSan'ā' and al-Mutawakkil in the same month, Safar 1225/March 1810, continued his campaign. He directed his army against Dūrān in Ānis where Ibn Wāzi was one of the troublemakers of Bakīl. Al-Mutawakkil ordered his head to be cut off, then he returned victorious to ^cSan'ā'. (59)

It was only a year later that new troubles arose in Ta^cizz and the Lower Yemen because of Bakīl. Again al-Mutawakkil marched there on a punitive expedition. He stayed eight months, travelling from town to town. (60) His chief qādī, al-Shawkānī, accompanied him in all these campaigns. He wrote of al-Mutawakkil that he campaigned widely, but was victorious in every campaign he undertook. (61) Other high ranking officials were with him, including his minister, Fārī^c.

(59) Zabārah, Nayl, I, 155-7; Shawkānī, Dīwān, 31, 257.

(60) Zabārah, Nayl, I, 157.

(61) Al-Shawkānī, al-Badr, I, 78. Cf. also Dīwān, 59-60, 192, 237, 257, 345.

Al-Mutawakkil sent the Ḳālim, Qādī Muḥammad b. Yahyā al-Suhūlī to Hamdān and Kawkabān. ⁽⁶²⁾ in early 1224/1809 after the last expedition, to accept the submission of Āl Sharaf al-Dīn, emirs of Kawkabān. ⁽⁶³⁾ He returned successful and Sharaf al-Dīn stopped minting coinage in his own name. Sharaf al-Dīn also gave instructions for delivery of the khutbah once again in the name of the imam, and broke off relations with Sharif Hamūd. ⁽⁶⁴⁾ However, al-Mutawakkil found himself in 1228/1813 facing once again the old recurring nightmare of the Sharaf al-Dīn family throwing off their obedience to Sanḳā'. Moreover, he also sent Sayyid ḲAbdullāh b. Muḥammad al-Amīr (d. 1242/1826), himself a scholar and son of a late well-known scholar, on a mediating mission to repair the differences within the Sharaf al-Dīn house itself. ⁽⁶⁵⁾

(62) Kawkabān is thirty-six kilometres north of Sanḳā'.

(63) Āl Sharaf al-Dīn are the descendants of the well-known Imam al-Mutawakkil Yahyā Sharaf al-Dīn (d. 965/1558), the grandson of the great scholar, Imam al-Mahdī Ahmad Ibn al-Murtadā (d. 840/1437). Sharaf al-Dīn was replaced by the house of al-Qāsīm in 1006/1598.

(64) Jahhāf, 530.

(65) Jahhāf, 535-6.

Ibn al-Amīr succeeded in his efforts and three quiet years passed until Safar 1228/February 1813 when a new rebellion broke out against the capital. Al-Mutawakkil personally led a huge army and marched to Kawkabān. He camped first in Thulā and continued to Kawkabān where he crushed the rebels. When he returned after three months, he was accompanied by the emir of Kawkabān, Sharaf al-Dīn b. Ahmad (1159-1241/1746-1825), his brother, ^cAbdullāh, his family and the most influential sayyids of the area. Qādī al-Ānisī, the poet, was appointed a governor. (66) Al-Shawkānī, who was with his imam during this campaign, recorded the event in one of his poems. (67) Al-Ānisī also praised al-Mutawakkil and his military prowess. (68) After Āl Sharaf al-Dīn had resided in San^cā' for a year al-Mutawakkil allowed them to return to their historic home town of Kawkaban.

It is recorded that in this year al-Mutawakkil ordered the demolition of some funerary domes over some graves in

(66) Zabārah, Mayl, I, 158, II, 61.

(67) Al-Shawkānī, Dīwān, 192; cf. also 86; al-Shijnī, Tiqsār, 216.

(68) Al-Ānisī, Dīwān, 251-5.

San^cā' and Dhamār. (69) It is likely that this was part of an attack on saint-worship of which the Zaydīs disapproved. On this point the Zaydīs were in agreement with the new Hanbalī Wahhābī movement.

The year 1229/1814 saw many other remarkable events of al-Mutawakkil's reign. In this year he prepared an expedition to Tihāmah under the leadership of his minister, ^cAlī b. Ismā^cīl Fārī^c. (70) Yahyā b. ^cAlī b. Sa^cd, governor of Hajjah also went down to Tihāmah with a number of troops. In Mukhtarah the new settlement of Sharīf Hamūd, west of Hajjah in Upper Mawr, there took place a battle between the two sayyids in which Hamūd was defeated and many of his men killed. However, the next day Hamūd used bribery and trickery to prevent the imam's army from prevailing and there was little change in the balance of power between the imam of San^cā' and the lord of Abū ^cArīsh. (71)

In the meantime al-Mutawakkil Ahmad took advantage of the fact that Muḥammad ^cAlī, governor of Egypt, was involved

(69) Zabārah, Nayl, I, 158.

(70) Zabārah, Nayl, I, 158; al-Shijnī, f. 15b.

(71) al-Bahkalī, Mafh, supplement, 231-4.

in the war in the Peninsula against Ibn Su^cūd and the Wahhābī movement which had been ^{raging} ~~waging~~ since 1226/1811, and he exchanged letters and presents with Egypt's viceroy. (72)

His efforts to regain Tihāmah and to sustain control bore fruit three years later after al-Mutawakkil's death, when al-Shawkānī was personally involved in the negotiations. (73)

In Shawwāl 1229/October 1814 al-^cAnsī came down to Khushum al-Bakrah, a few miles north of al-Rawdah, near San^cā', in a new attack, leading groups from Arhab, Nihm and other tribesmen from Bakīl. Ahmad led a counter-attack and defeated them. In the next year 1230/1815 Nihm led by Naqīb Hādī Abū Luhūm came down to the northern suburbs of San^cā'. They raided and plundered travellers, but when al-Mutawakkil sent his troops they moved south of the capital where there was fighting between the troops and Nihm throughout the whole day. That night Nihm disappeared. (74)

A year before his death, al-Mutawakkil led the second campaign against Lower Yemen. That was when Shaykh Ahmad b.

(72) Al-Kibsi, 375.

(73) Al-Shawkānī, al-Badr, II, 368-72; al-Kibsi, 374-6; al-Shijni, al-Tiqsār, f. 15b.

(74) Zabārah, Nayl, I, 160.

^cAlī b. Sa^cd al-Jumā^cī rebelled. Al-Mutawakkil quelled the riot and then remained for a time in the area. (75)

The following year al-Mutawakkil Ahmad died of pleurisy (76) at the age of sixty-two and was buried beside his father al-Mansūr in the Bustān al-Misk. (77) He was to be succeeded by his young son ^cAbdullāh. Another son, al-Nāsir ^cAbdullāh, played a role of only marginal importance during his brother's lifetime, but was to be imam from 1252-6/1836-40, when he was killed in Wadi Dahr. His brother al-Hādī Muhammad was imam from 1256-9/1840-3. This is, however, outside the scope of our discussion.

(75) Zabārah, I, 159; al-Shawkānī, Dīwān, 59-60.

(76) Anon., Hawliyyāt, 13.

(77) Al-Shawkānī, al-Badr, I, 79; Zabārah, Nayl, I, 161.

CHAPTER FIVE

Al-Mahdī °Abdullāh and his reign

(1231-1251/1816-1835)

"[Prestige] reaches its end in a single family within four successive generations...the builder of the glory ...knows what it cost him to do the work, and he keeps the qualities that created his glory and made it last. The son who comes after him had personal contact with his father and thus learnt those things from him...The third generation must be content with imitation and, in particular, with reliance upon tradition. This member is inferior to him of the second generation, in as much as a person who relies (blindly) upon tradition is inferior to a person who exercises independent judgement."

Ibn Khaldūn, Muqaddimah

عظم اللماحيبي لك الأجر ، ولي في الخلافة القاسمية
كل ملك في العالمين سيفنى ، غير ملك الطليق رب البرية

وتلاشى امر الملوك بنى العباس ، حتى لم يبق فيهم بقية
وملوك في قطرنا اليمن الميمون ، صاروا أحلام نوم العشية

ما قضى الله قط خلدًا لملك ، غير ملك السعادة الأبدية
فإذا زال عن بني القاسم الملك ، فصبرا على عظيم الرزية

· Ibn Ishāq, bewailing the House of Āl al-Qāsim

Al-Mahdī °Abdullāh and his reign (1231-51/1816-35)

1. The young imam

Unlike his father, al-Mahdī °Abdullāh became imam of the Yemen as a young man, in his twenty-third year. He had only limited experience of holding authority during the lifetime of his father, first from his governorship of Raymah and later in °Amrān. Moreover he grew up in times that were troubled and confused. This might explain what al-Shawkānī means when he says that "his maturity increased gradually" (fī kull hīn yazdād kamālan). (1) Shawkānī adds that he was a man of sound sense and of high morality. He describes him as skilled in the use of firearms and in horsemanship, but mentions nothing about his intellectual or educational attainment. The high qualifications

(1) Al-Shawkānī, al-Badr, 376.

necessary for an imam are hardly to be found in his case.⁽²⁾

Al-Mahdī ^cAbdullāh is also described by Assistant Surgeon Robert Finlay of the Bombay Service who visited San^cā' in 1243/1823, as follows: "He was extremely passionate and was constantly in the habit of disgracing and changing his ministers." ⁽³⁾ Indeed this description applies exactly to his character.

However, ^cAbdullāh b. al-Mutawakkil Ahmad succeeded his father at dawn on Wednesday, 17 Shawwāl 1231/12 September 1815, on the same day as his father's death, when, it is reported, ^cAbdullāh wore black - a sign of mourning not found in the history of the country before or after this event. Al-Shawkānī, the chief qādī, gave him the oath of allegiance (bay^cah) and was responsible, as he had been to ^cAbdullāh's father, for receiving the allegiance offered to ^cAbdullāh from the chiefs (umarā') of San^cā', its qādīs, the imam's family and all the military leaders and eminent

(2) For the qualifications of an imam, see above, chapter II, p. 49. It is worthy of note that the anonymous author of Hawliyyāt mentions that his father, al-Mutawakkil, determined (nassa) that his second son Qāsim was to be his successor, but time was against him and ^cAbdullāh rose to the position of imam.

Hawliyyāt, 13.

(3) Playfair, 140.

people. All the people of the Yemen gave him allegiance after that. ⁽⁴⁾ However, the author of Sīrat al-Mahdī says that Āl al-Mahdī [°]Abbās led by Tālib al-Mahdī refused to give allegiance and remained in the courtyard of the Qasr. ⁽⁵⁾ The minister [°]Uthmān Fāri[°] came out to them and tried to persuade them, but without success. Only when Qādī al-Shawkānī came to them did they accept to give their allegiance, on condition that al-Mahdī [°]Abdullāh returned their property (sawāfī) and their deeds (which had probably been confiscated by al-Mutawakkil or his father, al-Mansūr). Al-Shawkānī mediated between them and al-Mahdī, who accepted their request. ⁽⁶⁾

On Monday 23 Shawwāl 1231/18 September 1815, a week later, al-Mahdī visited al-Rawdah and stayed in Dār al-Bashā'ir, where he reviewed the troops, their leaders and

(4) Al-Shawkānī, al-Badr, I, 376-7; Zabārah, Nayl, II, 64; Anon., Hawliyyāt, 13.

(5) I have realised that the margin ḥāshiyah of Jahḥāf's Durar is in fact another work by Jahḥāf himself; a biography or sīrah of al-Mahdī [°]Abdullāh. Unfortunately it stops suddenly on 23 Rabī[°] II, 1233/1818 on page 49 of the Durar. It seems that none of Jahḥāf's biographers mention this sīrah or know of it.

(6) Jahḥāf, Sīrat, 2.

the cavalry and distributed gold and silver among them. He postponed paying his followers, his family and officials until the next day. Al-Mahdī noticed that the minister Hasan b. ^cAlī ^cAbd al-Wāsi^c was not happy with his generosity, but kept the matter to himself. On the same day al-Mahdī was engaged in games of the lance (harbah) with his brother Qāsim, showing a high standard of horsemanship.⁽⁷⁾ It appears that games of the lance were his favourite sport. The next day al-Mahdī dismissed Sālim Muhammad al-Tashshī from the administration of the awqāf and replaced him by the aged and experienced scholar Ismā^cīl b. Hasan al-Shāmī (d. 1234/1819).⁽⁸⁾ This appointment was on the advice of al-Shawkānī and was a good choice. But only two months later al-Mahdī began his rash game of changing his ministers and leaders and confiscating their property. This irresponsible policy became the hallmark of al-Mahdī ^cAbdullāh's régime which lasted for nearly twenty years.

(7) Jahhāf, Sīrat, 2-3.

(8) His biography is in al-Badr, I, 145; Zabārah, Mayl, I, 169.

2. Changing ministers and confiscation of property

The first victim of al-Mahdī's policy was his father's minister, al-Hasan b. ^CAlī ^CAbd al-Wāsi^C who, once again unhappy with his excessive generosity, advised him not to distribute clothes, money and gifts to the troops and officials on ^CId al-Adhā. On 14 Dhū 'l-Hijjah 1231/7 November 1816, on the pretext that during al-Mutawakkil's reign ^CAbd al-Wāsi^C had unjustly treated Hasan b. Muhammad al-Akwa^C, governor (^Camil) of Sahbān, and imprisoned him, al-Mahdī ordered his slave-emir Maysūr al-Habashī to arrest al-Wāsi^C and confiscated seven thousand qirsh from him.⁽⁹⁾

On the following Friday, 18 Dhū 'l-Hijjah, after prayers, al-Mahdī joined his minister ^CUthmān b. ^CAlī Fāri^C for an hour's horse-riding and a game with lances. Then he went up to Maydān al-Qasr where he paraded the troops, "Ahl al-Bawādī" and cavalry and finally he returned to the Qasr where he resided. That evening unexpectedly he ordered his slave-emir Fayrūz al-Mutawakkil to arrest ^CUthmān b. ^CAlī

(9) Jahhāf, Sīrat, 3-4.

Fārī^c. He also commanded his houses to be sealed up, as well as houses elsewhere and his property in Jiblah and Dhū Sifāl. Al-Mutawakkil also ordered his slave-emir Fath Allāh al-Mutawakkil to arrest Muḥammad b. ^cAlī Fārī^c, ^cUthmān's brother, and Savyid Muḥammad b. ^cAlī al-Shāmī. It is even stranger that al-Mahdī ordered women of Āl Fārī^c to leave their houses and to stay in al-Shāmī's house. This was probably in order to make it easy to evacuate Fārī^c's houses since all his furniture and fortune were to be moved by camel to the Qasr, a task taking many days. What is even more surprising still, al-Mahdī at the same time appointed his grandfather's former minister, one Hasan b. Hasan al-^cUlufī, a known mischief-maker, in the place of Fārī^c. (10)

Al-Mahdī changed the old administration of his father. In addition to reappointing al-^cUlufī as minister responsible for Raymah, Harāz, Hufāsh, the two Usābs, Ta^cizz and its surrounding area, al-Mahdī appointed Qādī Muḥammad b. ^cAlī ^cAbd al-Wāsi^c to Jiblah, Ibb, Hubaysh, Mocha and Qa^ctabah. He also appointed Faqīh ^cAbd al-Karīm al-Jirāfi to Ānis, Dhamār and the central area, giving him also

(10) Jahhāf, Sīrat, 5-6; Anon., Hawliyyāt, 14.

responsibility for the store of the Qasr and the horses, for he was the man who had been responsible for receiving the property and confiscated goods of ^CUthmān b. ^CAlī Fārī^C. Qādī Muhammad b. ^CAlī al-^CAmrī, a faqīh, was present in order to list officially the items.⁽¹¹⁾ It is clear that al-Mahdī, at least in Fārī^C's case, did not confiscate his property for his own benefit, but for the treasury. Emir Muhammad b. al-Mutawakkil, al-Mahdī's third brother, became responsible for Hamdān and Sanhān, assisted by Muhammad b. ^CAlī al-^CAmrī as secretary.⁽¹²⁾

Among the new faces was Faqīh Qāsim b. ^CAlī al-^CAffārī, secretary of al-Mahdī, who was to play the same role as Hasan al-^CUlufī in al-Manṣūr's administration. He was to be dismissed, imprisoned and his property confiscated, but he was reappointed many times as were others with whom the fickle imam dealt.

Husayn b. Muhammad Hanash, one of the new administrators, was the man responsible for sealing up Fārī's houses in Lower Yemen and he was now put in charge of the affairs

(11) Jahhāf, Sīrat, 5.

(12) Ibid., 4.

of Dhū Muhammad and Dhū Husayn. This was indeed an extremely difficult job to maintain together with his other position as a chamberlain (wisātat al-bāb). (13)

It appears that al-Mahdī's cousin, Ahmad b. Muhammad b. al-Manṣūr was in charge of the troops (al-ajnad). On 6 Muharram 1232/27 November 1816, he was replaced by the slave-emir Rayḥān al-Mutawakkil, governor of San^cā', who himself was soon, in the following month, to be dismissed along with Sharīf ^cAlī b. Nājī, chief of the Qaṣr guards. Both were arrested in their own homes. Emir Rayḥān was replaced by Emir Farḥān al-Mutawakkil. Naqīb Fath Fayrūz, another slave, was made responsible for the Qaṣr guard, and Sayf al-Islām Muhammad b. al-Mutawakkil, al-Mahdī's brother, became governor of San^cā'. (14) The keepers of the gates were also changed.

(13) Jahhāf, Sīrat, 6.

(14) Ibid., 8-9.

3. Some remarkable and amusing incidents of al-Mahdī's time

In Sīrat al-Mahdī there are some small but important and valuable allusions which shed light on Yemeni society of the period. We have already mentioned that al-Mahdī °Abdullāh wore black as a sign of mourning when his father died. Jāhhāf also mentions that al-Mahdī °Abdullāh revived the custom of circumcising Muslim boys, the operation being carried out at his very gate. He fed them and those attending who brought them and gave them all gifts. This custom had been abandoned for many years. (15) Al-Mahdī also used to visit or parade (ista°rada) prisoners. On 24 Dhū 'l-Hijjah 1231/18 December 1816, he paraded them and gave each one a piece of cloth and four riyāls. But when he was informed of the robberies committed by eight members of the tribe of Qāyifāh who had been in prison since his father's time, he ordered their heads to be cut off. The execution was carried out the next day, Friday, and left a deep impression and instilled fear among the tribes.

(15) Jāhhāf, Sīrat, 7.

Among these early events is what happened to Faqīh Sālīh b. Sālīh al-^CĀmirī, governor of Mocha. At the end of Muharram 1232/December 1816, al-Mahdī sent the slave-emir, Fayrūz al-Mutawakkil, to inspect al-^CĀmirī after al-Mahdī had heard that he had been exchanging letters with "the enemy" (probably Sharīf Hamūd). Fayrūz carried some material as a special gift from his imam to the governor. The latter knew of Fayrūz's mission before he reached Mocha and he had already heard of al-Mahdī's behaviour and the kind of punishment he was giving out. He decided to commit suicide by swallowing a diamond! Thus he died. (16)

At the end of the previous chapter we pointed out that al-Mutawakkil had exchanged letters and gifts with Muḥammad ^CAlī of Egypt. His son, al-Mahdī ^CAbdullāh continued the communication using the same envoy, Muḥammad ^CĀbid al-Sindī (d. 1257/1841), a scholar who came originally from Sind. Before his death al-Mutawakkil had received magnificent presents from Egypt, including one of the viceroy's small elephants which used to parade with the cavalry and walk

(16) Jahhāf, Sīrat, 8.

round the sūqs of San^{cā}. (17) When al-Mahdī succeeded his father he in his turn sent presents to Muhammad ^cAlī in 1232/1817. It is ironic to learn from the anonymous author that al-Mahdī ^cAbdullāh returned the elephant to Egypt among his presents to Muhammad ^cAlī, apologizing and explaining that the Yemen was a poor land so could not support such a large elephant which required great quantities of food! (18)

4. Sharīf ^cAlī al-Jawfī and his resistance in Dhahbān

On 16 Safar 1232/5 January 1817 Imam al-Mahdī relieved his minister Qādī Muhammad ^cAbd al-Wāsi^c of his responsibility for Mocha and replaced him with Qāsim al-^cAffārī, appointing slave-emir ^cAlī b. Mas^cūd al-Mās governor of Mocha. At the same time he released Sharīf ^cAlī b. Nājī al-Jawfī, (19) who was a military leader, from house arrest

(17) Anon., Hawliyyāt, 11; al-Shawkānī, al-Badr, II, 227.

(18) Anon., Hawliyyāt, 16; al-Shawkānī mentions the elephant among the presents to Muhammad ^cAlī, but does not give the reasons for its return; cf. al-Badr, II, 227.

(19) The Jawfī sharīfs are sayyids, living in al-Jawf, north-east of San^{cā}. They are descendants of the Imam ^cAbdullāh b. Hamzah (d. 614/1217).

and ordered him to join Emir ^CAlī b. Mas^Cūd. Sharīf ^CAlī, however, declined. (20) When al-Mahdī refused to accept his excuse for not going to Mocha, al-Jawfī pretended that he would follow al-Mas^Cūd who was waiting for him outside San^Cā'. Instead Sharīf al-Jawfī made for Dhahbān, about ten miles north of San^Cā', accompanied by some of his followers. There he stayed, where al-Mutawakkil had granted him a piece of land. (21) A week later some chiefs of Nihm and qādīs of Barat came down to mediate between Sharīf al-Jawfī and al-Mahdī. They brought with them two sacrificial bulls, which were slaughtered at al-Mahdī's gate. Imam al-Mahdī accepted their mediation on condition that Sharīf al-Jawfī should first return to his former residence in San^Cā' and then it would be up to al-Mahdī's mercy. But the mediators suggested that he should return to San^Cā', take up a position in the cavalry and receive a monthly stipend (jāmakīyah). It appears that Ahmad

(20) Jahhāf, Sīrat, 9-10; the compiler of the Hawliyyāt, however, says that al-Mahdī appointed al-Jawfī himself as governor (Hawliyyāt, 15), but the former version in the Sīrat al-Mahdī would appear to be acceptable.

(21) Jahhāf, Sīrat, 10.

b. ^cAlī al-Jawfī, the chief of al-Mahdī's guard, supported the mediators' suggestion. As a result al-Mahdī spoke to him sharply in his mafraj in Dār al-Sāfiyah in Bīr al-^cAzab. Immediately Ahmad al-Jawfī fled San^cā' and joined Sharīf^cAlī at Dhahbān. On the next day, Tuesday 24 Safar 1232/13 January 1817 four hundred troops led by Muhsin b. Yahyā al-Mutawakkil and Husayn b. Muḥammad Hanash went out with cannons and besieged Dhahbān. Sharīf ^cAlī b. Nājī al-Jawfī succeeded in escaping to Arḥab territory, although twenty-three of his followers were captured. Ahmad al-Jawfī surrendered to Hanash in his camp and was brought by him with other prisoners to San^cā'. Al-Mahdī punished Ahmad al-Jawfī, ordering him to be lashed. Al-Jawfī had abused the imam's servants and they therefore proceeded to trample him under foot until he nearly died. He was carried by a black slave and taken round the city while a drum was beaten on his back. He finally died in al-Sā'ilah in the middle of San^cā' and his body was brought down to the gate of al-Mahdī who ordered his burial. (22)

(22) Jahhāf, Sīrat, 10-11; Anon., Hawliyyāt,

5. The submission of Ḥaṣhīd

From Dhahbān the imam's general, Sayyid Muḥsin al-Mutawakkil was ordered with his troops to advance on ^ḤAmrān about forty miles north of San^Ḥā', where there was a rebellion and to deal with a second in Jannāt five miles away. ^ḤAmrān refused at first to open its gates to some of his troops, especially those of Banī Jabr and Khawlān. Muḥsin al-Mutawakkil nevertheless solved the problem temporarily and from there he attacked Jannāt on 14 Rabī^Ḥ I 1232/2 February 1817, after receiving a cannon and an extra three hundred troops in support as well as seven thousand riyāls from al-Mahdī. However after Muḥsin al-Mutawakkil had besieged and done battle with the inhabitants of Jannāt and their shaykhs, led by ^ḤAmir al-Shanbalī, Muḥammad Ridwān and Muḥammad al-Shajmah, all of whom were killed, Jannāt submitted and eighteen of its shaykhs were shackled and brought down to San^Ḥā'. Al-Mahdī celebrated his victory in San^Ḥā' and sent an official proclamation throughout the country, dated 15 Rabī^Ḥ I 1232/3 February 1817, informing the people of this victory and threatening

to deal in like manner with any such an act of disobedience.⁽²³⁾

Meanwhile, al-Mahdī dismissed Ḥusayn Ḥanash from his position as chamberlain, claiming that Ḥanash had spent twelve thousand riyāls in Dhahbān to no avail, (fī ghayr tā'il) - since Sharīf al-Jawfī had escaped to Arḥab - and that he had also expended twenty thousand riyāls for the ^cAmrān and Jannāt expeditions. Ḥusayn Ḥanash was replaced by Qāsim al-^cAffārī who resided in the same house as his predecessor who was living near Bāb al-Sabḥah.⁽²⁴⁾ At the same time Emir Fayrūz al-Mutawakkil returned from Mocha where he had carried out al-Mahdī's instructions and brought what Sālih al-^cAmirī, the previous governor of Mocha, had left behind him after his suicide. Ḥasan al-^cUlufī, the imam's minister, feeling excluded from governmental affairs, retired at this time. Al-Mahdī himself left ^cSanā' to inspect the military expedition of his general Muḥsin al-Mutawakkil in Ḥāshid and to punish personally some of its tribes, including ^cIyāl Surayh, where he first arrived and stayed with Banī Zayd. He ordered the demolition of

(23) Jahhāf, Sīrat, 13-6; Anon., 15.

(24) Jahhāf, Sīrat, II; Anon., Hawliyyāt, 15.

the house of Shaykh Ahmad b. [°]Alī al-Dul[°]ī. From there he visited Jannāt, Raydah, Hamdah and other places. He destroyed many fortresses including one called Shājir where Shaykh al-Qufaylī of Khārif had taken refuge and fortified himself, some of Hāshid with him. Al-Qufaylī surrendered after many had been killed on both sides, including six of Hamdān on al-Mahdī's side. Eighty-five were taken prisoner to [°]Amrān, together with those from Jannāt. (25)

Al-Mahdī then went up to visit Shājir where he saw how many had been killed and ordered the fort to be demolished. On Friday 3 Jumādā I 1232/22 March 1817 al-Mahdī left Hamdah for [°]Amrān and Muhsin al-Mutawakkil remained behind to carry out the demolition of the other fortresses and castles in Hāshid territory. In [°]Amrān the next day al-Mahdī ordered the destruction of its wall. The people pleaded with him not to carry out his threat, especially since he had already rid the town of its tyrants and there only remained the poor and weak, so he accepted their plea and the wall was fortunately left intact. Sayyid Qāsim

(25) Jahhāf, Sīrat, 23-4.

b. Ahmad b. al-Manṣūr Ḥusayn was summoned from Ṣanʿā' and appointed governor of ʿAmrān province assisted by Yahyā b. ʿAlī al-Radī. The following week, on Monday 13 Jumādā I 1232/2 April 1817 after arresting the shaykhs of ʿAmrān and Jannāt, al-Mahdī struck camp and left ʿAmrān for al-Rawdah on his way to Ṣanʿā'. Emir Fayrūz led out the prisoners of ʿAmrān and waited at Jannāt for his imam near Bāb Shaʿūb, on the Tuesday. He was however ordered to put them in prison and al-Mahdī entered Ṣanʿā' from al-Rawdah on Wednesday 15 Jumādā/4 April 1817. (26)

Other instructions were given and punitive measures taken by the imam at this time. Sayyid ʿAlī b. Hasan al-Durrah was sent with some troops to demolish the Jabal ʿIyāl Yazīd forts and castles. When they resisted, al-Mahdī sent his amīr al-jund, Fayrūz al-Mutawakkil, at the head of one thousand men in addition to Naqīb Hādī b. ʿAlī Abū Luhūm, chief of Nihm together with some of those who had been in ʿAmrān. The people of Jabal ʿIyāl Yazīd were frightened and their fortresses demolished at once. (27)

(26) Jahhāf, Sīrat, 24-6.

(27) Jahhāf, Sīrat, 26-9.

There was also internal trouble among the tribe of Qāyifāh in the south-east. Husayn b. Sa^cīd Abū Hulayqah, a Khawlānī shaykh, was sent by al-Mahdī at the head of one thousand Khawlān to the tribe. Following as mediator was Sa^cd Miftāh and Shaykh ^cAlī b. Nājī al-Qawsī of al-Hadā. However, Shaykh ^cAlī b. Sa^cīd al-Hājī, the governor of Radā^c, refused the mediators all generosity, so they both returned home and Abū Hulayqah seized al-Hājī and brought him to Dhamar prison as al-Mahdī had ordered him.

6. Amnesty and punishment in San'ā'.

The following weeks, after al-Mahdī's return, were distinguished by a certain amount of flexibility and generosity on his part. Al-Mahdī gave Sharīf ^cAlī b. Nājī al-Jawfī indemnity, so he returned to San'ā' on Thursday 29 Jumādā II, 1232/16 May 1817 after his escape from Dhahbān to Arhab. Al-Mahdī released ^cUthmān b. ^cAlī Fārī^c from prison, confining him to the fortified tower (nawbah) of Hājī Tawfīq in the imam's garden. This illustrates a kind gesture and a step towards his release. (28) On the other hand the imam's senior minister, Qāsim b. ^cAlī al-

(22) Jahbāf, Sīrat, 26.

^cAffārī, was imprisoned for the offence of allowing too little silver in the coinage and for his impetuosity (shiddat al-hiddah); al-Mahdī punished him, although realising the affection al-^cAffārī had for him. He was replaced by Sayyid Ismā^cīl b. Qāsim al-Amīr. (29) Al-^cAffārī remained in prison for only two months. At the same time the Hāshid hostages were released after the mediation of Yahyā b. Muflīh and others. On 5 Rajab news reached al-Mahdī that his uncles (the sons of Mansūr) and his father's uncle Talib b. al-Mahdī ^cAbbās were critical of his régime. On Friday 7 Rajab he put them all (Qāsim, Ismā^cīl, Yahyā, Muhammad and Zayd) in prison. When Tālib b. al-Mahdī tried to resist al-Mahdī sent his minister Qādī Muhammad b. ^cAlī ^cAbd al-Wāsi^c and his own chief servant to him. At the same time Tālib's two brothers Ya^cqūb and Sālīh al-Dīn came to see him and all advised him not to refuse al-Mahdī's order. So he was arrested. On the following Friday al-Mahdī visited his uncles in the Qasr prison and moved them from the general prison to house arrest in the Qasr

(29) Jahhāf, Sīrat, 31.

where the late Sayyid °Alī b. Ahmad Ishāq had been imprisoned in the time of al-Mansūr. (30) Later in the middle of the following month all of them were to be released. (31) Their release coincided with two contradictory events which took place on the same morning. That evening al-Mahdī married the daughter of Sayyid Ibrāhīm b. °Abd al-Qādir b. Ahmad and his brother Ibrāhīm married the daughter of Qādī Yūsuf b. Ismā°īl al-Sadiq. (32) Within hours al-Mahdī had to face the severe attack of Arhab, led by its chiefs and Sharīf °Alī b. Najī al-Jawfī, who had already fallen from grace, with another sharīf from al-Jawf.

(30) See above p. 61.

(31) Jahhāf, Sīrat, 31-3.

(32) Jahhāf, 33. This was not, of course, the first marriage of al-Mahdī, nor the last. On 1 Safar 1233/13 December 1817 only six months after his previous marriage, al-Mahdī married the daughter of Sayyid °Abd al-Karīm b. Ahmad b. Ishāq (d. 1225/1810). At the end of the same month his brother Muhammad married the daughter of Shaykh °Alī b. Muhammad Khalīl of Hamdān (Sīrat, 43). In 1235/1819 he married the daughter of Sultan al-Rassās of Yāfi° in al-Baydā'. After divorcing her he married her sister. Cf. Anon., Hawliyyāt, 28.

7. The Arhab attack

There is no need to search for a reason for the attack of Arhab, beyond their protection for Sharīf ^CAlī b. Nājī al-Jawfī and his men. We do not know either when or why on this occasion he had taken shelter and protection again in Arhab after his reconciliation with al-Mahdī. It was for the protection of al-Jawfī and perhaps because it was felt that San^Cā' was weak after the imam's fighting with Hāshid and the aggressive behaviour of the tribes that Arhab attacked. But it could also be that Arhab was anticipating punishment from al-Mahdī, as he had already punished Hāshid. All we know is that on Thursday 11 Sha^Cbān 1232/27 June 1817 Arhab left their territory accompanied by Sharīf ^CAlī b. Nājī and Sharīf Muhsin al-Dāmīr, the paramount chief of al-Jawf, with sixteen hundred warriors and ten horses. They arrived in al-Rawdah at midnight and in the morning they attacked Sha^Cub and the northern suburbs of San^Cā'. Two slave-emirs, Farhān and Fayruḏ, with their troops led the counter

attack and the next morning al-Mahdī himself, on his wedding morning, pursued Arhab to Jadir, one of two villages of the same name a few miles north of San^Cā'. At the same time al-Mahdī urgently summoned Khawlān and other tribes. (33)

On 18 Sha^Cbān 1232/4 July 1817 Naqīb Ḥusayn Abū Ḥulayqah arrived in San^Cā' with three thousand men of his tribe, Khawlān. One thousand five hundred of them were led by al-Sūfī. Al-Qiyārī, another Khawlān naqīb, also arrived from Khawlān. They camped near Rawdah. At the same time Sayyid Qāsim b. Ahmad, governor of ^CAnrān, who had been summoned by the imam, arrived in San^Cā', accompanied by some men from Ahl ^{al}~~ak~~-Jabal and ^CIyāl Surayh. Meanwhile Arhab made a quick attack on Dhahbān. The new support forces, predominantly of Khawlān, deployed themselves throughout Arhab territory and in addition arrangements were made by al-Mahdī's general, Emir Tawfīq, to ensure the non-interference of the tribes of B. al-Hārith and B. Ḥushaysh. Arhab realized the difficult

(33) Jahhāf, Sīrat, 32-3.

situation in which they had involved themselves and the serious consequences thereof. They therefore tried to reach a compromise with al-Mahdī, but it was too late. They sought support (nakkaḥ) from their Bakīl blood relatives and allies. Some of these responded, including the sub-tribes Dhū Muhammad, Dhū Husayn, Yām and others, but Nihm, under the leadership of Hādī Abū Luḥūm, did not answer the call for assistance. They had previously supported the imam with one thousand five hundred men after certain internal differences between a number of shaykhs of Nihm. (34)

With his cannons and troops, including a thousand from Banī Jabir, now known as Khawlān Tiyāl, al-Mahdī left San^cā' on 23 Sha^cbān 1232/9 July 1817 for the battlefield. Hamdān, led by Emir Rayḥān, advanced from their territory towards Arḥab. The fighting continued for many days. In one of the clashes between Nihm and Arḥab, Sharīf Muḥsin al-Dāmir, chief of al-Jawf, was killed,

(34) Jāhhāf, Ṣīrat, 33-4.

together with forty from Arhab. In a further battle between Hamdān and Arhab, the latter lost twenty-eight men and Hamdān's casualties were twenty-five. Arhab acted shamefully during the battle, stooping to the depths of cutting off the heads of the dead Hamdānīs. This behaviour which was totally against tribal tradition increased the enmity between the two tribes. In return Hamdān retaliated in like manner and Yahyā b. ʿAlī Khalīl brought the first Arhabī head and received ten riyals and two pieces of gold as a reward from al-Mahdī ʿAbdullāh. (35)

With the small cannons already in position, on 28 Shaʿbān 1232/14 July 1817 the so-called al-Ashram cannon arrived from Sanʿā' with its well-known artilleryman, Hājj Husayn al-Turkī and his men. Al-Mahdī ordered him to advance and open fire on the fortified tower (nawbah) of Ghānim b. Mahdī which was being defended by a group of Arhab. This attempt was unsuccessful and six of Turkī's men were killed. After midnight Emir Fayrūz came in support and they changed the position of the cannon and then finally succeeded in destroying the tower.

(35) Jahhāf, Ṣīrat, 35-6.

However by the end of Sha^cbān the battle was brought to an end in the village of Shi^cb where Arhab and their allies were completely defeated. The result was a hundred and eighty dead from Arhab and Bakīl; whereas only eighteen died on the imam's side and sixty were injured. (36)

Al-Mahdī returned to San^cā' on 4 Ramadān exhausted, not keeping the fast, but nevertheless victorious. Among the prisoners of Arhab only Shaykh al-^cUdarī is mentioned as having been executed by al-Mahdī. His head was cut off in San^cā' on 4 Shawwāl 1232/18 October 1817. (37) The other Arhab prisoners were released in the middle of Ramadān. (38)

8. Economic repercussions in San^cā'

As a result of al-Mahdī's campaign against the Arhab and the general political unrest which accompanied it, prices increased and the value of qirsh (=riyāl) fell.

(36) Jahhāf, Ṣīrat, 36-7.

(37) Ibid., 39.

(38) Ibid., 27.

On 1 Ramadān 1232/19 July 1817 the number of hurūf (sing. harf) in one qirsh increased from two hundred to three hundred. The prices of grain changed as follows: one qirsh for two and a half qadah of wheat or three of corn or five of barley. (39) Four months later the number of hurūf in one riyāl increased to four hundred and al-Mahdī had to fix its value at this rate. On the first day of the new year 1233/11 November 1817 he reopened the mint (dār al-darb) and issued new currency, ordering that the number of hurūf should not exceed four hundred. However with temporary political stability and a return to normal life, one riyāl became the price of three qadah of wheat, four of corn and five of barley and the price of grain dropped. The production of goods and other commodities was increased and became cheaper. (40)

These few months, however, were not to pass without a change of ministers. The minister Ismā'īl b. Qāsim al-Amīr was suspended and his properties in Lower Yemen

(39) Jahhāf, Ṣīrat, 38; cf. the prices and the economic situation in the time of al-Manṣūr in the year 1220/1805, chapter IV, p. 96-7.

(40) Jahhāf, Ṣīrat, 43.

confiscated. (41) Qāsim al-^cAffārī was reappointed as minister and Faqīh Yahyā b. ^cAlī al-Ānsī became responsible for tribal affairs and was given the governorship of San^cā'. (42) The mediation of Naqīb Hādī Abū Luhūm was accepted in some tribal cases and many chiefs and tribesmen were released, probably due to his help against Arhab.

At this point, however, when all appeared calm, al-Mahdī became involved in a new critical situation with the tribes within San^cā' itself.

9. The punishment and humiliation of Bakīl

For some reason al-Mahdī ^cAbdullāh decided to launch a campaign against Sharīf Hamūd and to regain Tihāmah. He summoned the tribes of Dhū Husayn and Dhū Muhammad of Bakīl to San^cā' for this purpose. It is impossible to accept al-Shijnī's story that the two tribes had been summoned to San^cā' because the minister Qāsim al-^cAffārī had plotted to get rid of all of them and their evil ways in a

(41) Jahhāf, Sīrat, 41.

(42) Ibid., 40 and see above p. 128-5.

massacre planned to be carried out in the capital. (43)

A great number of them (44) arrived with their chiefs in San^Cā', where al-Mahdī showed them generous hospitality. After a few days of granting them wages and means of support al-Mahdī ordered them to march, together with some other tribes, to Tihāmah, thus carrying out his intended plan. But when they demanded higher wages and showed their greed, al-Mahdī forbade them to leave San^Cā'. They then felt that they were captive and that some punishment might well be administered because of their refusal. Their chief, ^CAlī b. ^CAbdullāh al-Shāyif wrote to al-Mahdī threatening that if he would not allow the tribesmen to leave the capital for their own territory, they would have no alternative but to fight from the houses they were renting or into which they had scattered in many quarters, in the east and north of the capital. Al-Shāyif stated that al-Mahdī's own palace would be one of their main

(43) Al-Shijnī, al-Tiqsār, 17b.

(44) From the list of their horses and camels which were later confiscated, it appears that they were at least three thousand in number. Ten years before, by comparison, al-Mansūr ^CAlī sent to Zabīd seven thousand of Dhū Husayn (al-Mu^Cmī, Diary, 172b).

targets. Al-Mahdī, however, was incensed, rather than appeased, by this letter and became furious. (45) The anonymous author of the Hawliyyāt adds that Bakīl were under the impression that al-Mahdī and his minister al-^cAffārī were afraid of them. (46) However, on 17 Rabi^c 1233/Saturday 26 January 1818 al-Mahdī summoned their chiefs. Accompanied by his minister al-^cAffārī he met them in his garden. There he gave orders for them all to be shackled and held in his palace basement. In the evening he commanded his brother, Muhammad, to throw them into prison. On Thursday 20th of the same month, in order to humiliate Bakīl completely, al-Mahdī called in Faqīh Hasan al-^cUlufī who had had bad relations with Bakīl (47) and asked the old minister to be his chamberlain (wāsitat al-bāb). In actual fact al-^cUlufī declined the position, apologizing and saying that he would not be able to assume the responsibility on account of his ill health and old

(45) Jahhāf, Sīrat, 43; al-Kibsi, 376.

(46) Anon., Hawliyyāt, 18.

(47) See above chapter IV, p. 99.

age. (48) Meanwhile, al-Mahdī summoned ʿAbdullāh b. Ahmad al-Shāyif and again ordered him to obey his instructions, but instead al-Shāyif defiantly reminded the imam that Ṣanʿā' was full of his tribesmen and that they were unwilling to execute his commands. (bi-anna Ṣanʿā' namlū'ah min awlād Ḡhaylān, wa-annahum ḡhayru mumtathilīna li-'l-amr). (49)

In fact, they had already barricaded themselves in the houses of their agents and other houses and caravanserais (sing. samsarah) which they had rented. They were determined to fight and to free those imprisoned. Al-Mahdī for his part placed his troops on the alert and all important buildings were also protected and guarded. He gave orders that Bakīl should be killed (fa-amara al-imām bi-'l-ṣayḥah ʿalayhim). (50) It was for a period of only a day and a

(48) Jāhhāf, Sīrat, 44; Anon., Hawliyyāt, 19. Jāhhāf tells us that he was suffering badly from riyāḥ, presumably rheumatism.

(49) Jāhhāf, Sīrat, 44.

(50) Jāhhāf, Sīrat, 44; Anon., Hawliyyāt, 19; al-Kibṣī, 376; al-Shijnī, al-Tiqṣār, 17b-18a who adds that al-Shawkānī had repeatedly written to al-Mahdī, warning him of the outcome of the escapade and that Bakīl would not carry out what he wanted from them.

night that Bakīl suffered particularly and went through the worst. Those who did not escape by jumping down from the walls of Ṣan^Cā' or hide themselves were killed, imprisoned or at least wounded. They left behind them two hundred Arabian thoroughbreds and six hundred white racing she-camels, as well as a great deal of their equipment and arms which were all brought to al-Mahdī. The local mob also plundered them and seized many of the goods which they themselves had already looted or bought from the people of Ṣan^Cā'. Bakīl also left behind them about five hundred prisoners including chiefs. But above all else they suffered the utmost humiliation. (51) It is worthy of note that one trouble-maker of Bakīl, Qādī^C Abdullāh b. Ḥasan al-Ansī, whom we have met many times in our study, was not with those in Ṣan^Cā' on this occasion, although he was not far from the scene. He was in Bawsān, a few miles from Ṣan^Cā', waiting cautiously, when those who managed to escape arrived in a very sorry condition. He asked them where their horses, camels and chiefs,

(51) Jāhhāf, 45; Anon., 19-20; al-Kibsi, 376.

(^cuqqāl) were. They told him what had happened to them and he then chided them. "There will be no more Bakīl after today! You have lost your hands, your legs and your heads!" He ordered four camels to be slaughtered to feed them. (52)

Al-Mahdī sent a general statement to all his governors and officials dated Thursday 23 Rabī^c I 1233/18 March 1818, giving an account of the episode and announcing his triumph.

10. The vengeance

There was no doubt in San^cā' that Bakīl would be back for vengeance before long. With this in mind al-Mahdī and his minister started to take certain measures to defend the capital, summoning Khawlān and Nihm and distributing his armies among the inhabitants of the suburbs of San^cā'. In the meantime al-Mahdī punished and imprisoned Emir Tawfiq al-Mutawakkil, chief of his guard, for his contacts

(52) Jahhāf, 45; Anon., Hawliyyāt, 20.

with the leaders of Bakīl and later on, on 16 Rabī^c II 1233/24 February 1818, he exiled him to Zayla^c. He ordered those of Bakīl captured in their rented houses in San^cā' to be put in prison and Yahyā al-Ānisī to inspect their chiefs there and once again shackle them. (53)

On Thursday 15 Rabī^c II 1233/23 February 1818 al-Mahdī^c Abdullāh took a vital decision. That morning he left San^cā' for Chirās, about fifteen miles north of San^cā' where he made a visit to the tomb of his great grandfather al-Mahdī Ahmad b. Hasan b. Qāsim b. Muḥammad (d. 1092/1681). On his return he gave the order to bring down ^cAbdullāh b. Alī al-Shāyif from Qasr prison to Bustān al-Mutawakkil where he was beheaded and where his body hung for three days. To increase the humiliation al-Shāyif's corpse was buried in an unclean place (makān najāsāt), next to the filth of human excreta collected in an area between Bāb Sha^cūb and Bīr al-Bānyān outside the city wall. (54)

(53) Jahhāf, Ṣīrat, 47.

(54) Jahhāf, Ṣīrat, 48, who neglects to mention the place of burial; Anon., Hawliyyāt, 20; al-Kibsi, 376; Shijūi, Tiqṣār, 13a; Zabārah, II, 66.

Al-Mahdī's action frightened all the tribes, except Barat, whose chiefs, especially Āl al-Shāyif, used this act to persuade their allies to support their call for revenge. Sharīf Hamūd of Tihāmāh himself expressed his fears when he heard the news, as a Tihāmī reporter records in his diary. (55)

So two months passed in an atmosphere of fear and preparation for defence in the capital and its surrounding area. Khawlān^{was} deployed to guard Sha^Cūb, al-Jirāf and al-Rawdah, north of San^Cā'. Troops supported guards in San^Cā' itself, but in Bi'r al-^CAzab, the western residential area of the higher social classes and of some of the imam's family and officials, defence depended only on a few militarily inexperienced farmers and other inhabitants. Local peasants were living in the area with their neighbours, the Jews in their qā^C in the far west of the city.

On 15 Jumādā II 1233/6 August 1818 the catastrophe happened when Barat, led by Naqīb Husayn b. ^CAbdullāh

(55) Al-Nu^Cmī, Diary, 137b.

al-Shāyif, stormed the innocent sleeping inhabitants in the middle of the night. They brought ladders with them and scaled the wall which they also undermined in places. They pillaged first Qā^c al-Yahūd and then turned to Bi'r al-^cAzab, murdering everyone they met. They plundered the quarter entirely. They killed more than fifty, including some eminent men. Qādī Muhammad b. Yahyā al-Suhūlī, Sayyid Yahyā Ḥatabah, ^camil of the wagf, Sayyid Qāsim b. al-Ṣādiq, Yahyā al-Ḥarāzī and many others were among their victims. Qādī Muhammad al-Shawkānī managed to escape to Upper Ṣan^cā' which Baraṭ were not able to attack, since they knew it was well guarded and that precautionary measures had been taken to defend it. Even the Qasr prison where their chiefs were imprisoned was avoided. (56) The second day was worse. The situation in Bi'r al-^cAzab was that the minister al-^cAffārī ordered Khawlān to expel Baraṭ. Indeed Khawlān plundered them as Baraṭ had the inhabitants. (57) Baraṭ fortified them-

(56) Al-Shiḥnā, al-Tiqṣār, 18a; Anon., Hawliyyāt, 24; al-Nu^cmī, Diary, 178b.

(57) Al-Shiḥnā, al-Tiqṣār, 18b.

selves on this occasion by keeping their horses and camels outside the city wall.

The chiefs of Baraṭ wrote to Qādī al-Shawkānī asking him to mediate between them and the imam in order to secure the release of their prisoners and their animals and possessions confiscated on the previous occasion. In return Baraṭ were to leave Bi'r al-^cAzab and return home. (58) Al-Mahdī agreed and replaced al-^cAffārī with Husayn Hanash who acted with al-Shawkānī to find a solution to this dreadful ordeal. Al-^cAffārī was imprisoned for his dereliction of duty and involvement in the problem from the beginning without thinking of the outcome. (59)

Naqīb ^cAbdullāh b. Ahmad al-Shāyif, father of the executed Ahmad, was brought down from prison with others to Qādī al-Shawkānī to negotiate concerning his problem and Baraṭ's evacuation from Bi'r al-^cAzab and their return home. Finally they came to an agreement by releasing the Baraṭ prisoners and returning some of their animals.

(58) Al-Shijnī, al-Tiqsār, 19a; Anon., Hawliyyāt, 24.

(59) Al-Shijnī, al-Tiqsār, 19a; Anon., Hawliyyāt, 24.

Barat was also to leave San^{Cā}' on 3 Rajab 1233/10 May 1818. After eighteen days of aggressive behaviour they left San^{Cā}'. In the short term there was no serious attack by Barat. Their coming and threatening in time of drought became a routine and this was dealt with by the imam either by his paying them off or his using force or by a combination of both.

11. The restoration of Tihāmah to the imam's sovereignty

Sharīf Hamūd of Tihāmah was involved in fighting with the Turko-Egyptian forces who had already destroyed the first state of Al Su^{Cū}d when their capital Dir^Ciyah fell on 11 Dhū 'l-Qa^Cdah 1233/2 September 1818. His death on 14 Rabī^C II 1233/23 February 1818 ⁽⁶⁰⁾ was the end of his family's role in events, since his son Ahmad was to be captured the following year and exiled to Egypt where he died. ⁽⁶¹⁾ Meanwhile Muḥammad ^CAlī sent Yūsuf

(60) Al-Bahkalī, Nafh, supplement, 307. The editor, Aqīlī, suggests that the date of Hamūd's death was Saturday 10 Rabī^C II. Al-Nu^Cmī says that Hamūd died of pleurisy.

(61) Al-Shawkānī, al-Badr, II, 371; al-Nu^Cmī, 179.

Āghā, his envoy, to San^cā', where the latter was received with the marked distinction and respect which adequately showed that the imam was not without his apprehensions of Muhammad ^cAlī's intentions in the area. ⁽⁶²⁾ Al-Mahdī sent Qādī Muhammad b. Ahmad al-Harāzī (d. 1245/1829) ⁽⁶³⁾ as an envoy with Yūsuf Āghā to meet Khalīl Pashā, leader of the Turko-Egyptian expedition. When the two envoys returned from Tihāmah, Chief Qādī Muhammad al-Shawkānī was responsible for the negotiations on behalf of Imam al-Mahdī. The result was that the districts of Tihāmah were to be restored to the imam in return for a quantity of Yemeni coffee "...to be sent every year to the kitchen of the sultan (matbakh al-sultān) and a sum of money as bakhshīsh for the Turkish soldiers", according to the agreement and in the words of al-Shawkānī. ⁽⁶⁴⁾ So al-Mahdī ^cAbdullāh sent his governors to all ports

(62) Playfair, History, 131.

(63) Al-Harāzī, like his father, was a qādī and faqīh. He also succeeded his father in some official posts and missions. He became the minister responsible for Tihāmah for three years. Al-Shawkānī, al-Badr, II, 123; Zabārah, Nayl, II, 234; al-Shijnī, Tiqsār, 19b.

(64) Al-Shawkānī, al-Badr, II, n. 123, 369-70; Tiqsār, 19b.

(banādir) with his envoy Harāzī and Yūsuf Āghā with some troops to replace the Turks. Through the mediation of Khalīl Pashā al-Mahdī appointed Sharīf ^CAlī b. Haydar as ruler on his behalf in Abū ^CArīsh. Al-Mahdī also sent him some material and some of his own horses. (65)

However control of ^CSan'ā' was to continue in the imam's hands and the area was only quiet until 1248/1832 when a rebellious officer of Muhammad ^CAlī's Hijazi forces, Turkchī Bilmās, marched with one thousand of his men against Hodeida, Mocha and Zabīd. These captured, he executed their governors, Sayyid ^CAbdullāh Durayb and Faqīh Ahmad Lutf Tamūsh. The reaction came from the emirate of ^CAsīr under the leadership of Emir ^CAlī b. Mijthil who defeated the Turkish officer, Bilmās, and gained possession of the coast. Later on in 1249/1833 Emir ^CAlī b. Mijthil died on his way home and the ^CAsīrīs were then forced by the Turko-Egyptian commander, Ibrāhīm Bāshā, to surrender Mocha to him. He was to take further steps against al-Mahdī ^CAbdullāh's son a few years later. (66)

(65) Al-Shawkānī, al-Badr, II, 371; Anon., Hawliyyāt, 25-6.

(66) Al-Kibsi, 377-8; Playfair, History, 142-4; al-^CAqīlī, Tārīkh, I, 535-6.

12. Stability and instability

The few years after the recovery of Tihāmāh were distinguished by a situation of relative stability. It gave al-Mahdī ^cAbdullāh a little time to think of construction either for himself or for the general welfare of the people. He also followed his father's example of leading punitive expeditions personally and in this he achieved success. On his return from one of his long and extensive expeditions to Lower Yemen against the corruptions of Bakīl there, al-Mahdī started, in 1236/1821, the construction of his superb palace and mafraj with its beautiful gardens and fountain (shadhrawān) of Bustān al-Sultān. It was a magnificent example of Yemeni architecture which involved many San^cāni engineers (asātiyah) and workers and was not finished until 1240/1824. (67) The Talhah dome, although built later in 1247/1831-2, is indeed one of al-Mahdī's benefactions, in addition to the lodgings situated outside the Great Mosque of San^cā' for students non-resident in

(67) Anon., Maḥliyyāt, 32-3.

the city (aghrāb). He also widened some of the squares (sing. maydān) of the city. He built many public baths (hammām), such as: Hammām al-Mutawakkil at Bāb al-Sabahah; Hammām al-Sultān next to his palace, al-Hammām al-Kabīr, north of Dār al-Jāmi^c and Hammām Wādī Dahr. (68)

Early in this period, in 1234/1819, al-Mahdī ordered his governor of San^cā', Qādī Muḥammad b. ^cAlī al-Haymī, to revise the Statute of San^cā' (Qānūn San^cā') with a new supplement (ziyādah). After the revision the Qānūn became law. The Qānūn is a collection of market regulations and evaluation of prices and wages. It also defines the duties of local organisations in the city's security and public safety, especially defence against outside aggression. This Qānūn was an important and necessary document, the revision of which proved to be a wise move on the part of the imam. It was a document not only of great importance in al-Mahdī's time, but also later in the period of anarchy, as is duly acknowledged by Qādī Husayn al-Sayāghī in the preface of his published version of the Qānūn, 1334/1964. (69)

(68) Al-Hajrī, Masājid, 68; Zabārah, Mayl, II, 65; Anon., 33.

(69) There is an excellent translation of this difficult text with a valuable historical introduction and analysis, cf. Serjeant, 179-240.

13. Al-Mahdī °Abdullāh: the end of an era

In 1237/1821 al-Mahdī °Abdullāh made one of his two long expeditions to Lower Yemen. On his way he inspected the territories of al-Hadā, °Ans and Yarīm. Further south-east he continued to Qa°tabah, Dhū Sifāl, al-°Udayn and Ta°izz. He punished some trouble-makers and some disloyal shaykhs. It is worthy of note that al-Mahdī had the desire to visit the famous Sūfī Ahmad b. °Alwān (d. 665/1266) in Yafrus near Ta°izz, but he was advised not to make the visit, since, it was suggested, such a visit might encourage the belief in Ibn °Alwān as a saint (walī). This advice was probably given by al-Shawkānī who was with the imam on this journey. (70) In 1248/1832 al-Mahdī had to return to Lower Yemen to punish and drive out Bakīl from there. (71)

In 1241/1825 al-Mahdī appointed Sayyid Ahmad b. Hasan al-Shāmī governor of Dūrān of Anis. Two of the garrison

(70) Anon., Hawliyyāt, 32-3; al-Shawkānī, Biwān, 90, 360; al-Shijūnī, al-Tiqsār, 25b-26a; al-Nu°mī, Diary, 180.

(71) Anon., Hawliyyāt, 47.

killed the latter in what appeared to be a rebellion in the area. Al-Mahdī acted quickly by ordering the minister Qāsim b. Muhammad al-^CAmrī to take over the mobilization of the army for a campaign against the rebels and al-Mahdī himself led this punitive expedition. His first target was the fort of Dāf which belonged to Naqīb ^CAlī b. Sahl al-Hayyāl of Banī Jabr of Khawlān. The fort was situated between Jahrān and Ānis and for some time had been a centre for attacks on the surrounding area and its continued existence jeopardized the safety of the roads and neighbouring territories. The fort was destroyed by cannons and al-Hayyāl and his men were captured. The purge extended to Dūrān where al-Mahdī insisted on seizing the two murderers of al-Shāmī. In San^Cā' after his victorious return he ordered their heads to be cut off and their bodies hanged on Bāb al-Yamān. (72)

Yām of Hāshid had made many aggressive attacks on Tihāmah especially when its governor happened to be a weak one. One of Yām's attacks was in Dhū 'l-Qa^Cdah 1237/

(72) Anon., Hawliyyāt, 39-40.

August 1822 when they sacked Zabīd and its citizens lost everything they had. (73) Four years later they attacked Hodeida but many were killed and Yām were defeated. (74)

However in 1244/1828 another group of Yām came down to attack and capture some villages in Harāz. The minister Qāsim al-^cAmrī sent some troops led by his brother ^cAlī b. Muhammad. It appears that Yām were too strong.

Al-^cAmrī's troops faced heavy opposition and many on both sides were killed. Al-Mahdī himself had to lead an army and sent for heavy cannon to be brought from Mocha. His ministers accompanied him, including Faqīh Qāsim al-^cAmrī and Qādī al-Shawkānī who recorded the occasion and advised on battle tactics in a fine poem. (75)

14. Final events and the death of al-Mahdī

Among the last important events in al-Mahdī's reign which should be mentioned is the departure in 1245/1829

(73) Al-Nu^cmī, 182-3.

(74) Al-Nu^cmī, 135b.

(75) Al-Jirāfī, Tuhfat al-Ikhwān, 10; Anon., Hawliyyāt, 41-2; al-Shawkānī, Dīwān, 326.

of al-Mahdī's respected uncle, Yahyā b. al-Mansūr, in an angry mood, for Arhab. Al-Mahdī failed to respond to Arhab's mediation and the result was a real conflict between Arhab and al-Mahdī's troops. Many of both sides were killed, but Arhab was defeated and Sayyid Yahyā b. al-Mansūr, protected by them, fled with his son, Muhammad, to Tihāmah. (76) In the course of a long and dramatic life, the latter was to become imam, ten years after al-Mahdī's death.

Included ^{among} ~~in~~ the leaders of the troops fighting against Arhab was their old friend and ally Sharīf ^cAlī b. Nājī al-Jawfī who had returned to the imam's service. (77) and carried out al-Mahdī's orders and instructions for many years. This was until 1250/1834 when Sharīf ^cAlī b. Hasan, a cousin of al-Jawfī, was accused of betraying al-Mahdī in a mission to Tihāmah. Without giving further details, it can be said that the two sharīfs and their relatives were arrested. Their properties were confiscated

(76) Anon., Hawliyyāt, 44-5.

(77) See above p.134.

and the two of them together with three others were
decapitated on 25 Safar 1250/4 July 1834. (78)

If the anger and departure of al-Mahdī's uncle, Yahyā, can be interpreted as a private attitude and as a demand for more income and for a more respected position vis-à-vis the imam, all this was refused by al-Mahdī. Not so, however, with the cause of the ʿālim, Sayyid Ahmad b. ʿAlī al-Sirājī, (79) who left Sanʿā' in Safar 1247/July 1831 accompanied by his shaykh Qādī ʿAbd al-Rahmān al-Mujāhid, the latter's son and other sayyids and ulema. Sirājī declared himself imam and was supported by Nihm and many tribes of Hāshid and Bakīl. In Jumādā II 1247/October 1831, he left Nihm and came down to fight al-Mahdī in Sanʿā'. It appears that al-Sirājī was a weak leader in spite of his sincerity and faithfulness. However, his supporters abandoned him near Sanʿā' where he had to return to Nihm

(78) Anon., Hawliyyāt, 56-7.

(79) The Sirājī sayyids in Sanʿā', al-Sirr, north of Sanʿā' and Dabaʿāt, south-east of Sanʿā', are all descendants of an old Hasani sayyid, called Sirāj al-Dīn because of his handsome appearance. Zabārah, Ḥayl al-Husnawayn, 137.

territory. Two years later he was assassinated in a village called al-Haydah in Mihm. (80)

In Rajab 1250/December 1834 al-Mahdī ^CAbdullāh returned ill from Dhahbān where there were Arhab led by Sa^Cīd Nasr al-Hajjām, who had attacked the area in revenge for the killing of Sharīf ^CAlī b. Nājī al-Jawfī. (81)

The month before that the Chief Qādī Muhammad al-Shawkānī died. Al-Mahdī survived for a year, but was only partly active because of his own illness. However, on 6 Sha^Cbān 1251/December 1835 he died at the age of forty-three. It had been a short life, but one full of action and struggle, though of inconsistencies too. After his death his son ^CAlī succeeded him only for a year and some months. He was replaced and dismissed many times. A new era of anarchy and darkness in Yemeni history was approaching.

(80) Zabārah, Nayl, I, 150-2; al-^CAmrī, Masādir, 122; Anon., Hawliyyāt, 52-4; al-Wāsi^C, Tārīkh, 232-3, though scarcely worthy of use.

(81) Anon., Hawliyyāt, 52.

PART TWO

AL-SHAWKĀMĪ, HIS LIFE AND THOUGHT

CHAPTER SIX

"I received knowledge (ilm) without paying for it, so
I would like to impart it [to others] in the same way!"

Al-Ghawḳānī

Al-Shawkānī's Life

1. His biography *

On Monday 28 Dhū 'l-Qa^cdah 1173/14 July 1760 Muhammad

b. ^cAlī b. Muhammad al-Shawkānī was born in his father's birth-place, Shawkān - a small village in Khawlān south-east of the capital of the Yemen Sa^cn'ā' - which was his father's original home. (1)

* Two unpublished biographies of al-Shawkānī have been edited and added as a part of this study. The first (appendixII) is by a famous disciple of al-Shawkānī, the historian Jahhāf, whose unpublished book I have consulted extensively in part one. The second is al-Huthī, the contemporary and friend of al-Shawkani. He died young, during the lifetime of Shawkānī, and a copy of his three large volumes of biographies are in ^cAlī Amīrī's library in Istanbul which I personally used. Biographies of both Jahhāf and al-Huthī can be found below in appendices II and III. His disciple, Qādī Muhammad b. Hasan al-Shijnī, wrote a biography of his shaykh, al-Shawkānī, which we have consulted here.

(1) Al-Shawkānī, al-Badr, I, 214-5.

The family of Shawkānī's father had been well-known for a long time for their knowledge of jurisprudence and many of them became scholars who were engaged with the imams in the legal administration of the country. They played a part in fostering opposition to the Ottomans during the first occupation of the Yemen (938-1045/1536-1635). Shawkānī's father went to San^cā' in order to study. He settled there and annotated many original works of jurisprudence (fiqh), commentaries on the texts of the Zaydī and other Islamic schools, and became a judge (qādī) for Imam al-Mahdī ^cAbbās b. Husayn (1161-89/1748-75) in Khawlān, his homeland, and later in San^cā' where he continued to teach and issue fatwās until his death in 1211/1797. (2)

Al-Shawkānī grew up in his father's school of thought in a milieu of research, scholarly argument and debate (jadāl). After learning the Qur'ān by heart under the shaykhs of San^cā', he also studied the legal work of

(2) Al-Shawkānī, al-Badr, I, 472-25.

al-Azhār ⁽³⁾ and many other works of commentary, Hadīth, fiqh, the science of language, literature and history, more than fifteen of which were original works on these subjects. These books formed the background reading of the intellectuals of the period. ⁽⁴⁾ After this first stage of his education, he began to study both widely and deeply the different sciences of Zaydism and other Islamic philosophies and doctrines, as well as the science of language and rhetoric. At an early age he became a famous ʿālim, teaching in the Great Mosque of Sanʿā' not only

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- (3) The book of al-Azhār fī fiqh al-a'imma al-athār, by the imam and ʿālim al-Mahdī Ahmad b. Yahyā al-Murtadā (764-340/1362-1437), was and still is the most important book upon which the Zaydīs depended for teaching beginners and fuqahā'. A commentary on this book has been written by the author himself in his six volumes, al-Bahr al-Zakikhār, and by many famous Yemeni scholars, including the critical commentary of al-Shawkānī al-Sayl al-Jarrār which we shall study later.
- (4) Al-Shawkānī gives details of these books and their subject matter in his autobiography which can be found in his important collection of biographies al-Badr al-Tālī^c, I, 215-8. Also in this book are the biographies of the most important of his shaykhs and other contemporaries.

some of his contemporaries but also some of his former teachers. He had been taught by the most famous ulema and shaykhs until there was little more that they could teach him (as he said himself). (5) During this period, he was engaged both in a quest for knowledge and in imparting such knowledge as he had; he would often attend thirteen or so lessons in a single day and night, some of them devoted to learning, others to teaching. Eventually he confined his efforts entirely to teaching, giving in one day, ten lectures or so on different subjects - commentary, Hadīth, uṣūl-fiqh, (i.e. the four foundations of Islamic jurisprudence), grammar, rhetoric, logic, debate (jadāl) and prosody (ʿilm al-ʿarūd). (6)

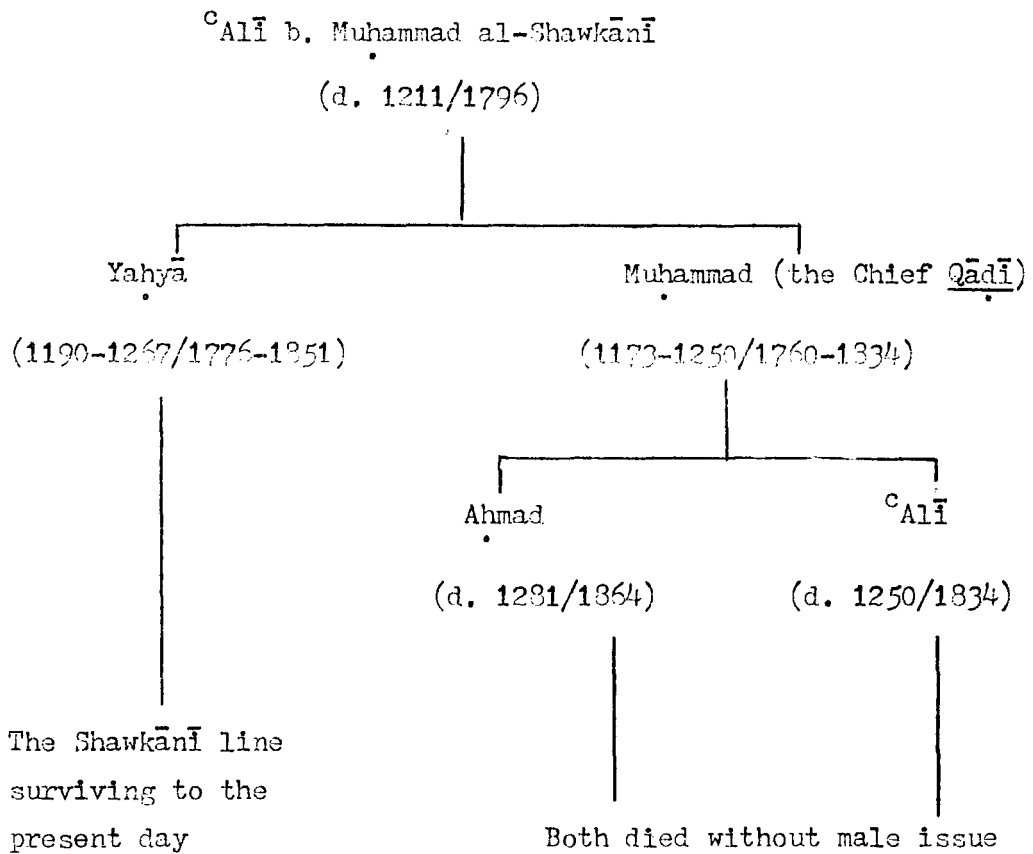
As his father was reasonably prosperous, al-Shawkānī was able to spend his time studying, researching and later giving fatwās (formal legal opinions), writing and teaching, without worrying about earning his livelihood; indeed, he followed the latest fashions and lived in style. (7) He

(5) Al-Shawkānī, al-Badr, II, 213.

(6) *Ibid.*, 219.

(7) Jahhāf, Appendix II, p. 329.

used not to take money for his fatwās and when people
 blamed him for this he would reply: "I received knowledge
 without paying for it, so I would like to impart it in the
 same way." (8)



(8) Al-Shawkānī, al-Badr, II, 219.

2. The shaykhs of al-Shawkānī

Many shaykhs of al-Shawkānī's played an important role either in the cultural and intellectual or in the political life of the Yemen, or in both. Al-Shawkānī's own role in this field was even wider and more influential. In Part one above we have already met and mentioned, directly or indirectly, shaykhs such as Sayyid ^cAbd al-Qādir b. Ahmad, who was probably the greatest and most vigorous alim of his time, or Qādī al-Harāzī, under whom al-Shawkānī studied for thirteen years ⁽⁹⁾ and who acted as ambassador between al-Mansūr and his opponents and rebels for many years. ⁽¹⁰⁾ Qādī al-Akwa^c and others have also been mentioned. There follows a complete list of those shaykhs and more details can be found in Part one and in the Appendices.

(9) Al-Shawkānī, al-Badr, II, 215.

(10) See above pp. 73 and 103.

1.	Aḥmad b. ʿĀmir al-Ḥadāʾī	1127-1197/1715-1783
2.	Ismāʿīl b. al-Ḥasan al-Mahdī	1120-1206/1708-1791
3.	ʿAbd al-Raḥmān b. Ḥasan al-Akwaʿ	1137-1207/1724-1792
4.	ʿAbd al-Qādir b. Aḥmad Sharaf al-Dīn	1135-1207/1723-1792
5.	ʿAlī b. Ibrāhīm ʿĀmir	1140-1207/1727-1792
6.	al-Ḥasan b. Ismāʿīl al-Maghribī	1141-1208/1728-1793
7.	Qāsim b. Yahyā al-Khawlanī	1126-1209/1714-1794
8.	ʿAbd al-Raḥmān b. Qāsim al-Madānī	1121-1211/1709-1797
9.	Aḥmad b. Muḥammad al-Ḥarāzī	1158-1227/1745-1812
10.	ʿAbdullāh b. Ismāʿīl al-Mihmī	1150-1228/1737-1813
11.	ʿAlī b. Ḥādī Arḥab	1164-1236/1751-1820
12.	Ḥādī b. Muṣayn al-Qārīnī	1164-1237/1751-1822
13.	Yahyā b. Muḥammad al-Hūthī	1160-1247/1747-1831

3. Education and the Islamic heritage

Studying under one or many shaykhs is the traditional way of seeking knowledge and is carried out over a period of at least a few years. Sometimes the relationship between the shaykh and his disciple continues for many years, until the

death of the first. Usually the shaykhs give their distinguished students or disciples the authority (ijāzah, literally 'licence') to teach or relate a ḥadīth or a book on any subject. (11) The idea of the ijazah was at first purely concerned with the Ḥadīth and its science, i.e. knowing its scholars, their honesty and truthfulness, as well as the classes and the different Ḥadīth in order to distinguish the 'sound' (ṣaḥīḥ) from the 'weak' (daʿīf) or the 'fabricated' (mawduʿ). With the growth of Ḥadīth literature to a vast size and the collections of Traditions (ṣiḥāḥ, masānīd and sunan), there was also a tendency for the unscrupulous and for the adherents of various rival religio-political sectarian and schismatic groups in Islam

(11) There are eight methods of receiving ʿilm from the shaykh, or teacher: samāʿ 'hearing' and qirāʾah, 'reading', are the highest and best. The ijazah is given either directly from a shaykh or through one of his followers authorized to give such an ijazah. It also has different names; see al-Qādī ʿIyād, al-Ilmāʿ ilā maʿrifat al-samāʿ, 88-107; Ibn Hajar, Mukḥbat al-Fikr; Rosenthal, Technique; Sezgin, CAS, I, 53-84; ET², III, 1020; Shawkānī, Inshād al-Fuḥūl, 54-7.

to fabricate Hadīth in order to further their own ends and give respectability to their partisan views. Hence the efforts of the great Islamic scholars to separate the true from the spurious, and to develop methods of studying Hadīth. In the Muqaddimah of Ibn al-Ṣalāḥ (577-743/1181-1342) the science of Hadīth reaches its zenith. But some later scholars found it necessary to explain and comment on the Muqaddimah as well. Among them, and probably one of the best, was Sirāj al-Dīn al-Balqīnī (724-805/1324-1401) who included material on the Muqaddimah and made some original additions of his own in his Mahāsin al-Istīlāḥ.⁽¹²⁾

Four centuries later, in al-Shawkānī's time, the ijāzah method had not changed, but the number of authorities in its isnād (chain of authorities) from shaykh to shaykh or from generation to generation had doubled. Ibn Hajar (d. 852/1448), for example, as a connecting link between the earliest centuries and al-Shawkānī's generation is number eight.⁽¹³⁾ In the meantime knowledge, including

(12) Mahāsin al-Istīlāḥ, ed. Bint al-Shāṭi', Cairo, 1974, includes also the Muqaddimah of Ibn al-Ṣalāḥ.

(13) Al-Shawkānī, Ithāf, 56-64, 94; see below, Vol. II, 16-9.

Hadīth literature, had increased and become more complicated and extremely onerous for those seeking knowledge.

Al-Shawkānī is one of the greatest Muslims to inherit this discipline through the classic tradition of education. He followed the steps of the famous ulema and scholars who wrote their own asānīd, either with biographies of their shaykhs, like that of Ibn al-Jawzī (d. 597/1200) which became a biographical dictionary of eighty-six shaykhs and three women shaykhāt.⁽¹⁴⁾ or that of the Index des Livres et des Maîtres of Abū Bakr b. Khayr (502-575/1108-1179)⁽¹⁵⁾ to whom were ascribed more than one thousand and forty-five books. Indeed, al-Shawkānī in his book calls it Ithāf al-kābir bi-Isnād al-dafātir and is more moderate, for he mentions four hundred and twenty-five books in addition to sixty-one literary works in general.⁽¹⁶⁾ But he explains that he only summarized his book from the original draft which could have been in several volumes.⁽¹⁷⁾

(14) Mashyakhat, Ibn al-Jawzī, ed. Muḥammad Maḥfūz.

(15) Fahrasat mā rawāhu^can shuyūkhūh, ed. F. Codera and J. R. Tarrago, 1311/1893.

(16) Ithāf, 100-13.

(17) Ibid., 111.

However, what we are trying now to show is not only al-Shawkānī's education and his cultural background, but also an important phenomenon, that of the handing down of knowledge and the transfer of books and ideas through the years. Al-Shawkānī mentions twelve collections of asānīd saying that "they contain all the books of Islamic culture" (asānīd kutub al-Islām fī jamī^c al-funūn). (18) It is noticeable that all of these are late, since the oldest is al-Bābilī, from the eleventh/seventeenth century. There are four Yemeni scholars and eight other Arabs. Among the asānīd the non-Yemenis are:

1. Muḥammad ^cAlā al-Dīn al-Bābilī d. 1077/1666 (19)
2. Sālim b. ^cAbdullāh al-Basri d. 1160/1744 (20)
3. Aḥmad b. Muḥammad al-Nahlī al-Makkī d. 1130/1718 (21)
4. Muḥammad b. al-Tayyib al-Fāsī al-Maghribī d. 1170/1756 (22)
5. Ibrāhīm b. al-Hasan al-Kurdī al-Kūrānī d. 1101/1690 (23)

(18) Ithāf, III.

(19) Shawkānī, al-Badr, II, 208. Al-Shawkānī describes him as "musnid al-dunyā" and "musnid al-^casr al-arḥīr".

(20) Al-Kittānī, Fahras, II, 118; Zabānah, Sharḥ Dayl, 432.

(21) Al-Murādī, Silk al-Durar, I, 171; al-Qanūjī, Abjal al-^culūm, 856; al-Shawkānī, Ithāf, 102; his father is wrongly named in the Indian edition.

(22) Al-Murādī, Silk al-Durar, IV, 94.

(23) Al-Murādī, Silk al-Durar, I, 5-6; al-Badr, I, 11-2; Ithāf, I, 17, 102; al-Qanūjī, Abjal, 830.

The latter is the author of Kitāb al-Umam li-qawd al-himām which was published in India in 1328/1910, at the same time and place as al-Shawkānī's Ithāf.

The Yemeni scholars of asānīd books are:

1. Ahmad b. Sa^cd al-Dīn al-Maswarī (1007-1079/1598-1668) ⁽²⁴⁾
2. ^cAbd al-^cAzīz b. Muhammad al-Hubayshī (1042-1110/1632-1698) ⁽²⁵⁾
3. Ibrāhīm b. al-Qāsim b. al-Mu'ayyad (d. about 1153/1740) ⁽²⁶⁾
4. Yahyā b. ^cUmar al-Ahdal (1073-1147/1662-1734) ⁽²⁷⁾

By coincidence these four come from the four quarters of the Yemen, for al-Maswarī was from the far north, al-Hubayshī from Ta^cizz, Ibn al-Mu'ayyad from San^cā' and al-Ahdal from Zabīd. It is the same too with those before them who came from different Arab and Islamic countries and their common

- (24) Al-Muhibbī, Khulāṣat al-athar, I, 204-7; Nafhat al-rayḥānah, III, 529; al-Shawkānī, al-Badr, I, 58; Zabārah, Dhayl Ajwad al-musalsalāt, 256-9.
- (25) Zabārah, Nashr al-^cArf, II, 58; Dhayl al-Badr, II, 121.
- (26) Al-Hūthī, Mafahāt al-^canbar, I; al-Shawkānī, al-Badr, I, 22; Zabārah, Nashr, I, 52-63.
- (27) Al-Shawkānī, al-Badr, I, 263; in his son's biography, al-Shawkānī says of him that others after him are depending on him on his riwāyah; al-Ahdal, al-Hafas al-Yamānī, 22; al-Qanūjī, Abjad al-^culūm, 352; al-Mittānī, Fahras, II, 448-50; Zabārah, Nashr, 230-3.

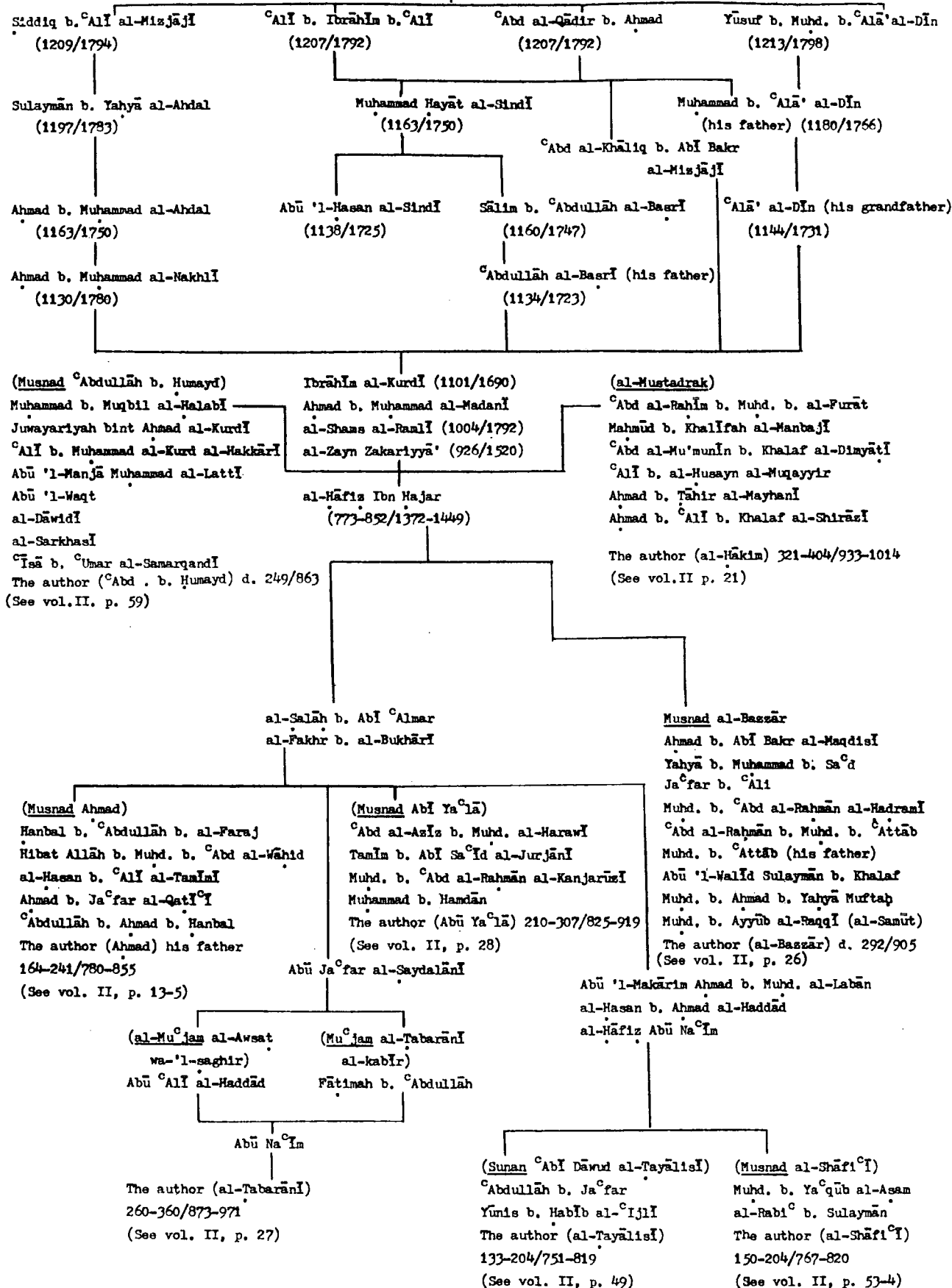
denominator is their Islamic culture. This Arab-Islamic culture was completely absorbed by al-Shawkānī. The table on the following page illustrates the channels through which al-Shawkānī received his knowledge.

4. Education (adab al-talab)

In his late forties al-Shawkānī wrote a book explaining his experiences in the educational field and giving his instruction and opinion on many questions relating to the subject of education. He digresses frequently on his favourite concept of ijtihād (i.e. independent judgement in a legal or theological question, based on the interpretation and application of the four usūl, as opposed to taglīd, ~~individual judgement~~) and taglīd. We shall discuss this in a later chapter and at this point we are merely reviewing his opinions on the curricula and stages of education in order to complete the picture of his educational theory.

(29) It was about 1222/1807, when al-Shawkānī was forty-nine years of age.

(1173-1250/1760-1834)



After long arguments to prove the importance and necessity of forbidding taqlīd and the adoption of insāf, or, in modern usage, objective justice, Al-Shawkānī tells those seeking knowledge that there is only one way to follow, that of ʿilm. This is the real end and aim, not for the sake of prestige, wealth or in order to achieve leadership (ri'āṣah), but in order to claim rewards from God. (29) Being objective and not too enthusiastic for any one madhhab, nor any one ʿālim, is the most successful way of gaining knowledge. This is why the Prophet Muhammad regarded the just man (munsif) as the most knowledgeable, even if his knowledge were less than others. (30) Al-Shawkānī knows what the consequences of such an attitude might be and the difficulties which might arise from it. However he quickly reminds his reader of what happened to Ahmad b. Hanbal (d. 241/855) in his ordeal with the caliph al-Muʿtāsīm (d. 212/833) and what the result for Ibn Hanbal and his reputation was. He gives the same reminder by quoting what took place between al-Bukhārī (d. 256/870),

(29) Adab al-talab, 17.

(30) Ibid., 22.

whose Sahīh God made the most famous and the most respected collection of Hadīth, as al-Shawkānī states, and al-Dhuhālī, ⁽³¹⁾ governor of Bukhārā. Ibn Hazm (d. 456/1064) and Ibn Taymiyyah (d. 729/1328) both met with opposition and suffered greatly, but they left behind them a high achievement and deep influence. ⁽³²⁾ The same thing happened in the Yemen, al-Shawkānī continues, with well-known ulema, such as Imam Muḥammad Ibn al-Wazīr (d. 840/1436), al-Ḥasan al-Jalāl (d. 1084/1683), al-Maqbalī (d. 1108/1696), Ibn al-Amīr (d. 1182/1769) and finally al-Shawkānī himself and his shaykh ^cAbd al-Qādir

(31) Adab al-talab, 25; al-Shawkānī mistakenly mentions Muḥammad b. Yahyā al-Dhuhālī, who died in 258/872 and was one of his shaykhs, instead of the governor of Bukhārā, Emir Khālīd b. Ahmad al-Dhuhālī, of the same family name. He was the one responsible for the exile of al-Bukhārī from his homeland. The editor of al-Shawkānī's book, al-Ḥibshī, erroneously gives a long biography of al-Dhuhālī and has not realized the original mistake. Cf. Tārīkh Baghdād, II, 30-4; Ibn Khallikān, Wafayāt al-Aʿyān, II, 330; Ibn Hajar, Tahdīb, IX, 47.

(32) Adab al-talab, 26.

before him. (33) He says:

"Then suppose that what you expected did actually happen and you faced the ordeal and harm came upon you. Are you all the world and all people, or do you think that you are immortal in this world? What exactly can happen if you are guided by cilm and follow the path to which God has ordered you? The worst that can happen to you is that you will probably lose your life for truth and become a martyr for cilm. Then you will win eternal happiness and be an ideal for men of cilm for ever".. (34)

It is indeed a lofty vision and al-Shawkānī is asking a high price. In fact it shows his respect for cilm and opinion (ra'y), although he was himself sometimes hard on his opponents. However, in al-Shawkānī's view of the acquisition of knowledge there are four categories.

The first category is the most important since in it are the ulema and mujtahidūn. He who wishes to enter this category should arm himself with knowledge which is both deep and wide and should include various sciences. In al-Shawkānī's plan the student should start with the science of grammar (cilm al-naḥw) and the author gives a

(33) Adab al-talab, 27-8.

(34) Ibid., 44.

list of the most important books in this field, though pointing out that in other countries he can use different books in the subject. (35) To understand ʿilm al-nahw the student should also read, at the same time, abridged versions of logic (ʿilm al-mantiq) such as the ʿIsagôgè, (36) or the summary of the book of Sa^cd al-Dīn al-Taftazānī (d. 792/1390) entitled Tahhīb al-mantiq wā'l-kalām.

This is not a study of logic in depth which would in fact be carried out at a later stage. (37) Morphology (ʿilm al-sarf), rhetoric (ʿilm al-ma^cānī wa-l'bayān), "the art or science of rhetorical devices" (ʿilm al-badī^c) and lexicographical books all need to be studied at this stage. (38) After that he should immerse himself in the study of usūl al-fih. Al-Shawkānī goes on to suggest many different source books and commentaries. Even before the student has finished the enormous corpus of usūl al-

(35) Adab al-talab, 107.

(36) ʿIsagôgè is a Greek word which means "introduction". The book is also known by the title "The Five logical predicates", written by Porphyrios of Tyre, the disciple of Plotinus and abridged by Athīr al-Dīn al-Abharī in the 7th/13th century.

(37) Adab al-talab, 109.

(38) Adab al-talab, 109-12.

fiqh, he must involve himself in the art or science of scholastic theology (ʿilm al-kalām). He needs to study also the books of the Ashʿarites, Muʿtazilites and Māturīdites in addition to those of the Zaydīs whom al-Shawkānī regards as the moderates of Islam (Mutawassitūn).

If he does so, the student will be acquainted with the principles of all these sects and can give judgement based on knowledge and insight. (39) Al-Shawkānī himself voices his opposition to philosophy. This he makes quite clear and we will discuss this point below. However, the student is now capable of studying the science of commentary (ʿilm al-tafsīr). The study of Ḥadīth, however, all its original collections first, and later the commentaries (shurūḥ), should be started at the very beginning of his education and continue right through to the end. This should take place along with the study of biographies of Ḥadīth scholars and the methodology of Ḥadīth literature, as well as of Arab, Islamic and world history in general. To complete his ʿilm he needs to read the science of fiqh and must at

(39) Adab al-talab, 112-3.

least know the abridgements of the works of each school. Finally he should not neglect other disciplines, especially mathematics, physics, geometry (handasah), astronomy and medicine. (40)

The second category is made up of those who wish to know the sharī^cah and the rulings of legal ^{obligation} ~~capacity~~ (taklīf) and positive law (wad^c) and who are self-taught and not capable of attaining the first category mentioned above. What the student needs in this case is to have an ample understanding of the art or science of ijtihād.

This is simply in order to be aware of any subject in which he may need to involve himself or which he may come across. (41) After studying grammar he should turn his attention to some of the abridgements of rhetoric and usūl-al-fiqh and one of its commentaries (sharh).

Al-Shawkānī suggests the book al-Chāyah and its sharh by al-Husayn b. al-Qāsim (d. 1050/1640) which he considers to be the best book in the Yemen on this subject. (42)

(40) Adab al-talab, 119-20; cf. Dīwān, 172-3.

(41) Ibid., 123.

(42) Ibid., 13'-7; al-Badr, I, 226-7.

The student should then involve himself in studying one abridgement of Quranic commentary (tafsīr), such as that of al-Bayḍāwī (d. 685/1286), Anwār al-tanzīl, in consultation, as far as he can, with other books of tafsīr. He needs to study with his shaykh the six collections of Hadīth (al-Ummahāt al-sitt). Failing that, however, he must at least study and be acquainted with their mutūn and abridgements as well as knowing the method of Hadīth scholarship (istilāh) and its methodology in distinguishing the reliable from the unreliable (jarh wa-ta'dīl). Moreover, of course, the candidate should be able to understand the deep and obscure meanings of the Arabic language in its original sources. (43)

The third category is made up of those who wish to improve their reading and understanding of the Sharī^cah in general, though not to become completely independent scholars. They can ask if they face any intellectual problem, but cannot take the initiative themselves in solving it. However, a person of this category needs to

(43) Adab al-talab, 137. It is useful to compare this with the curriculum of al-Madrasah al-³Ilmiyyah which was established in San³ā' in 1344/1925. Cf. al-Akwa^c's al-Madāris al-Islamiyyah fī al-Yaman, 222-22.

have a general knowledge of grammar. He should study a straightforward book on the methods of Hadīth scholarship and should also study under a shaykh any abridgement of Hadīth. As for tafsīr he needs only a sample, such as that of al-Baghawī (d. 317/929) or al-Durr al-Manthūr of al-Suyūṭī (d. 911/1505). He can consult other books and sources. Al-Shawkānī says that this category resembles the class of Muhammad's Companions (al-sahābah) and his Followers (tabi^cun). (44)

Finally there is a fourth category. They are those whose aim is to achieve mastery over a particular subject or science, either religious or secular, but not necessarily to have a complete conception of the science of the Sharī^cah. Among them are those who wish to learn an art or how to be a poet, writer, cashier (muhāsib), or physician. Al-Shawkānī gives a list of the famous Dīwāns and collections of literature for those who want to be poets. He does the same for other professions, mentioning famous books and sources in each subject. (45)

(44) Adab al-talab, 132-3.

(45) Ibid., 140-4.

Al-Shawkānī wrote Adab al-talab after 1222/1807, as it appears from an incident which he mentions to prove his ideas in his book. ⁽⁴⁶⁾ Although al-Shawkānī's style is always simple, in this book he occasionally betrays conceit, probably because of his high position and outstanding talents or because of the nature of the subject itself, a call for ijtihād against the taqlīd of some of his contemporary opponents.

5. Al-Shawkānī's position as Chief Qādī (Qādī-'l-quḍāh)

On 1 Rajab 1209/24 January 1795 Qādī Yahyā al-Sahūlī, the Chief Qādī of Yemen, died. ⁽⁴⁷⁾ Imam al-Mansūr ^cAlī sent for al-Shawkānī and informed him that he had decided to appoint him as successor to al-Sahūlī. At first al-Shawkānī declined since he was completely committed to teaching, writing and giving fatwās. But later, under pressure from the ulema of San'ā' who were afraid that, if

(46) Adab al-talab, 162. Al-Hibahī, the editor, suggests erroneously 1211/1801, only because al-Shawkānī mentions an incident in that year. See his introduction, 11.

(47) Cf. chapter II p. 20 above.

he did not accept the post, it could pass to some unreliable qādī, he accepted. ⁽⁴⁸⁾ The post was the most important one after that of imam, for the qādī'l-quḍāh was the person responsible for the juridical system of the whole of the Yemen. ⁽⁴⁹⁾ He would personally approve the appointment, dismissal and transfer of all qādīs in the land.

Al-Shawkānī, who was thirty-six years of age at the time, held office for about forty years till his death in 1250/1834. It was a long journey and on that journey al-Shawkānī met and faced many serious difficulties and enmity and envy raised their heads against him. The nature of the post and the personality of al-Shawkānī himself made it inevitable that he should meet such enmity and that there should be differences between him and others. There is no doubt that the man was capable and intelligent, but no doubt also that good luck and divine providence preserved him from the tragic fate which those in such a position often met ^{with} at that time.

(48) Al-Shawkānī, al-Badr, I, 464-5.

(49) Ibid., I, 465.

Al-Shawkānī played an important role in politics, as *has* already been mentioned in Part one above. (50) Actually that role was in his capacity as chief qādī, not as minister or as a mere politician. Even those messages which he wrote on behalf of Imam al-Mansūr or his predecessors he wrote to emirs and foreign rulers in his capacity as an calim and authority on the Sharī^cah. When speaking of ministers, officials or courtiers he made clear distinctions between them and their behaviour and that of himself and the ulema or qādīs like himself. He believed, with other ulema, that his duty, according to Islamic doctrine, was "to order what was good and forbid what was bad" (al-amr bi-'l ma^crūf wa-'l-nahy^c an al-munkar). This could be achieved by the hand, the word (lisān) or the heart, according to the Prophet, but the third was considered least effective in Islam. But al-Shawkānī was weak neither in faith nor in personality. On the contrary, he was strong and forthright. The opinions, criticisms and reformist ideas in his writings and poems are expressed without fear or favour. Some of

above

(50) cf. ^{above} pp. 99, 103-5, 113, 121, 125, 161, 165, 167.

his judgements and attitudes met with opposition, rejection and enmity, both from individuals or from groups.

Below are found two examples showing the attitude and reaction of al-Shawkānī, in his capacity as chief qādī, to two old, but frequently recurring subjects of debate.

6. The revolution of the common people of San^Cā'

The Zaydīs are the most moderate of the Shī^Cah, being distinguished for their freedom of thought and respect for other sect- (madhāhib) and for all the Companions (sahābah) of Muhammad. Any deviation from this idea was an exception and was in fact regarded as leaning towards the Rafidites, Imamites or Jarudites. There were constant quarrels and occasional conflicts between them and the Zaydīs, who in general had the upper hand over these fanatics. Al-Shawkānī led the free Zaydīs in these disputes, as Ibn al-Amīr and many others had done before him and faced fanatics who were for the most part supported by the rabble.

In the second year of al-Chawkānī's term of office there was a riot in San^{Cā} involving the extreme Shi'ites and the moderate Zaydīs, called invariably Ahl al-Sunnah in the sources. It started when a quarrel developed between two slave-emirs; one of these was Sindiraws, a Shi'ī, of the household of Emir ^CAbūllāh b. al-Manṣūr. Sindiraws used to curse Mu^Cāwiyah, the Umayyad caliph, whenever he met the other emir, Sultān of al-Manṣūr, who appears to have been a Sunnī. In Shawwāl 1210/May 1796 the two men met in Bustān al-Sultān and Sindiraws as usual cursed Mu^Cāwiyah. The quarrel deteriorated into fighting between them and Sindiraws was wounded. Moreover news of the dispute spread among the masses who demonstrated in the evening, shouting slogans against Mu^Cāwiyah and in support of ^CAlī b. Abī Tālib. The demonstration developed into an attack on the houses of some of the people called Umayyad and also on those who were Sunnīs, stones being hurled at them. Troops were called out and the masses were forced to disperse. Some of the riot-leaders were imprisoned. (51)

(51) Jauhāf, 252-3.

It appears that when this event occurred al-Shawkānī wrote his treatise Inshād al-ghabī ilā madhhab Ahl al-bayt fī sahb al-Nabī ("Guiding the ignorant to the madhhab of the family of Muhammad on the question of the Companions of the Prophet". (52) He accused his opponents of ignorance and of falling short of true ilm. He said that they fabricated stories against Āl al-Bayt and he gave thirteen authorities of the riwāyah, all eminent ulema of Āl al-Bayt themselves, proving their unanimity (ijmā^c) in their respect for the Companions. Among the reactionaries against this treatise was Sayyid Ismāʿīl b. ^cIsa al-Dīn al-Nu^cmī who was on the extreme wing of the Bāfidiyyah. He and others wrote against al-Shawkānī's treatise (53) and in all more than twenty works "full of abuse, vituperation and lies were produced, many of them anonymous". (54) They succeeded in influencing certain officials

(52) I have completed an edition of this treatise together with others, all to be published soon.

(53) Al-Shawkānī, al-Badr, II, 205-6.

(54) Al-Shawkānī, al-Badr, II, 206; Adab al-talab, 30. These works have been collected into a book entitled Izhār al-khabī; cf. al-Hibahī, Maʿādir, 141.

and some of the imam's relatives who tried to persuade Imam al-Mansūr himself to take measures against al-Shawkānī. They suggested imprisonment or exile from San^cā'. Al-Mansūr however refused to listen to them. (55)

Some of al-Shawkānī's friends advised him to stop teaching in the Great Mosque, lest any harm come to him. Despite the threats of these zealots and their supporters, however, the number of al-Shawkānī's disciples and the size of his audience in the mosque increased. (56)

Sayyid al-Nu^cmī however collected together certain Rāfidī doctrines and began to recite them in the Great Mosque during Ramadān, ignoring al-Shawkānī's advice not to do this; only the ignorant and the common rabble ^{listened to} ~~heard~~ him. (57) Another Sayyid, Yahyā b. Muhammad al-Hūthī, who had once been a shaykh of al-Shawkānī, was also encouraged

(55) Al-Shawkānī, Adab, 31. Al-Shawkānī says in the biography of his friend Sayyid Mūsā al-Daylamī (d. 1249/1833) that he wrote the Imshād in 1208/1793-4. Al-Daylamī was the person who wrote in al-Shawkānī's favour, but the problem was that he was misinterpreted by the enemies who thought his opinions were the same as those who opposed al-Shawkānī! Cf. al-Bahr, I, 234-5.

(56) Al-Shawkānī, Adab, 31-2.

(57) Al-Shawkānī, al-Bahr, II, 205-6; Adab, 32.

by certain influential, but ignorant Thī^oīs to recite publicly a book on the virtues of ^oAlī b. Abī Tālib. (59)

The problem was that al-Hūthī did not restrict himself to the text of the book, which, as a matter of fact, was reasonable in its treatment of the subject. Consequently when he repeated curses against some of the Companions out loud, the masses shouted in support of him. On Monday 14 Ramadān 1216/20 January 1802 he was ordered by Imam al-Mansūr through ʿāmil al-awqāf Sayyid Ismā^oʿīl al-Shāmī, to return to the Ṣalāh al-Dīn Mosque, where he continued his diatribe. Although they were greatly disapproved of generally, the remarks he made there did not carry the same weight as his similar anti-Companion remarks voiced previously in the Great Mosque.

That evening, the common people came as usual to pray and to hear al-Hūthī. When he did not come they began to shout their protests and prevented the late prayer from being carried out. Rabble-rousers and Rāfidīs joined them and they all went out into the

(59) Al-Thaukānī, al-Badr, II, 3/4. The book is Tafriḥ al-Murūb by Ishāq b. Yūsuf b. al-Mutawakkil (d. 1173/1757).

streets, shouting and reciting slogans against Mu^cāwiyah, even directing their hostility against those whom al-Shawkānī describes as "the living and the dead". (59)

They gathered in their thousands and marched first to the houses of Faqīh Ahmad Ḥātim, chief muezzin of the Great Mosque, who had told al-Ḥuthī of the instructions of the imam, and also to that of al-Shāmī. They threw heavy stones at their houses and tried to kill the two men, who however both managed to escape. Ahmad Ḥātim took shelter in al-Shawkānī's house. The throng also marched to the house of ^cAlī b. Ibrāhīm al-Amīr (d. 1219/1804) which they also stoned, frightening his family. They did so because Ibn al-Amīr used to preach in the Great Mosque, but he was not a Rāfidī, nor did he utter curses like the ignorant al-Ḥuthī and was, on the contrary, an alim and an eloquent man. (60) Finally they attacked the houses of the two ministers, Ḥasan al-^cUlufī and Ḥasan Ḥanash, the first because he was related to the Umayyads and the latter because of his leaning towards the Sunnah. They

(59) Al-Shawkānī, al-Badr, II, 345; Jahhāf, 316.

(60) Al-Shawkānī, al-Badr, II, 346. Cf. his biography in Dīwān, 213; al-Badr, I, 420-2; Jahhāf, 370.

continued for four hours until al-^Qulufī's house was almost demolished and it was only through the good offices of some of the imam's sons and some of his courtiers that they dispersed. (61)

The next day Imam al-Mansūr called his ministers, qādīs and advisers to discuss the matter with them in an atmosphere of discord and fear. (62) But when al-Mansūr consulted al-Shawkānī, the latter advised him to arrest and punish those responsible and also those who had encouraged the incident. He also suggested punishment for those who had misled the common people (al-^Cawāmm) and let them believe that there were some of 'Muhammad's family who were to be disliked and other such fancies. (63) After this advice the imam imprisoned al-Huthī and al-Nu^Cmī, as well as Ibn al-Amīr and Ahmad Hātim. Investigations continued and all those responsible for the attack and the demonstration were shackled and imprisoned. On 4 Shawwāl 1216/27 January 1302 nineteen fagīhs who were directly responsible for stone throwing

(61) Al-Shawkānī, al-Badr, II, 346.

(62) Ibid.

(63) Al-Shawkānī, al-Badr, II, 347.

and for stirring up trouble were brought under al-Mansūr's window and were severely lashed. On the next day forty-two ^CSan'ānī agitators and rabble, five of whom, it was found, had stolen things, were subjected to the same punishment and were taken round ^CSan'ā', with drums beating on their backs. (64) Two months later Sayyids ^CAlī al-Amīr, al-Shāmī and Ahmad Hātīm were released, but others were exiled to Zayla^C and Kamarān islands, including al-Nu^Cmī who died there in 1220/1805. All preaching was banned forthwith by order of the Imam.

7. Al-Shawkānī and taxation policy

Imam al-Mansūr and his administration tackled their economic and financial problems by changing the currency or by increasing taxes. (65) Increasing an existing or creating a new tax is one of the old controversies in Islam among the law schools, since zakaḥ, as one of the principal obligations of Islam, is the only tax which may

(64) Al-Shawkānī, al-Badr, II, 206, 343; Jubbāf, 317.

(65) See Part One above p. 96-7.

be extracted from a Muslim. With great vigour al-Shawkānī *openly* criticised ~~out loud~~ unjust taxes and the greed of officials.

In one of his frankly critical poems he declares: (66)

"The Yemeni people have lost their shepherd
They have no hope of obtaining justice,
nor of warding off the greedy."

رَعَايَا الْيَمَنِ الْمَيْمُونَ نِ اضْحَوْا مَا لَهُمْ رَاعِي
فَلَا الْعَدْلُ يَرْجُونَ وَلَا الرَّدْعُ لِيَطْمَاعِ

Only two or three months after this poem he wrote that al-Manṣūr^C Alī had accepted his repeated advice to preserve justice and to remove injustice from the people. (67)

It was in 1222/1307 that al-Manṣūr called his ministers, sons and courtiers for consultation.

Al-Shawkānī was among them with other ulema. The urgent problem and the purpose of the meeting was the danger from Ibn Su^Cūd through his agent Sharīf Hamūd, and the latter's advance in Tihāmah. Al-Shawkānī says that he

(66) Dīwān, 226.

(67) Dīwān, 228.

decree of Imam al-Manṣūr to his provincial officials concerning taxation". (70) Jahhāf says that it became known as "Sunrise" (Tulū^c shams) which are in fact the first two words of the decree. (71)

It is clear however from the decree and from al-Shawkānī, al-Shijnī and Jahhāf that there were many different kinds of taxes specifically named such as: jibāyah, qubāl, siyāsah, furqah and ḥaf^cah. (72) In a very powerful and critical poem (73) al-Shawkānī calls all these taxes by the term naka (pl. nukūs). (74) The word in its basic meaning contains the idea of both deficiency (naqs) and injustice (zulm), as well as of a pre-Islamic tax, (75) absolutely forbidden by Islam. (76)

(70) See Appendix I. It is a matter of luck that I found the original of this document among family bequests and this is the first time the existence of this unique document has been disclosed.

(71) Jahhāf, 440.

(72) Appendix I, p. 326.

(73) Riḥān, 304-6.

(74) Lines 4, 7, 13, 15, 30.

(75) Farḥabādī, Qāṣidat: p. 1-2; Tabḥṭī, Taj, XIX, 514;

(76) Abū Ḍāwūd, Sunan, "Bāb al-ḥarāj", 7; al-Ḍārimī, Sunan, "Bāb al-ṣakāh"; Muḥṭab, al-Ḥabīb, "Bāb al-ḥarāj", I, 3, 106; Abū Ḍāwūd, al-Muḥṭab, IX, 100, 143, 150; cf. al-Shawkānī, Maḥl al-Awtār, 2, 313-5.

He explains the meaning of siyāsah in lines 19 and 25 as "penalties for criminals" (ādāb li-ahl al-jarā'im). This is not, however, blood money (arsh, pl. urūsh) for the shedding of blood, which al-Shawkānī accepts, though he accuses those who take arsh without just cause. (77)

Daf^Cah and furqah are both in his view two faces of the one coin, that is aid (ma^Cūnah) for the government which which is mukūs, (78) since the problem of defence and security of Muslim territory against external threat is one of the other functions of zakāh.

Imam al-Manṣūr signed the decree and ordered it to be sent to all his provincial officials. The officials and judges had to read it out loud before all the inhabitants of the area and to write a copy for every village in their own hand and with their own signature. The decree stated that all Yemenis everywhere, including Tihāmah and the Highland (al-ashwān wa-'l-anjād) were equal in their rights and duties. They should only pay

(77) Dīwān, 30⁶, line 23.

(78) Dīwān, 30⁶, lines 22, 30.

what God had ordered and whoever asked more of them must not be obeyed and would be punished by the imam, dismissed from his job and indeed he would not be worthy of the post, nor reliable in carrying it out (laysa mustahiqqan lahā wa-lā ma'mūn 'alayhā). (79)

Al-Shawkānī took the opportunity to add in his own hand other instructions stating that it was the duty of every judge (hākim) in every area to send reliable and competent men (rijāl umanā' 'ārifīn) to teach the people their religion and duties towards God. (80) It is as if he wanted to say by all these additions that there was a relationship between ignorance of religion and the practice of injustice upon the people. We shall discuss this point further below.

Jahhāf in his turn tells us that as a result of al-Shawkānī's advice al-Manṣūr declared a revival of justice. He ordered the demolition of the khānāt of tax-collectors, banned interest (ribā), abolished taxes marjū'āt and qubālāt and those of the qā guarantors,

(79) Appendix I, p. 226.

(80) Appendix I, p. 226.

(dumārā' al-aswāq). What is more interesting is his mention that al-Mansūr also dispersed teachers throughout the country, put an end to police force, suppressed prostitutes (zajara 'l-baghāyā) and drove out their pimps! (31)

It was not long however before the situation returned as it had been and again al-Shawkānī expresses disappointment and bitterness. (32)

3. The "Immediate remedy" (al-Dawā' al-^cājil)

Though al-Shawkānī's efforts at reform suffered a set-back, it appears that his treatise (risālah) entitled al-Dawā' al-^cājil is a writing contemporary with the decree, since it was written in the hope that it would not suffer the same fate as the decree. (83) In the Dawā' al-Shawkānī diagnoses the ills of Yemeni society as ignorance of the Sharī'ah and corruption in the administration. This same conclusion was reached and developed

(31) Jubbāf, 4/10.

(32) Dīwān, 30/4-10; Adab al-talab, 162-3.

(33) Al-Dawā' al-^cājil, 15.

later, mutatis mutandis, by the Arab reformers in the second half of the nineteenth century. They of course were aware of certain ideas and institutions of modern Europe. (84)

Al-Shawkānī divided the Yemen from Sa^cdah in the north to Aden in the south into three groups. First there are those subjects (ra^cāyā) who come under the absolute control of the authority (dawlah) and submit to its orders. The majority of them cannot pray, or pray incorrectly, while only a few pray regularly. He who does not practise prayer precisely is a mere infidel. (kāfir). The same can be said of fasting in Ramadān. (85)

The second group is made up of those of the far north and east (bilād al-qiblah wa-'l-mashriq) who have not come under the control of the dawlah. They are similar to the majority of the first group, but are even worse, since they cannot read or write and they submit to the customary laws of their predecessors (ahkām al-tāghūt), instead of to the Sharī'ah. They also insist of depriving

(84) See Abūn, Za^cā' al-islām, 21-2. Among recent serious studies in Arabic on the subject, cf. Jad^cāt, Usus al-taqaddum 'inda mufakkiri 'l-Islām, Beirut, 1979.

(85) Al-Dawī' al-^cijil, 5.

women of their inheritance. Those who do so either reluctantly (tama udān) or resist (ʿinādan), or act unlawfully (istihlālāh) or show disdain (istiʿhāfan) are unbelievers. Moreover, al-Shawkānī adds that the majority allowed the spilling of Muslim blood and the seizure of Muslim properties and show no respect for them. (86)

The third group are the inhabitants of the towns. Though they are furthest from evil (sharr) and the nearest to good (khayr), the majority of them are common people and ignorant (jūhāl). As a result of their ignorance and indulgence they neglect many of their duties towards God. However they are quick and more ready than others to learn and become educated, if they are determined to do so. (87)

Why had all this happened? Who was responsible? What was the solution? Al-Shawkānī pointed out at the beginning of his Dawāʾ that though every person in society is personally responsible and must examine his actions, both good

(86) Al-Dawāʾ al-ʿājil, 11-3.

(87) Ibid., 18-9.

and bad (af^cāl al-khayr wa-'l-sharr), it is also the responsibility of the ulema and those in authority (ahl al-^cilm wa-'l-amr) to strive for what is right and prevent what is wrong. (88) This official responsibility is confined in every district to three persons: the governor (āmīl), his secretary (kātib) and the judge (hakīm). (89) Al-Shawkānī strongly attacks the corruption and greed of the āmīls and kuttāb and their unjust behaviour.

Al-Shawkānī criticises another official responsible for the situation, the qāḍī who is ignorant of the Sharī^cah and the one who is interested only in external appearances, wearing a tall turban like a tower and long sleeves like saddlebags! In addition to all this he buys his position by bribery, seeking help of those he has bribed. (90) It appears that al-Shawkānī refers here to certain ministers, such as al-^cUlufī and his circle. The problem is not only that the qāḍī is incapable and corrupt, but also that he practises customary tribal law (ahkām al-tāhūt) in his

(88) Al-Dawā' al-^cāmil, 1.

(89) Ibid., 6.

(90) Ibid., 9-10.

judgements, not the Sharī'ah. The appointment of such persons is indeed treachery to Allāh, to his Messenger, the Qur'ān, to ʿilm and those who practise it, to Islam and the lower world! (91) The sending out of such persons as officials by the imam means that he himself is guilty of a serious sin.

It is, therefore, the duty of the imam and his assistants to inspect these officials and their behaviour. Even if some of them are good or achieve the status of ʿālim, this is no excuse for not inspecting them at work and inquiring into their practices. Finally, al-Shawkānī expresses the hope that the imam, at that time al-Mansūr, will follow the guidance he puts forward in the Ḍawā'.

9. Al-Shawkānī and the imamate

There is no doubt that the political thought and the theory of the imamate has been one of the most important disputes from the day of the Prophet's death until now. Here we are only pointing out al-Shawkānī's conception of

(91) Al-Ḍawā' al-ʿālim, 2.

the imamate among the Zaydī shi'as since they, among themselves, have no definite concept of the office, while some of them agree completely or partly with the Mu'tazilites, and again yet others disagree with them entirely. Imam Zayd (d. 122/740) who made the assertion that, though 'Alī was the rightful imam after the Prophet and superior to Abū Bakr and 'Umar, the "imamate of the inferior" (imāmat al-naḥdūl) was permissible.⁽⁹²⁾ But after him the whole question of the imamate became diverse and complicated. In Yemen there are those who follow the theory of al-Ḥaṭī Yahyā b. al-Ḥusayn (298/910) who became the first Zaydī imam there and who therefore actually put his concept into practice.⁽⁹³⁾ There is also the case of Ḥumaydān (flourish 7th/13th century)⁽⁹⁴⁾ or even Imām Qāsim b. Muḥammad (d. 1022/1620), the founder of the Qāsimī branch of the Zaydī imams, in his Asās.⁽⁹⁵⁾ But also there are those mentioned above who were more inclined towards the Ahl al-sunnah, beginning with Ibn al-Ḥaṭī (d. 246/1436) and ending with al-Ṭawḥīdī and their school.

(92) Whilst it is appreciated that this is not an ideal translation, for convenience that of Montgomery Watt, Islamic Philosophy, 25, is here employed.

(93) Maṣābiḥ, 28, 24, 162b-170b; cf. Zayd, Mu'tazilah, 122-31.

(94) Ibid., 1-10.

(95) Al-Asās, 159-75, where he gives the points of agreement and difference between the Zaydī and the Ṣūfī schools.

It is noticeable that those who wrote on the book al-Azhār or al-Bahr al-Zakikhār of Imam al-Mahdī al-Murtadā (d. 840/1436) ⁽⁹⁶⁾ do not accept his argument that the imam must be from ^CAlī's family. The view of al-Maqbalī (d. 1108/1426) is far removed from that of the Zaydīs and that of the Mu^Ctazilites both of whom state that the imam must be pure Qurashī. ⁽⁹⁷⁾ He says that the imamate need not remain specifically within Quraysh. ⁽⁹⁸⁾ Ibn al-Amīr, a Zaydī scholar active immediately before the time of al-Shawkānī, followed al-Maqbalī in part in his commentary Munhat al-shaffār.

However al-Shawkānī in his turn comments on al-Murtadā that the imam should be an ^CAlawī and a Fātimī. ⁽⁹⁹⁾ Al-Shawkānī says:

"^CAlawī and Fātimī is the best of Quraysh and the most honourable,...but this does not exclude all other branches of Quraysh as is proved by many sound hadīths". ⁽¹⁰⁰⁾

(96) See above p. 96-175.

(97) For the qualification of the imam in Mu^Ctazilite theory see al-Bāqilānī (d. 403/1013); al-Tanbīh, 182; and c.f. the Zaydī works mentioned above, ch.II, p. 40.

(98) Al-Maqbalī, al-Manāẓir, II, 121-2.

(99) Al-Murtadā, al-Azhār, "Kitāb al-Shaykh", 212.

(100) Al-Sayl al-jamrās, II, 156.

This is not the only objection of al-Shawkānī who says there is no proof that the imam must be a mujtahid and that means that the imam, in his view, could only be from the ulema. Actually, if Ibn al-Wazīr, al-Maqbalī and Ibn al-Amīr had not made the same suggestion before him, it might be said that al-Shawkānī would not have made the point either and that he was simply flattering the imams of the time, who were not mujtahids. The Ḥadawī Zaydīs state that the path (tarīqah) of the imamate is the da^cwah. Al-Shawkānī however says that the candidate must be chosen by "those who bind and loose" (ahl al-hall wa^c-l-^caqd) and only then does he accept that the bay^cah could be offered to him, whether he presents himself or not. But if he claims the office, he puts himself within the range of what the Prophet forbids one to seek, namely the imārah. (101)

It is more reasonable that al-Shawkānī rejects the idea that there must be no more than one imam for all Muslims, since Islam has spread all over the world. He says that

(101) Al-Tayl al-jamīl, II, 260; cf. Marlin, Ṣaḥīḥ, I, 2, 193.

the people of China and India, for example, do not even know who is capable of assuming the imamate (al-wilāyah) in the Maghrib, let alone actually submit to him. The same can be said of the people of Transoxiana (lā warā' al-nahr) and the Yemen and vice versa. (102)

Probably one of the best criticisms al-Shawkānī makes is that on the responsibility and scope of competence of the imam as interpreted by Imam al-Murtadā: he writes that "...the imam alone has the right to carry out legal punishment (iqāmat al-hudūd), Friday prayers, appointing judges (hukkām)..." et cetera. (103) Al-Shawkānī says that certainly the imam has the priority (awlā) to do so, but it cannot be generally accepted that he has the exclusive right. (104) Al-Shawkānī explains this matter, putting forward extensive and profound arguments and he also discusses the responsibility of the ulama and Muslims in general, referring his reader to the previous chapter, "Kitāb al-Hudūd". (105)

(102) Al-Tayl al-Jamīl, II, 260.

(103) Al-Murtadā, al-Ashār, 315-6; al-Bahr al-Zakkhār, VI, 390-1.

(104) Ibid., 262.

(105) Ibid., II, 120.

It is not suggested here that the above is a comprehensive discussion of al-Shawkānī's views of the imamate. This would indeed be a major undertaking and it is hoped that the task will be carried out in the future and published. This would give the question its rightful importance within the framework of al-Shawkānī's general intellectual theories.

10. Regency (wisāyah) of ʿAlī and the inviolability
(ʿismah) of the imam

We have already discussed al-Shawkānī's conception of the imamate in general terms. There are, however, two other subjects worthy of our attention and clearly connected with the imamate. There now follows a review of what al-Shawkānī's ideas are as a Zaydī ʿālim concerning the following two questions. They are the belief of the Shi'ites in the regency (wisāyah) of ʿAlī b. Abī Tālib after the Prophet's death, and secondly the inviolability (ʿismah) of the imam.

For the wisāyah the Shi'ites disagree among themselves between the extremists such as the Rafiites and the Imamites and those who had associated themselves with the political grievances and aspirations of the non-Arab Muslims on the one hand, and the moderates, such as the Zaydites, on the other. The Sunnite mites do not agree that there was any last testament (wasiyyah) from the Prophet appointing ^CAlī as his successor (khalīfah) or indeed an appointment of any kind. Their evidence is ^CĀ'ishah's denial that the Prophet recommended ^CAlī as the executor (wasī) while he was dying and she asked in a gesture of astonishment "...When did he [Muhammad] bequeath [anything] to him [^CAlī], since he was dying in my arms?!" (106) However, al-Shawkānī in Sha^Cbāh 1205/April 1791 received a question on this issue from a sayyid living in Zabīd, most likely a Shāfi^Cī. His answer is contained in one of his treatises entitled "al-^CIqd al-thaqīn fī ithbāt waṣāyat Amīr al-Mu'minīn". Al-Shawkānī commences with a juridical

(106) Ibn Hajar, Fath, V, 273-8; Muslim, Sahīh, I, 2, 68, "Bāb Taḥk al-wasiyyah"; Ahmad, Musnad, VI, 32, 44.

response, saying that, returning to basic juridical principles (qawā'id usūliyyah), one who knows is better than one who does not. So if another Companion knows what ʿĀ'ishah does not, her hadīth is not co-rent proof against any other. (107) From the beginning al-Shawkānī says that he has not used any book of the Ahl al-Bayt or of those of Shiʿites in order to prove the existence of the wisāyah; he only uses the books of the Sunni muhaddithūn as evidence. In general terms, al-Shawkānī says the Prophet gave many commands and instructions before his death and this is no doubt linguistically speaking wasiyyah. Secondly, in the Musnad of Ahmad there is the following: "Anas reported that the Prophet said, "My executor (wasī), my heir (wārithī) and the one who carries out (munaffiḥ) my word (waʿdī) is ʿAlī b. Talib". (108)

Al-Shawkānī gives many other hadīth in favour of ʿAlī, the most important of which is that of al-Bukhārī and Muslim

(107) Al-ʿIqd al-Thamīn, 4, 7.

(108) Ahmad, Musnad, I, 239, IV, 427, V, 356.

in their Sahīh. (109)

"... that the Prophet said that ^CAlī was for himself exactly like Harūn for Moses. But there will be no prophet after me."

This hadīth is sound and also authenticated by Ahmad, Tirmidhī and others. (110) In short, al-Shawkānī comes to the conclusion that "... the Prophet said that ^CAlī is his wasī and that we should say what he said and here we are not preferring ^CAlī to the other Companions." (111)

In respect of the ^{infallibility} ~~inviolability~~ (^Cismah) of the imam, the Zayrites, contrary to all other Shi'ite beliefs, do not share their ^{opinion} ~~belief~~. (112)

Al-Shawkānī also answered a question on the same problem, saying that all Muslims, together with a group of the Ahl al-Bayt, themselves agree that the Prophet is the

(109) Ibn Hajar, Fath al-Bārī, VII, 60, VIII, 31; Muslim, II, 107-8.

(110) Ahmad, Musnad, I, 170, 173, 174-6, 176-5, III, 32, 338, VI, 432; Tirmidhī, al-Jawāz, X, 322-35. See below Vol. II, 103-31 "Maqātib ^CAlī b. Abī Talib".

(111) Al-Shawkānī, al-^CIsā, 9-10; 38. Ḥabbī, Maḥāḥiq al-Imān, 222-57.

(112) Al-Nuṣṭalī, al-Baḥr al-madīth, VI, 324; al-Ḥāzin, al-Aḥzān, 163. For ^Cismah cf. Ḥabbī, Maḥāḥiq, 122-42.

only person who is inviolable (ma'sūm). He gives the ḥaḍīth of those who believe in ʿĪsmah and the criticism of of their opponents. (113) Al-Shawkānī supports the ʿĪsmah in this matter, ending his fatwā with the invalidation of the claim of ʿĪsmah of the two brothers, Ḥasan and Ḥusayn, and their mother Fāṭimah, the daughter of the Prophet. (114)

11. The school of al-Shawkānī and his disciples

Al-Shawkānī's influence and reputation, both in the Yemen and outside, exceeded that of many other Yemeni thinkers before him. His importance lies not only in his numerous and diverse literary works, or in his role in the modern Islamic revival, but also (and actually before that in time) in his influence on his contemporary intellectuals. We know that there were more than eighty disciples and students of al-Shawkānī. Among them were ʿulema, qādīs, poets, writers and men of letters in addition to hundreds of less important and many unknown persons. Al-Shajjī pro-

(113) ʿUqūd al-Zabājir, 245-6.

(114) Ibid., 247-8. The al-Ḥaḍī had already written in the same vein, cf. al-Fawā'id al-bārin, I, 118, 126.

vides us with details of about sixty of them. (115) Since, therefore, there is no need to give a list of them all, it is our intention here to give our attention to a group of those who played an important role during al-Shawkānī's life-time or immediately after in politics, jurisprudence, the administration and letters.

Al-Shawkānī tried to use his influence with the imams, in his capacity as chief qādī, to appoint to the position of judges some of those whom he considered trustworthy. It appears that he succeeded in many cases, though he was always complaining of the corruption and ignorance of the judges, as we have pointed out above. (116)

However, among his close disciples and friends was Qādī Ḥasan b. Muḥammad al-Saḥlī who was for many years qādī of Ta'izz till his death in 1234/1813. (117)

Qādī Ḥusayn b. Muḥammad al-^cAnsī was appointed governor of Zabīd in 1235/1820, after the town had been recaptured from Shariḥ Maḥūd, but he died in the same year in Bayt

(115) Al-Taḥṣīl, al-Tiqaṭ, 115-16.

(116) See above p. 213.

(117) Al-Taḥṣīl, Tiqaṭ, 125b; Zabā'ih, Maḥ, I, 254-5.

al-Faqīh. (118) His brother, [°]Abdullāh, became hākim of Ta^cizz in 1238/1322 till his death in 1241/1325. (119)

Another [°]Ansī, Tālih, became one of the qādīs of San^cā' and al-Shawkānī used sometimes to order him to act on his behalf in the Dīwān. He became qādī of Ibb till his death in 1274/1875. (120)

Among the qādīs of San^cā' who worked directly under al-Shawkānī's supervision were many of his old graduates and friends such as Muḥammad b. Aḥmad al-Sūdī (d. 1236/1320), (121) Muḥammad Muḥḥim (d. 1223/1303) who became, after he was qādī of San^cā', that of Daymah and Hodeida. (122)

Yahyā b. Muḥammad al-Akhfash (d. 1263/1347), after he had been hākim in Kawkabān, was appointed by al-Shawkānī among those of San^cā'. (123) Qādī Yahyā b. [°]Alī al-Radamī (d. 1279/1362) of Bayt Radam became its qādī on the

(118) Al-Shawkānī, al-Badr, I, 228; Chijsāī, Tiqsār, 126a; Zabārah, Ḥayl, I, 399-400.

(119) Al-Shawkānī, al-Badr, I, 399; al-Chijsāī, Tiqsār, 126b; Zabārah, Ḥayl, II, 100.

(120) Zabārah, Ḥayl, II, 14.

(121) Al-Shawkānī, al-Badr, II, 103; Ḥifā, 121; al-Chijsāī, Tiqsār, 127b; Zabārah, Ḥayl, II, 201.

(122) Al-Shawkānī, al-Badr, II, 114-5; Ḥifā, 122, 265; Jahhās, 404; al-Chijsāī, Tiqsār, 127b-128; Zabārah, Ḥayl, II, 235-7.

(123) Al-Chijsāī, Tiqsār, 130b; Zabārah, Ḥayl, II, 400.

instruction of al-Shawkānī and he acted also in 1256/1840 as minister with Imam al-Hāfi Muhammad (d. 1259/1843). (124)

Qādī ^CAbd al-Rahmān b. Ahmad al-Bahkalī (d. 1248/1832) of Sabyā was a close friend and disciple of al-Shawkānī and in 1209/1794 became Qādī of Bayt al-Faqīh. He played an important role in al-Mikhlāf al-Sulaymānī. He wrote books on history and on some of Shawkānī's works. (125) Another Tihāmī disciple of al-Shawkānī was Sayyid Muhammad b. ^CIzz al-Dīn al-Nu^Cmī, brother of the Rāfiḍī, Ismā^Cīl. (126)

Muhammad al-Nu^Cmī was the qādī and close friend of Sharīf Hamūd of Tibḥāh till his death in 1232/1807. (127) This was in addition to many other Tihāmī ulama and faqīhs, such as the Andālīs and Mizjājīs of Zabīd. We can say the same of those of Ta^Cizz, Jiblah, Ibb, Radā^C, Dhamar and Kawkabān

(124) Al-Shijnī, Tiqsār, 139b; Zabārah, Mayl, II, 394.

(125) Al-Shawkānī, al-Badr, I, 318; Diwān, 83, 135, 276; al-Shijnī, Tiqsār, 120-121a; Zabārah, Mayl, II, 23.

(126) See above p. 60; al-Shijnī, Tiqsār, 130b.

(127) Al-Shawkānī, al-Badr, II, 205; al-Shijnī, al-Tiqsār, 130; al-Bahkalī, Maḥ, 244.

where he used to teach for a few months on different occasions between 1225-38/1310-23. (129)

More enduring is the influence of al-Shawkānī because of those of his disciples who left literary or legal works. Besides Jabhāf, al-Hūthī and al-Shijnī, who are three biographers who wrote of their shaykh, there are also Qādī Ḥasan b. Ahmad al-Rubā^cī (d. 1276/1859), author of Fath al-Chaffār, Sayyid Yahyā b. al-Mutabbhar al-Ṣan^cānī (d. 1292/1352), scholar, poet and historian (129) and Ḥasan b. ^cĀkīsh al-Danaḥī (d. 1292/1372), the historian of Tihāmah. (130)

A distinguished and close disciple of al-Shawkānī should be mentioned here. He is the scholar, muhaddith and historian Muhammad b. ^cAlī al-^cAmrānī. Among his works is the abridgement of al-Shawkānī's al-Sayl al-jarrār. He

(128) Al-Shijnī, al-Tiqṣār, 21, 26, Cf. Part one, p. 117, 119, 165-7.

(129) Al-Shawkānī, al-Badr, II, 349; Dīwān, 252; al-Shijnī, Tiqṣār, 140; Zabārah, Mayl, II, 411-4; Sayyid, Maṣādir, 292; Hibshī, Maṣādir, 455-6.

(130) Zabārah, Mayl, I, 314-2; Sayyid, Maṣādir, 302; Hibshī, Maṣādir, 457-2.

removed the controversial criticism of al-Murtadā's book, al-Azhār, in an attempt to close the gap between al-Shawkānī and his opponents, especially such foul-mouthed bigots as Muhammad b. Sālīh al-Sanawī known as Ibn Harīwah. (131)

Towards the end of his life al-Shawkānī disagreed with ^CAmranī openly and relations between them became strained. Al-^CAmranī just escaped execution for his extreme opinions against the imams and the Shi'ites. He was imprisoned and

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- (131) Al-Sanawī was known for his Shi'ī zeal, for his frankness and also for his quick temper. He was executed in Hodeida by order of Imam al-Mahdī ^CAbdullāh in 1241/1825 because of his severe criticism of the imam. He wrote a book against al-Shawkānī's al-Sayl al-jarrār and called it al-Ghitāntam which means "vast ocean", as opposed to al-Shawkānī's "raging torrent", which will be discussed in the next chapter. Al-Shawkānī, however, had nothing to do with his death. Cf. Zabārah, Nayl, II, 274-9; Anon., Hawliyyāt, 37-9; Hibshī, Maṣādir, 140; al-Shijnī, al-Tiqṣār, 43. For a sympathetic view of al-Sanawī, cf. al-Mu'ayyadī, Tuhaf, 175; al-Mu^Camī, Diary, 125.

later in 1250/1334 he was exiled to Tihānah until he was killed in Zabīd at the hands of al-Bāṭiniyyah of Yām in 1264/1342. (132)

Men of letters, especially those poets whose Ḥumaynī as well as Ḥakamī poems flourished at this time, were in contact with al-Shawkānī. The famous poet Muḥsin b. ^cAbd al-Karīm Ishāq (1191-1266/1777-1349) was one of his favourite disciples and al-Shawkānī gave him an ijāzah for his book, the Ithāf, on the subject of isnāds. (133) ^cAlī b. Ismā^cīl al-Mutawakkil of Ṭahārah (1151-1230/1732-1315), though he was older than al-Shawkānī, read under him and they held a great affection for each other and exchanged their finest poems. (134) Muḥammad b. ʿAlī al-^cUsāmī al-Ḥanḥālī (1182-1263/1774-1347) was one of those whose gifts and genius in

(132) Al-Shawkānī, al-Badr, II, 210; al-Shijūnī, al-Tiqṣār, 123b; Zabārah, Mayl, II, 289-93; Sayyid, Maṣādir, 297; Hibahī, Maṣādir, 71, 140, 455; ʿanūjī, Tāj, 442.

(133) Al-Shawkānī, al-Badr, II, 72; Ḍiḥān, 110-1; Shijūnī, Tiqṣār, 126b; Zabārah, Mayl, II, 201-7; Sayyid, Maṣādir, 295; Hibahī, Maṣādir, 356, 391, 455; Ḥānīn, Shiʿr al-ḥiṣṣ, 162 and supplements.

(134) Al-Shawkānī, Ḍiḥān, 67, 71, 104, 249, 252, 173, 324, 327; al-Badr, I, 433-7; al-Shijūnī, Tiqṣār, 123; Zabārah, Mayl, II, 125-7.

both ʿilā and adab al-Shawkānī admired. Al-ʿUḍmī in return respected his shaykh and praised him in many of his poems. (135)

One of the youngest poets who was a disciple of al-Shawkānī was Muḥammad b. Ismāʿīl al-Shāmī (1194-1237/1780-1809). He died young and al-Shawkānī grieved at his death and expressed his sympathy to his aged father. (136)

Our list would be long, unless we attempt to follow the plan set out at the start of this section. But before leaving this point, we need to say a word concerning those disciples and followers of al-Shawkānī in India.

Al-Shijrī says that among those who arrived in 1222/1823 in Saʿūd from Egypt and India was ʿAbd al-Ḥaqq Banī ʿAṭī b. Fadl Allāh (1206-86/1791-1869). He was sent by the sultan of India on a mission to al-Shawkānī and was commissioned to copy his works. (137) He studied under the supervision of al-Shawkānī and after he had completed his course al-Shawkānī gave him authority of ṣaḥāb for his successful

(135) Al-Shawkānī, al-Badr, II, 172-80; al-Shijrī, al-Ḥaṣṣ, Zabārah, Ḥaṣṣ, II, 266-8.

(136) Al-Shawkānī, al-Badr, II, 180-2; Ḥaṣṣ, 52; al-Shijrī, al-Tiḡār, 122b-123a; Zabārah, Ḥaṣṣ, II, 241.

(137) Al-Shijrī, al-Tiḡār, 260.

performances in his studies. Ibn Fadl Allāh was one teacher of the famous Indian ʿAlī Muhammad Siddiq b. Hasan Khān al-Qanūjī (1242-1307/1332-90).⁽¹³⁸⁾ However al-Qanūjī was in Bhopal and "came into contact with ulema from Yemen in the royal court of Bhopal and studied under their supervision the works of Ibn Taymiyyah and al-Shawkānī. They were imbued with the ideas of Ibn Taymiyyah and al-Shawkānī". In 1286/1869, on his way to Mecca he read more of the works of al-Shawkānī and others in Hodeida and Mecca.⁽¹³⁹⁾ Indeed, al-Qanūjī was in the first place responsible for the spread of al-Shawkānī's ideas and books. He himself abridged and translated some of al-Shawkānī's works and sometimes does not even refer to the original.⁽¹⁴⁰⁾ Moreover, "even though Muhammad Saddiq Khān was not a creative

(138) Saeedullah, The life and works of Muhammad Siddiq..., 262-70.

(139) Saeedullah, 19-20. Cf. al-Qanūjī, Tāj, his own biography, 541-55.

(140) Cf. for example his Husul al-ma'nūl min ʿilm al-usūl with ʿIshād al-fuḥūl of al-Shawkānī, al-Durrārī al-bahiyah with al-Durrārī al-muliyah; al-Tāj al-mubīn with al-Qadr al-tālī etc.

and original thinker"...his importance should not be underestimated. "Muslim society was in need of a reformation, and the arguments for this reformation lay in the works that he set out to publicize". (141) Another factor should be noted, namely that communications by sea by this time had improved considerably and with it social intercourse between the ulama of India, Yemen and Mecca increased as well. "And it was possibly because of this growing contact that in the 1280s [1860s] ulama full of the ideas of Ibn Taymiyyah and al-Shawkānī were found in the courts of Indian princely states, especially Hyderabad and Bhopal. These ulama introduced the ideas and works of al-Shawkānī and indirectly of Ibn Taymiyyah in Bhopal. They gradually spread through India". (142)

(141) Saee'dullah, 17.

(142) Saee'dullah, 18-9.

12. Death of al-Thawtārī and his re-burial

Two months after the death of his second son, ^cAlī, Qādī Muhammad himself died on the last day of Jumādā II 1250/4 October 1834 at the age of seventy-six. (143) He was buried in Khuzaymah, but recently, on 15 Dhū 'l-Hijjah 1387/25 March 1967, his body was disinterred and reburied in his old mosque of al-Tulayhī in Ṣan'ā'. (144) His son Ahmad after the death of his uncle, Yahyā b. ^cAlī, in 1267/1850 became the chief qāḍī and probably the most important figure in the Yemen after his father. (145) When Ahmad died in 1281/1864 the Yemen was already approaching, as we stated above at the end of Part one, a new phase of anarchy and disputes.

(143) Zabārah, Mayl, II, 302; Anon., Mawliwāt, 59, mentions Jumādā I for his death; al-Ṣanūjī, Tāj, 450.

(144) The army built in this part of the Khuzaymah cemetery the modern officers' club (ḥall al-dubbāt).

(145) Al-Shijnī, Tiqār, 51a; Zabārah, Mayl, I, 215-223; al-^cAmī, Dīwar, 25-6; Anon., Mawliwāt, 68, 217.

CHAPTER SEVEN

Al-Shawkānī as a Mujtahid and Faqīh

قال عمر بن الخطاب - رضي الله عنه -
"تفقهوا قبل ان تسيروا"

Umar b. al-Khattāb

"Be a faqīh before you become ruler"

Al-Bukhārī, Sahīh

Al-Shanqit's importance is evident in his large out-
 put of works - books, treatises and papers - on various
 aspects of Islamic thought and Arab culture. They are
 mainly on the subject of Ma'ad, community (Ummah),
 jurisprudence (Fiqh), history, literature and poetry.
 There follows an account of each of these fields as briefly
 as possible. As Ma'ad is the subject of his most

opinions.

and his way and from his work covering his
Ma'ad, in the context of the development of his society
 intellect, as well as from his originality as an Umm in
 present, since from his deep knowledge and brilliant
 to Arab and Islamic thought. Indeed, his importance and
 work, what was his achievement and what did he add
 that remains after Al-Shanqit's death? In other

Al-Shanqit as a 'Ma'ad' and Umm

1. Meaning of ijtihād and taqlīd

The original lexical meaning of ijtihād is "exerting oneself to the utmost degree to attain an object". It is used in a technical sense for so exerting oneself to form an opinion (ẓann) in a particular case (qadīyah) or to formulate a rule (ḥukm) of law. ⁽¹⁾ With the formation of the madhāhib in the second half of the second/eighth and third/ninth centuries onwards the meaning of ijtihād developed from the early simple idea of the Medinan and Iraqi schools to that of Imam al-Shāfi^cī (d. 204/820) which he put forward as a compromise formula. In his earliest period al-Shāfi^cī uses ra'y (opinion) in the same loose way as the ancient schools. But later on he uses the term qiyās (analogy), whereas his opponents, representatives of the ancient schools, call this ra'y. For him the two terms are synonymous. ⁽²⁾ Al-Shāfi^cī applies analogy (qiyās) to the Qur'ān and the Sunnah. In the earliest usage too ijtihād

(1) Liṭān and Tāj: j-h-l-; al-Shawṣanī, Ṭiḥād al-Fuḥūl, 220; EI² "Ijtihād".

(2) Shāfi^cī, Liṭālah, "Iḥtibālāt Yāliḳ wa-'l-Shāfi^cī", VIII, 270-7, VIII, 5; Zehraht, Ṭaḳṣīṣ, 120-1. Cf. below, II, 50-4.

was formally equated with qiyās. (3)

However, in practical terms, in al-Shāfi^Cī's view, ra'y and ra'y al-mujtahid were one. He argued that it was possible to form one's own opinion by means of one's own exertions. In this he was completely opposed to the "imitator" (muqallid), who, as one of Shāfi^Cī's followers says, "takes the saying of another without a knowledge of its basis (qabūl qawl al-ghayr min ghayr hujjah aw dalīl)". (4)

At a later stage terms such as istihsān ("seeking the best solution") and istislāh ("seeking the best solution in the general interest") became more sophisticated concepts. Istihsān, however, becomes null and void in the eyes of al-Shāfi^Cī unless it becomes obligatory, when the Qur'ān, the Sunnah and ijmā^C are all silent on the question. (5)

Aql or ma^Cqūl (what is reasonable) is sometimes synonymous with qiyās which is also used by Shāfi^Cī.

For the Mu^Ctazilah (Ahl al-kalām) in their aim to be consistent base their whole doctrine on reasoning (nazar)

(3) Shāfi^Cī, Risālah, "Bāb al-ijmā^C", 127.

(4) Al-Shawkānī, al-Qawl al-Mufīd, 16.

(5) For more details cf. al-Shāfi^Cī, VI, 203-7, VII, 271-6. For more details of the comparison between the Shāfi^Cī, Mālikī and Hanafī schools, cf. Abū Zahrān, al-Shāfi^Cī, 280-321.

and qiyās. They hold that qiyās and nazar lead to truth and consider themselves as particularly adept in their use.⁽⁶⁾ They agree with some Zaydīs in certain views and concepts, but not in their later stage represented by al-Shawkānī or his early predecessors. We shall see, however, al-Shawkānī points out some excellent proofs of qiyās, not far removed from the doctrines of the Mu^ctazilī school.⁽⁷⁾ He quotes Fakhr al-Dīn al-Rāzī (d. 606/1210) who, in his opinion, gives the definitive meaning of the term ijtihād as qiyās. Al-Rāzī adds, "and that is what al-Shāfi^cī replied when he was asked".⁽⁸⁾ Indeed, this is in Shāfi^cī's Risālah.⁽⁹⁾ Rāzī also states that ijtihād is "reasoning by means of the usūl" (al-istidlāl bi-'l-usūl).⁽¹⁰⁾

After the time of al-Shāfi^cī, al-Bukhārī (d. 256/870), though not primarily a jurist (usūlī), separates ijtihād from its old association with ra'y and qiyās.⁽¹¹⁾ However,

(6) Schacht, Origins, 128, copying Ibn Qutaybah; for their opinions on qiyās and ijtihād, cf. al-Basrī, Kitāb al-Mu^ctamad, II, 690-865.

(7) Al-Shawkānī, Irshād al-Fuhūl, 178.

(8) Irshād al-Fuhūl, 220.

(9) Al-Shāfi^cī, 477.

(10) Irshād al-Fuhūl, 220.

(11) Cf. Ibn Hajar, Fath al-Bārī, "Kitāb al-I^ctiṣām bi-'l-kitāb wa-'l-sunnah", Bāb mā yudhkaru min dhamm al-ra'y, XII, 203, 240-53.

it was not long before Ibn Qutaybah (d. 276/389) restricted the term mujtahid to the great scholars of the past who could not be equalled, denying ijtihād to contemporaries. (12)

Many others after that repeated their utterances that "the door of ijtihād had virtually been closed!" (13) But why

had that happened? The perfect answer comes from Ibn

Khaldun:

"These four authorities [i.e. the four Sunnī madhāhib] are the ones recognized by tradition in the [Muslim] cities (wa-waqafa 'l-taqlīd fī 'l-amsār 'inda hā'ulā'i 'l-arba'ah).

Tradition-bound people (al-muqallidūn) obliterated all other [authorities], and scholars no longer admit any differences of opinion (wa-sadda 'l-nās bāb al-khilāf). The technical terminology of the sciences has become very diversified, and there are obstacles preventing people from attaining the level of independent judgement (rutbat al-ijtihād). It is also feared that (the existence of differences of opinion) might affect unqualified people whose opinion (reasoning) and religion could not be trusted (wa-man lā yūthaqu bi-ra'yih wa-lā bi-dīnih).

Thus, (scholars) came to profess their inability (to apply independent judgement), and get the people to adopt the tradition of the authorities) mentioned and

(12) Ibn Qutaybah, Ta'wīl mukhtalaf al-Hadīth, 19, 30.

(13) Abū Zahrah, Tārīkh al-Madhāhib, I, 111-21; cf. Shawkānī Qutr al-walī, 327-8.

of the respective group of adherents of each (ilā taqlīd hā'ulā'i kullun wa-man ikhtasa bi-hi min al-muqallidīn). They forbade one to modify his traditional (allegiance) (taqlīd), because that would imply frivolity (talā^cub). All that remained after basic textbooks had been produced in the correct manner, and the continuity of their transmission had been established, was to hand down the respective school traditions for each individual adherent, to act in accordance with the traditions of his school (wa-^camila kullu maqallid bi-madhhab man qalladahu). Today, jurisprudence means this, and nothing else. The person who would claim independent judgement nowadays would be frustrated and have no adherents (wa-mudda^cī 'l-ijtihād li-hādihā 'l-^cahd mardūd manqus ^calā ^caqibayh)". (14)

Thus Ibn Khaldūn diagnoses the deep dilemma of the four madhhabs, but this cannot be given in general terms since Zaydīs or all Shī'ites always have their own mujtahids. This is because the Shī'ites are regarded as the spokesmen of the Hidden Imam. (15) Their position is thus quite different from the Zaydīs or the ulema among the Sunnīs. However, although the idea of closing the door of ijtihād became a Sunnī practice, there were also from time to time

(14) Ibn Khaldūn, Muqaddimah, III, 6.

(15) Abū Zahrah, Tārīkh al-Madhāhib, II, 115; ET², 1026.

individuals who appeared, moved either by ambition, or by objectivity and by a feeling of duty, not tied down by doctrines (al-madhhabīyyah), who returned to the earliest meaning of ijtihād and who asserted their right to form their own opinion from first principles usūl (not furū^c). One of these was Ibn Rushd (Averroes) (d. 595/1198), another Ibn Hazm (d. 456/1064). Among the Hanbalīs who were "strongly opposed to all attempts at reducing the principles of Islam to ^a construction of the human intelligence, ^{who} but ~~they~~ showed great flexibility in applying them to the problems of social life", ⁽¹⁶⁾ was Ibn Taymiyyah (d. 728/1328). Another was Ibn Qayyim al-Jawziyyah (d. 751/1350) who repeats the idea that at all times there must exist at least one mujtahid and that the ulema agreed that a muqallid is not among Ahl al-^cilm ⁽¹⁷⁾ and no door of ijtihād has been closed.

Both Ibn Taymiyyah and Ibn al-Jawziyyah suffered from injustice and imprisonment. Al-Suyūtī (d. 911/1505) could

(16) Hourani, Arabic thought, 18; cf. Ibn al-Jawziyyah, I^clām al-Mawāqqi^cīn, I, 84-112.

(17) I^clām al-Muwaqqi^cīn, I, 7; II, 155-9.

also be mentioned here as one of the few exceptions of the Shāfi'ī school which had many ʿālims and good scholars, but they were rather huffāz not mujtahidūn, such as al-Haythamī (d. 807/1405), Ibn Hajar (d. 852/1448) al-Muttaqī al-Hindī (18) (d. 975/1567) etc. This is not, however, an excuse for

Goldziher to claim that: "Sunni ʿulama are regarded universally as the subservient creatures of the government". (19)

Al-Shawkānī in the same Zaydī vein is imbued with the ideas of ijtihād and rejects completely taghlīd. He does not miss any opportunity in all of his writings to remind his reader and all seeking knowledge of the essentiality and necessity of ijtihād for the Muslim. He quotes Ibn al-Jawzī (d. 597/1201) that taghlīd invalidates the (20) advantage of reason.

(18) Abū Zahrah, Tārīkh al-Madhāhib, II, 119; cf. below our Vol. II, 25-30.

(19) EI², III, 1027.

(20) Al-Shawkānī, al-Qawl al-Mufīd, 25.

2. The evidence of ijtihād

For the purpose of proving ijtihād sound and forbidding taqlīd, al-Shawkānī wrote his treatise entitled al-Qawl al-Mufīd fī adillat al-ijtihād wa-'l-taqlīd. (21) He starts by giving an example of the forbidding of taqlīd from ~~the~~ early times by the Prophet and his Companions. The meaning of the verse, "Obey God, and obey the Apostle and those charged with authority among you (ūlū 'l-amr minkum)" (22) is not as the mugallidūn interpret it, namely as a direction to obey the ulema who are probably meant by ūlū 'l-amr, but means rather the ulema or the umarā', but one should obey either the ulema or umarā' only when they give their orders according to the Sharī'ah. It is reported in a sound hadīth that, "There can be no obedience for any creature (makhlūq)

(21) Published in Cairo, 1347/1928. In a personal communication dated 12 September 1982, James D. Chancellor of Duke University, U.S.A. informs me that he is planning to translate this treatise and that he is interested in al-Shawkānī's theory of theory of ijtihād and taqlīd.

(22) Al-Nisā', IV, 59. Al-Shawkānī gives the same explanation in his commentary Fath al-qadīr, I, 481-2.

in disobeying the Creator (al-Khalīq)". Obeying the ulema, al-Shawkānī states, is not to imitate them blindly, unless they themselves are guided along the correct path. If the ulema do the opposite, then they are guiding others to disobey God. (23)

The Muqallidūn, in al-Shawkānī's opinion, are always being misled by those whom they are following. They used to give examples of cases from time to time of the Prophet and his Companions denying that "...accepting riwāyah is not imitation (taqlīd), since this acceptance means agreement with the argument (qabūl al-hujjah), while imitation (taqlīd) is the acceptance of opinion (al-ra'y)". (24) He explains that he does not demand that everyone must become a mujtahid. What he requests is not employing ra'y and copying it without understanding the riwāyah. This indeed led to the development of the madhāhib and the widening of the gap between them. Moreover everyone thinks that the imam of

(23) Al-Qawl al-Mufīd, 11.

(24) Al-Qawl al-Mufīd, 12.

his madhhab is the only one who is correct and that the others are wrong. Enmity and mutual hatred become common among Muslims as a result of satanic innovation al-bid^{ah} al-shaytāniyyah! (25) On this he quotes Ibn al-Qayyim al-Jawziyyah who in his turn reports that Abū Hanīfah (d. 150/767) and Abū Yūsuf (d. 183/799) both said, "No-one has the right to repeat our teaching until he knows our sources from where we have drawn them". Al-Shawkānī gives long explanations, quoting al-Shāfi^ī and other imams (26) supporting this point.

As for the Ahl al-Bayt, al-Shawkānī turns his comments to them. Their books are full of well known ideas expressing disapproval of taqlīd. In the Yemen, the ‘ālim, Sayyid Muhammad al-Wazīr in his books wrote "what quenches ones thirst", in the words of al-Shawkānī, especially in his book ‘Ithār al-haqq ‘alā ‘l-khalq. (27) One could say the

(25) Al-Qawl al-Mufīd, 14.

(26) Al-Qawl al-Mufīd, 15-25; cf. Ibn Qayyim al-Jawziyyah, I‘lām al-muwagqī‘īn, III, 220, 457.

(27) Al-Qawl al-Mufīd, 25; Ibn al-Wazīr's ‘Ithār published in 1318/1900, is one of the best books of Islamic thought in its subject, as is his book al-‘Awāsim min al-qawāsim. Al-Shawkānī admired Ibn al-Wazīr and says of him in his extensive biography, "that it is close to the truth if he says that the Yemen has not produced an [‘ālim] such as him", al-Badr, II, 99.

same of the ideas of Imam al-Hādī Yahyā b. al-Husayn (d. 298/910) whose madhhab the Yemenis have followed from the end of the third/ninth century till now. It is well-known among his followers and those who are acquainted with his madhhab that he was unequivocally and without any doubt against taqlīd. In spite of his opposition to taqlīd, however, his followers imitated him. Their "explanation", Shawkānī suggests, is most peculiar. Some of their late muqallids say that they do so, though he forbade taqlīd! By this it can be understood that their later works, either on usūl or furū^c (branches), are not written following their imam's madhhab. It is as if the Hadawī muqallids are similar to those of the other madhhabs. But this was not the case of the earliest followers of al-Hādī himself or those of the "great" Imam Zayd b. ^cAlī before him. This is, then, the crime (jināyah) of the madhāhib, al-Shawkānī adds, calling down God's curse upon them (adhhabahā Allāh)! (28)

In the Yemen, in al-Shawkānī's days, some Zaydī Hadawīs became, as we pointed out in the last paragraph, fanatical in their following of taqlīd and al-Shawkānī refers to the

(28) Al-Qawl, 25-6.

incident of 1216/1802 and the common people's attitude in their support for the fanatics against the moderates and mujtahidūn.⁽²⁹⁾

Fanaticism (ta^cassub) for any madhhab, in al-Shawkānī's view, is the problem, not ignorance (al-jahl), since it is not difficult to seek the disciplines (culūm) of ijtihād.

Here, in the Qawl, he gives a very simple picture as a proof of his argument.⁽³⁰⁾ But he insists in his Irshād

al-Fuhūl on higher qualifications⁽³¹⁾ which are naturally compatible with the ālīm/mujtahid, but not with the ordinary or simple muqallid. It is in reality difficult for anyone to achieve these qualifications. Al-Shawkānī leaves the details of the disciplines of ijtihād to his book Adab al-talab to which we have already referred above on page 185.

It is of interest to mention that the main purpose of al-Shawkānī's writing his biographies was to disprove

"...the opinion widespread among the rabble (jama^cah

(29) Al-Qawl, 27-8; cf. above p. 127.

(30) Al-Qawl, 29.

(31) Irshād al-Fuhūl, 220-30.

min al-ri^ḥā^ḥ) that only their predecessors had the authority to expand on the Islamic sciences (ḥulūm), and not their successors; and so also this idea has become common among some people of the four madhāhib, so that it is impossible to find a mujtahid after the sixth / twelfth / century (as some have said) or after the seventh / thirteenth / century (as yet others have claimed). This ^{issue} ~~article~~ is based on ignorance and is (32) easy for those of little knowledge to understand..."

However this, we have seen, is al-Shawkānī's interest in, and his defence of, the idea of ijtihād as serving freedom of thought, while at the same time preserving the essence of the original Islamic articles of faith. Inevitably he was attacked by the conservatives for his claim that taglīd should be forbidden. They said that this idea was tantamount to anarchy of thought which could not be ^{controlled} ~~counted~~ by the rules of the madhhab. This argument is still not closed in the Islamic world.

3. The Irshād al-fuhūl ("Guidance of the master-jurists")

Al-Shawkānī's famous book Irshād al-fuhūl ilā taḥqīq al-ḥaqq min ḥilm al-uṣūl (33) is one of two which deal with

(32) Al-Badr, I, 2-3; cf. Ibn al-Jawziyyah, Iḥlām, II, 356-9.

(33) Published in Cairo for the first time in 1347/1928.

his theories of ijtihād and ideas of jurisprudence (uṣūl al-fiqh). The second is al-Sayl al-jarrār ⁽³⁴⁾ whose main subject is Zaydī jurisprudence. The following is a brief review of their more important original, controversial or traditional issues and of their reputation and importance from my point of view.

Al-Shawkānī wrote his books on uṣūl al-fiqh during the height of his intellectual abilities. Thus they show the advantages of the deep understanding of the writer, his use of numerous and diverse source material from the different schools and sects. Also sometimes they show an arrogant and mocking approach in his criticism of opponents, particularly the muḡallidūn.

In the Irshād he divides the book into seven parts, calling each maqṣad, (purpose). Under each maqṣad there are many chapters (faṣl pl. fuṣūl). This is in addition to an introduction and conclusion.

It is very interesting that in the introduction al-Shawkānī states that the art of uṣūl, the subject of his

(34) The first part of the book was published in Cairo in two volumes in 1390-1/1971-1.

book, unwittingly makes many mujtahidūn muqallidūn and also causes many others (- again unwittingly -) who adhere to proofs (adillah) to fall into the habit of employing ra'y! (35)

He adds nothing to the common definitions of the subject, but it appears to him most likely that tahsīn (expressing approval) and taghbīh (expressing disapproval) are matters of reason outside ^{the} Sharī^cah. (36) He follows the same

understanding as Ibn al-Amīr, in his Dirāyah, of the most important Zaydī book on the subject, al-Ghāyah by al-Husayn b. Yahyā (d. 1050/1640). It is noticeable from the long introduction that, though al-Shawkānī admires the author of the Ghāyah, (37) is influenced by him and quotes from him and many other Zaydīs, al-Shawkānī neglects to mention any of them by name in this book.

Moreover, Shawkānī's attitude is the same as Ibn al-Amīr's on a number of technical terms in the field of uṣūl al-fiqh, e.g. al-haqīqah (fact), al-majāz (figurative expression), etc. (38) He supports the Mu^ctazilite view

(35) Irshād, 3.

(36) Irshād, 6-7.

(37) Al-Shawkānī, al-Badr al-tālī^c, 226-7.

(38) Irshād, 18-26.

that one cannot be made to undertake what is impossible
 (man^c al-taklīf bi-mālā yutāq). (39) This is also held as
 a belief by the Zaydīs and no doubt it is a correct and
 reasonable view since God says, "On no soul doth God place
 a burden greater than it can bear...O our lord, Lay not
 upon us a burden greater than we have strength to bear", (40)
 as Shawkānī himself quotes.

In the first maqṣad there is nothing of importance and
 al-Shawkānī adds nothing worthy of mention. But with the
 beginning of the second maqṣad on the subject of the
 infallibility of the prophets he depends on others and
 avoids the Mu^ctazilite partiality for the impossibility of
 the prophets' falling into great sin (kaḇā'ir) and the
 possibility of their falling into venial sin (ṣaghā'ir). (41)
 (42)
 There is much evidence of venial sin from the Qur'ān.

What removes al-Shawkānī even further from mainstream Zaydī
 tradition is his supporting the idea that, if the Prophet

(39) Irshād, 8-11.

(40) Al-Baqarah, II, 186; Irshād, 8.

(41) Irshād, 29-31.

(42) XX, 121.

Muhammad forbade some action and then perpetrated the deed himself, this action was his own private affair and it did not permit Muslims to do likewise. On the other hand ijma^C - and indeed this is the view also of some of the Mu^Ctaziliyyah - dictates that the actions of the Prophet were balanced against his prohibitions and if it happened that he did something contrary to one of these prohibitions, this action became an example to be followed because the Prophet is infallible. (43) However Ibn al-Amīr states in his unpublished Manzūmah, a treatise in verse on uṣūl al-fiqh:

"Wa-fi'luhu li-mā kāna nahā.

"An-hu ibāhatun qāla bi-hi dhū 'l-nuhā".

"Truth and lying" (al-sidq wa-'l-kadhib) has been given many definitions. Al-Shawkānī summarises three ^{such} famous ~~such~~ definitions: first the common notion that sidq is what is in agreement or conformity with truth, (al-sidq mā tābaq al-wāqī^C). The second is that of al-Jāhiz: the verification of the means (ithbāt al-wāṣitah). Al-Mizām and his followers suggest that sidq means "what conforms with belief (mā tābaq al-i^Ctiqād). Al-Shawkānī's opinion is that sidq is what is

(43) Irshād, 31-7.

in conformity with truth and belief, whereas lying is what
(44)
is contrary to either one of them.

Criticism could be levelled at al-Shawkānī's approval
and acceptance of the evidence of one single person (khābr
(45)
al-wāhid). We know for example that Caliph Abū Bakr
refused to accept the testimony of one person and Imam ^cAlī
used to demand an oath from the witness (rāwī), thus, in
(46)
his view, providing a second testimony.

It could also be said that al-Shawkānī rejects the
idea of unanimity (ijmā^c) (which is one of the four usūl),
(47)
though he accepts ijmā^c in the case of the khābar al-wāhid.
He goes further by saying that the two Sahīh of al-Bukhārī
and Muslim became sound by the ijmā^c of the nation
(48)
(al-ummah). If he means each hadīth individually this
is of course incorrect, since we know criticism did arise
against one of their hadīths.

(44) Irshād, 39-40. Al-Shawkānī unfortunately does not
specify his source and it has not been possible to
examine these definitions in the original context.

(45) Irshād, 43.

(46) Cf. Ibn al-Salāh, Muqaddimah, 218-40; Ibn al-
Jawziyyah, I'lam, I, 115-25.

(47) Irshād, "al-ḥaqāq al-thālith", 63.

(48) Irshād, 44.

However, al-Shawkānī does not finish his chapter concerning ijmā^c without providing us with a good and reasonable notion of "personal reliability and honorable record" (ḥadālah). In his view if a man has not committed any great sin (kabīrah) and is known to respect religion and not to indulge in the transmission of suspect ḥadīth (riwāyah) he is indeed reliable. (49) The importance of this is that al-Shawkānī himself follows those who suggest that the perpetrator of venial sin is "unreliable". (50)

On this point Jahhāf reports an argument between himself and al-Shawkānī and this can be read in his biography (51) below.

However al-Shawkānī makes the reasonable suggestion that he who persists in committing venial sin is not like one who commits a minor sin since there is no proof of similarity between the two. He decides also that there is no "reliability" (ḥadālah) in an adulterer (fāsiq). (52)

One of his strongly-held opinions is that expressed in

(49) Irshād, 58.

(50) Irshād, 46.

(51) See Appendix II.

(52) Irshād, 47.

the chapter concerning prohibition (al-nawāhī).⁽⁵³⁾ His view is that prohibition is only possible where an absolute wrong is involved.

But when al-Shawkānī meets philosophical and theological problems his position is very similar to the traditional school (salaf). Thus his opinion is a traditional one in dealing with the problem of the metaphorical interpretation of anthropomorphic terms applied to God, where it can be shown that a literal sense is impossible. Al-Shawkānī refers to al-Juwaynī (d. 437/1085), his famous pupil al-Chazālī (d. 505/1111) and al-Rāzī (d. 606/1209) as responsible for widening the scope of ta'wīl, but at the end of their life they disapproved of ta'wīl, and came back to the view of the salaf.⁽⁵⁴⁾ He also opposes the Mu'tazilites in some of their interpretations of ta'wīl.

Al-Shawkānī, in the last chapter of the fourth maqṣad of his book deals with nineteen questions on the subject of abrogation (naskh), the meaning of an abrogating verse (nāsikh) which supersedes another verse (mansūkh). The

(53) Irshād, 96.

(54) Ibid., 155.

subject became very important in both commentaries and works of usūl al-fiqh. A mujtahid must know all the rules and conditions of naskh, both those of reason (^Caqliyyah) and of law (^Cshar'iyah). (55) The author reviews the different points, showing great insight and an abundance of knowledge. In one of the points concerning promise and threat (al-wa^Cd wa-'l-wa^Cid) or Paradise and Hell, which is one of the common principles held by both Zaydīs and Mu^Ctazilites, we find al-Shawkānī disagrees with the latter on the question of the threat (al-wa^Cid). The Mu^Ctazilites claim that there is no abrogation of wa^Cid. Al-Shawkānī allows for the cancellation of God's threat, since it is part of His goodness to be merciful. (56) He refers to Abū 'l-Hasan al-Basrī (d. 436/1044) on this point. Al-Basrī himself in "Bāb Naskh, al-shay' qabla fi^Clih" states that his shaykhs, some followers of Abū Hanīfah and some of those of al-Shāfi^Cī are not allowed to abrogate anything before it actually happens. (57) However al-Shawkānī's view is more

(55) Irshād, 163

(56) Irshād, 166.

(57) Al-Basrī, al-Mu^Ctanad, I, 407.

acceptable, not only as he says, for its association with goodness and evil (al-husn wa-'l-qubh), but also for two other attributes of God: will (mashī'ah) and mercy (rahmah).

If al-Shawkānī, in his last act of ijtihād, is successful in arguing his case against the Mu^ctazilites, however, his argument in agreement with them on the same page is less convincing. (58) Al-Shawkānī follows al-Basrī in his

(59) claim that there was a verse of the mushaf which begins "al-shaykh wa-'l-shaykhah, if the two are guilty of lewdness, stone them both together outright, as a punishment from God". Al-Shawkānī here and in his commentary Fath al-qadīr (60) accepts that there is such a verse and that ^cUmar said once that, because he did not want people to say that he added a verse to the Qur'ān, he would not do so. This

(58) Al-Shawkānī, Irshād, 166.

(59) Al-Basrī, al-Mu^ctamad, I, 418-9. Al-Basrī adds that it might have been only in a revelation (wahy), not the mushaf itself. The editor of al-Mu^ctamad, Hamidullah, was wise enough to comment that "if [al-Basrī] means by revelation the Torah (Old Testament), this hukm is in it". Cf. Leviticus, 20,20; Deuteronomy, 22,22.

(60) Fath al-Qadīr, III, 4.

"verse", he adds, is abrogated and there only remains the rule (hukm) that lies behind it. Al-Shawkānī makes here two certain errors. The first error is that he misinterprets the meaning of naskh here, since there is no such verse, but there is a sunnah on this issue (i.e. the practice of the Prophet) in the incident of Mā'iz and al-Ghāmidīyah. (61)

This is what had happened with Surat al-Nisā', 15, which was abrogated. (62) Secondly, he wrongly says that this hadīth "al-shaykh wa-'l-shaykhah" is in the Ṣaḥīḥ of al-Bukhārī. (63) Indeed, it is not, neither is it in the Ṣaḥīḥ of Muslim.

(61) Cf. II, 428, 550 below.

(62) Abū 'l-Qāsim Hibat Allāh, al-Nāsikh wa'l-mansūkh, 118; Fath al-Qadīr, I, 437-40, IV, 3-5; Surat al-Ahzab, IV, 259.

(63) Ibn Hajar, Fath al-Bārī, XII, 114-56; Muslim, al-Ṣaḥīḥ, II, 1. Ibn Hajar, Fath al-Bārī, XII, 119-20, suggests that al-Bukhārī deliberately ignores the remainder of the hadīth when he compares it with one related by al-Bukhārī's shaykh, 'Alī b. 'Abdullāh. He adds that Mālik and Nasā'ī report the hadīth but "...Nasā'ī takes Sufyān's version to be erroneous (wahm) and numerous transmitters relate the hadīth, from Zuhri without this addition (i.e. al-shaykh wa-'l-shaykhah). I do not know why Ibn Hajar does not quote the hadīth of Ahmad in his Musnad, V, 183, probably out of confusion, rather than ignorance.

Moreover it is completely alien to the vocabulary of the Qur'ān as Nöldeke observes, (64) and finally what would be the wisdom of punishing an old man and woman (shaykh and shaykhah), not young, if we accept this deficient story? (65)

To return to al-Shawkānī's Irshād. His fifth Maqṣad is one of the best and the most useful parts of uṣūl al-fiqh (66) and relevant to modern life. In this part, al-Shawkānī discusses different views on analogy. He takes into consideration issues such as maṣāliḥ (sing. maṣlahah) (public interest), istishāb (presumptive applicability of previous legal ruling) and istidlāl (reasoning). Although he does not mention their names, the influence of the Yemeni thinker al-Maqbalī in his unpublished book Majāh al-tālib and Ibn Qayyim al-Jawziyyah on al-Shawkānī's analogical reasoning is clear.

As for al-Shawkānī's originality and progressive views, modern reformers, such as Muhammad ʿAbduh (d. 1323/1905) and

(64) Burton, Collection, 80.

(65) Imam Zayd b. ʿAlī, al-Rawḍ al-Mazīr, "Kitāb al-Hudud", V, 462-502; al-Murtadā, al-Baḥr, VI, 130-42; Shawkānī, Nayl, VIII, 281-311; for other sources see II, 428, 550 below; and for a comparison between the different madhāhib, cf. al-Juzayrī, Kitāb al-Fiqh, V, 1-60, especially 60.

(66) Irshād, 173-223.

Rashīd Ridā (d. 1354/1935) found in him the support for
 (67)
 their own ideas. In Yusr al-Islām Ridā quotes al-Shawkānī to give evident approval for the point under discussion. The following is the quotation of Ridā on the
 (68)
 subject of qiyās:

"The qiyās which is acceptable is the one based on
cilla,⁽⁶⁹⁾ 'reflective cause' which gave rise to the
 original textual ruling...Furthermore, it is not
 hidden from those of sound mind and understanding that
 the general and particular contents of the Qur'ān and
 Sunna make provision for every event that occurs...
 There is no disagreement over use of the cilla if it
 has been textually specified. Disagreement only arose
 over the question whether its use should be classified
 as qiyās or as acting in accordance with the revealed
 texts. Most [of the jurists] took the former view,
 while the opponents of qiyās took the latter view.
 Thus the difference over this is only verbal. For
 this reason the matter is of little importance, and
 what has been regarded as of great moment in the
 dispute over this question is really only small". (70)

(67) Kerr, Islamic Reform, 193-6.

(68) Ridā, Yusr al-Islām, 68-9.

(69) The ascertainment of the reason or cillah underlying a legal rule is an essential step in the process of reasoning by analogy (qiyās). A legal principle established by an original case is extended to cover new cases on the grounds that they possess a common cillah. Al-Shawkānī gives eleven definitions and gives twenty-four conditions. Cf. Irshād, 181-3.

(70) Irshād, 184-5. Cf. Kerr, Islamic reform, 193.

Finally, as we started this chapter on the subject of ijtihād, it is not necessary to return to this subject which forms the final part of al-Shawkānī's valuable and fruitful book. There is no need to go back to this point though there are still many points and views which could be mentioned. Instead we shall review the second important and more controversial book by al-Shawkānī on the subject of fiqh, al-Sayl al-jarrār.

4. Al-Sayl al-Jarrār, the "Raging Torrent".

From its very title, this book of al-Shawkānī shows his severe criticism of one of the most important Zaydī text books, al-Azhār by Imam Ahmad b. al-Murtadā (d. 840/1436).⁽⁷¹⁾ The strong language and severe criticism of the work led three Azharī Egyptians and a Yemeni Azharī to publish the first part of the Sayl in Cairo in 1390-1/1970-1.⁽⁷²⁾ It appears

(71) Cf. p.175 above.

(72) He is the late Qāsim Chālib Ahmad who was once, after the revolution (1382/1962) a minister of education for a short time. His Egyptian collaborators were Mahmūd Amīn al-Mawawī, Mahmūd Ibrāhīm Zāyid and Basyūnī Baslān.

from the long introduction, full of political propaganda, that they were labouring under the delusion that al-Shawkānī ^{was} ~~were~~ anti-Zaydī and against his imams! Unfortunately after the death of Qāsim Ghālīb the last portion of the book has

(73)

not so far appeared. Here I am using the Chester Beatty MS which is guaranteed reliable and signed by al-Shawkānī himself.

Imam Ahmad b. Yahya b. al-Murtadā who failed to retain a hold of his imamate, found himself thrown into the Qal^cah prison of the Qasr of San^cā' for seven years (794-801/1392-8).

(74)

At the age of twenty-nine (not nineteen) , thrown into prison in difficult and grievous circumstances, al-Murtadā wrote his unique abridgement on the subject of fiqh, Kitāb

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- (73) In 1978 through my brother in Cairo, I asked the Majlis al-A^clā li-Shu'ūn al-Islamiyyah, the organisation for Islamic affairs who published the first part, if there is any intention to publish the rest, since I would hope myself to do so. The reply was in the affirmative, but nothing has happened from then to this day.
- (74) In the introduction, I, 10 and II, 471, the editors say that his age was nineteen. This is unbelievable, the mistake comes from the Badr of al-Shawkānī, I, 122, who suggests his birth was in 775/1374. But the introduction to al-Bahr al-zakhkhar (2nd edition) gives his birth as 764/1363 and this is acceptable.

(75)
al-Azhār. His material was taught orally to a fellow

prisoner, ^cAlī b. al-Hādī, a disciple of his, who upon

release had a written copy of the work made. (76) This in

fact explains the high eloquence, brevity and also the
 difficulty of understanding some of its vague arguments.

Later al-Murtadā was the first to write a long commentary

in six volumes on the Azhār. (79) His sister Dahmā' bint

Yahyā (d. 837/1434) was one of the first commentators. Her

commentary is in four volumes, as al-Shawkānī states. (78)

From that time until al-Shawkānī's there are thirty-four

other commentaries on the book, either in the form of

marginal explanations (hāshiyah) or commentaries and

criticisms. (79) This illustrates the importance and

influence of the book. Among the most prominent of these

(75) 1st edition, Cairo, in the year 1357/1938.

(76) Al-Hibshī, Maṣādir, 485, quoting the historian Ahmad b. Abī 'l-Rijāl.

(77) Al-Bahr al-sakhkhār, first edition, Cairo, 1363/1949 and a new second edition in Beirut, 1394/1975.

(78) Al-Shawkānī, al-Badr, I, 248.

(79) Al-Hibshī, Maṣādir, 583-94; al-^cAmrī, Maṣādir, 122-217.

hawāshi and shurūh are:

- | | | | | |
|----|-------------|---|--------------------------|------|
| 1. | Al-Maqbalī | : | <u>al-Manār</u> | (80) |
| 2. | Al-Jalāl | : | <u>Daw' al-Mahār</u> | (81) |
| 3. | Ibn al-Amīr | : | <u>Munhat al-Chaffār</u> | (82) |

Finally there is that of al-Shawkānī which supports the basic Zaydī idea of ijtihād and indeed it is not far from the previous commentaries. The differences, naturally, are commensurable with each individual and especially concern the points which the individual authors find attractive and/or of interest. Al-Shawkānī, however, takes advantage of their excellent efforts and ijtihād. He accepts certain points, rejects others, puts forward his own arguments and adds what he believes to be correct. Sometimes he succeeds but not always. His problem is not the fine and critical vision which he displays but rather his stylistic

(80) The private copy of al-Shawkānī is the one I use here, since it came into the possession of Qādī Husayn al-Sayyāghī who kindly gave me permission to copy it.

(81) A beautiful copy made from the original by Qādī Muhammad b. Ahmad al-Jirāfī who kindly allowed me to

(82) take a photo-copy of it.

peculiarities which sometimes give the impression of superiority or scorn of others' views. Sometimes he exaggerates minor things.

However the following is not a review or discussion of al-Sayl al-jarrār ("The Raging Torrent"), since this in fact requires a separate comprehensive study. We are here merely giving a few examples of al-Shawkānī's views on different issues in the work.

Al-Azhār is arranged in the traditional way of fiqh books. It starts with "Kitāb al-Tahārah" and ends with 'Kitāb al-Siyar'. There are twenty-nine such books and under some of them many different chapters (sing. bāb, plur. abwāb). Al-Shawkānī, like others before him, follows the same arrangement in his commentary.

In the brief introduction al-Shawkānī declares himself an arbitrator between al-Azhār and its opponents on the one hand and between the opponents themselves, when they disagree, (83)
on the other.

But from the very beginning al-Shawkānī rejects not only what al-Murtadā says in his first five words:

(83) Al-Sayl, I, 3.

"muqaddimatun lā yasa^cu al-muqallidu inkārahā", but also the ideas of al-Jalāl and Ibn al-Amīr on this introduction. He becomes an adversary, not an arbitrator. The point about taglīd is that the muqallid cannot deny what al-Murtadā is going to tell him in his introduction (muqaddimah). After thirteen pages of argument al-Shawkānī concludes that, if Ibn al-Amīr suggests that a short-sighted or stupid man could be excused for his taglīd, why then was he asked by al-Murtadā to know the opinion of others, since he is already a muqallid and therefore following somebody else?! If we suppose, al-Shawkānī continues, that his stupidity (balādah) does not allow him to understand the opinion of one whom he imitates, then this person is even more of a fool!

(84)

The first bāb in the Azhār is on the subject of impurity (najāsah), as opposed to purity or cleanliness (tahārah). Both hold an important place in Islam for "purity is half of the faith" as Muslim reports the Prophet saying.

(85)

Fiqh deals with bodily, physical impurity. Sexual inter-

(84) Al-Bayl, I, 15-6.

(85) Muslim, Sahīh, "Taharah", I, 95.

course, menstruation and childbirth are religious

impurities. Actual impurities have a perceptible body.

(86)

Al-Murtadā says they are ten: "wine (al-muskir), dogs, pigs and what is begotten of them, dead bodies (except those of men), fish, animals used for food and creatures that have no blood (mā lā dam lahu) i.e. insects, and certain discharges from the body".

(87)

Al-Shawkānī discusses all these in detail, but showing a more liberal attitude. He says we must throw doubts and evil temptations away and follow only the true and tolerant Sharī^cah.

(88)

On more than two occasions he refers to al-Jalāl's opinions of the Prophet's practices as delusion (wahm), since al-Shawkānī believes that the Prophet's deeds are his own in a private capacity, unless they are opposed to the Qur'ān or the Sharī^cah.

(89)

In "Kitāb al-Salah" since there are no great differences, it might be of interest to mention that al-Shawkānī limits

(86) Al-Shawkānī, al-Sayl, I, 31.

(87) Al-Sayl, I, 31.

(88) Ibid., I, 42.

(89) Ibid., I, 64, 69.

the ideas of the Pāfidīs, who claim to be Shi'ites, to four innovations (bid^cah): hostility towards the Sunnah; slander of predecessors (aslāf); two prayers at once; failure to attend Friday prayer in the mosque with others. In the words of al-Shawkānī: (90)

١ تَشْيِيعُ الْأَقْوَامِ فِي عَضْرِنَا مُنْحَصِرٍ فِي أَرْبَعٍ مِنْ بَدْعٍ
٢ عَدَاوَةُ السُّنَّةِ وَالْتِلَابُ لِلْأَثَرِ لَفٍ وَالْجَمْعُ وَتَرْكُ الْجَمْعِ

In al-Sayl al-jarrār he criticises those who pray the two prayers of noon (zuhr) and late afternoon (casr) at one and the same time, saying that necessity is no excuse, as the Azhār suggests. He adds that al-Tirmidhī says of his Sunan that all its Hadīth are sound, except for two, one of them is the evidence on prayer used by al-Murtadā!

Al-Shawkānī takes the opportunity to speak of al-Jalāl's opinion on this subject and comments that his accepting such an argument is laughable on the one hand, but brings on tears on the other! (91)

(90) Al-Shawkānī, Al-sānī, 234.

(91) Al-Sayl, I, 193-5.

As for the Friday prayer, al-Murtadā's opinion is that it is right only when the imam (i.e. the ruler) is just (ʿādil). Al-Shawkānī rejects this completely and says this is not part of Shariʿah and that which is not must be thrown in the face of him who makes such a suggestion. (92)

Al-Shawkānī opposes the Azhār in many points on the question of tax (zakāh). He claims that zakāh on the produce of the land should be paid only on four crops: wheat, barley, dates and raisins, whilst al-Murtadā rules that zakāh should be paid on every type of produce from the land. Likewise al-Shawkānī says, where a person owns property, it is only necessary to pay zakāh on the income from any profit, whereas the Azhār says that zakāh must be paid on the capital value of the property itself. In some respects, al-Shawkānī accepts only such of Shāfi'ī's law as comes within the Zaydī madhhab. For instance, he agrees with Shāfi'ī that there should be no zakāh on personal jewellery. (93) However, al-Shawkānī's

(92) Al-Sayl, I, 294-7.

(93) Al-Sayl, II, 92.

views on the subject are more reasonable and realistic. He was against injustice in general and this we have pointed out above. (94) But he appears in one of his comments the exact opposite. Al-Murtadā says that the imam should not increase tax more than his predecessors. Al-Shawkānī says on the contrary that the imam is free to act in the interests of Muslims, either to increase or decrease taxes, but without causing harm to the peasants. (95) He swings across the whole spectrum of Zaydī thought to remind his reader of one of the correct common beliefs, that is the condemnation of those who suspect each other of being unbelievers (takfīr al-ta'wīl). (96) He writes wisely and convincingly, adding additional details on this point in the Badr. (97)

In the rest of the second part of volume I of the Sayl, which ends with the religious observances (ibādāt), there are still some other important points which are worthy of mention. Since, however, this part of the work has already

(94) Cf. "Al-Shawkānī and taxation policy" p.

(95) Al-Sayl, II, 98.

(96) Al-Sayl, II, 92, 105.

(97) Al-Badr, II, 37-9.

been published in Cairo and is thus of more value and easier to use in order to appreciate al-Shawkānī's views, we shall turn our attention to Volume 2. The remaining kutub of Volume I are dealt with in "Kitāb al-Ṣawm" (fast), "al-Ḥajj" (pilgrimage), "al-Nikāḥ" (marriage) and "al-Ṭalāq" (divorce). The last two are in fact part of statutes (ahkām).

(98)
Volume 2 begins with "Kitāb al-Bayʿ" (selling).

Al-Shawkānī disagrees with al-Murtadā's terms in the matter.

He suggests that mutual agreement (tarādī) is essential in the sale, but again brings in the idea of willingness (tībat al-naḥs).
(99) It is clear that desire is not always

essential, since need in many cases is the only factor in the sale. However, the Ḥadawī Zaydīs accept sale by necessity whereas for al-Shawkānī it is null and void. He argues that, for example, if someone in debt cannot sell his land at a high enough price to discharge his debt, he must remain in

(98) Chester Beatty, MS 3964. The first part of this work was published in Cairo in two volumes. The second unpublished volume we shall therefore call Volume III.

(99) Al-Bayʿ, II, 1-3.

prison. It is not legal for anyone to buy this property.

It is also the same for one who offers his property for the purpose of going to Mecca for the pilgrimage. No-one must buy from him at less than the real price and he should perform the pilgrimage. The same applies to marriage.

Al-Shawkānī here agrees with al-Jalāl, but not with Ibn al-Amīr who follows Abū Ibn al-Athīr (d. 607/1210). The latter believes that, anyone who is compelled to sell, then his sale is null and void. This, says Ibn al-Amīr, is a "forced sale" (bay^c al-mikrah). Al-Shawkānī criticises the Hadawīs (here in the Azhār) for accepting to sell to anyone who will use the property in some sinful purpose (fī ma^csiyah). (100)

Usury is forbidden by the Qur'ān and Sharī^cah. There are, though, some differences in detail between the various madhhāhib. In "Bāb al-Ribawīyyāt" of "Kitāb al-Bay^c", al-Murtadā emphasises types (jins) and estimation (taqdīr) either by weights or by measures. In al-Shawkānī's opinion

(100) Al-Bayl, III, 1-5.

there is ribā only on the six things named by the Prophet, i.e. gold, silver, wheat, barley, oil and dates. He fails to prove the case for the possibility of sale by barter by postponing payment (nasī^cah) and then paying with a different kind of goods. In his opinion this is too difficult. Nowadays of course there is the additional problem of an ever fluctuating currency. The simple idea here is there must be no monopoly or usury in the necessities of life. He insists that deals should be carried out using only Medinese measures such as the raṭl (pound), sā^c (another measure of weight) etc. He probably has in mind only grain, gold and silver. The conditions of ru'yah (seeing goods before a sale) or refusal to grant anyone the right of withdrawal from a sale (khiyārah) and a fault which renders a sale void, all these are among the subjects dealt with at length in (101) great detail by al-Shawkānī.

He gives a reasonable solution to the problem "Kitāb al-Shuf^cah" (right of pre-emption). He disagrees with the Madawīis and the Hanafīis on the question of the right of

(101) Al-Sayl, III, 28.

pre-emption involving a neighbour, rejecting the idea.

Though al-Shawkānī does not approve of ijmā^c, he proves his case using ijmā^c and accepts al-Shāfi'ī, Ahmad and Mālik in many of these issues. (102)

There is the important subject of commercial enterprise (shirkah) which is related to problems of land and those who work on the property of someone else. He accepts, but also disagrees with, many of the Hadawīs' points, giving details which might change in different circumstances, but building and land are still the common enterprise of relatives and partners and his views accord more with his own era. He rejects the idea of an owner being a nuisance to his neighbour, even if the owner is actually working on his own property. The Azhār says he has the right to do what he likes on his own property, even if it is a nuisance for his neighbour. (103)

Sharing interest depends entirely on the portion of capital, not on personal efforts, which are given more importance by the Hadawīs. (104) He says, though, that

(102) Al-Bayl, III, 42-7.

(103) Ibid., III, 51-5.

(104) Ibid., III, 68.

agreement between partners is the basic rule, regardless of
(105)
who has more capital or less. This subject in some

points is complicated and it is probably for this reason ~~th~~
that al-Shawkānī wrote an unpublished treatise entitled
(106)
al-Mabāhith al-wafiyyah fī 'l-shurkah al-^curfiyyah.

Waqf is among those points which bring about differences
(107)
of opinion on points of detail. The purpose of the
endowment must be a work pleasing to God (qurbah).

Al-Shawkānī remarks on those who may try to exclude some of
their children from inheritance or to keep their fortune
only in their family by endowment, saying ~~th~~ is against
God's law of inheritance since the heir is free to do what
(108)
he wants with his bequest. Another point he suggests

is that waqf does not finish with the end of its subject,
for example the demolition of a mosque. Waqf must continue
in a way similar to that of the intention of the founder;
if his intention is not clear, waqf might be transferred

(105) Al-Sayl, III, 69-70.

(106) This treatise is among others which the present
writer is editing and hopes to publish soon.

(107) For waqf in general cf. ET², Wakf; Anderson, Law
Reform, 192-71; For waqf in Yemen, Sanjeant, San^cā',
151-4; Zayn al-^cAbidin, "The role".

(108) Al-Sayl, III, 87-8.

into anything believed to be serving his original intention. (109)

Al-Shawkānī does not agree that any property or item (he gives the example of a lamp or a door of a mosque) could be wāqf unless the owner declares the endowment. He also disagrees with al-Murtadā that an endowment should not be made for a mosque before it is built. He says there is no law (shar^c) or reason (ʿaql) to prevent this and there is also no proof that the location of a mosque should not change to another in the interest either of the endower (wāqif) or in the general interest. He agrees here with al-Hasan al-Jalāl. Al-Shawkānī gives evidence from the time of the Companions when they moved the mosque next to the Treasury (Bayt al-Mal) when they were afraid of theft. (110)

In the steps of al-Jalāl also al-Shawkānī is against the decoration of the mihṛāb, saying that it is against the ^{emulation} "ḥadīth of ~~pride~~" (mubāhāh) in the mosques and is a sign of the Day of Judgement. This Ḥadīth is reported by Anas and

(109) Al-Sayl, III, 89-90.

(110) Al-Sayl, III, 90-91.

(111)
narrated by Ahmad, Nasā'ī, Abū Dāwūd and Ibn Mājah.

Al-Shawkānī adds that it is this type of decoration which
(112)
is used by Jews and Christians.

Al-Shawkānī agrees with the Azhār and the Hadawīs on the question of the administration of the waqf, (wilāyat al-waqf), namely that it should be in the hands of the founder and after him his heirs. It is also the responsibility of the imam and the hākim to appoint a wālī. According to the Hadawīs this wilāyah was invalid, but al-Shawkānī disagrees (following the Hanafīs) and objects, saying this is not the place in which to discuss this matter which must be dealt with in "Kitāb al-Siyar", i.e.
(113)
in the last chapter.

If we leave "Kitāb al-Ghaṣb" (unlawful seizure) for which al-Shawkānī insists on the obligation of compensation and the guarantee in every case and "Kitāb al-Aymān" (oaths)

(111) Ahmad, 134, 145, 152, 230, 283; Nasā'ī, Sunan, "al-Masājid"; Ibn Mājah, Sunan, "al-Masājid"; al-Dārimī, Sunan, "al-salāh".

(112) Al-Shawkānī, al-Tayl, III, 91-2.

(113) Al-Tayl, III, 91-4; this point has already been discussed above, in the last chapter, p. 214, under "al-Shawkānī and the imamate".

we find in the chapter on hunting some interesting differences which should be mentioned.

First al-Shawkānī disagrees with the Hadawīs who regard as lawful the eating of everything from the sea. He accepts only what is caught, not what is found floating dead on the surface. (115)

Al-Jalāl was inclined to accept this before him. Secondly the Hadawīs, as the Azhār reports, take exception to the eating of the predatory birds, such as the falcon and hawk, but again al-Shawkānī disagrees. He is also against limiting the means of killing animals to a sharp implement only. He points out that the criterion is the penetration (ikhtirāq) of the implement and in his opinion using a gun in hunting is permissible, since a bullet does not strike, which is forbidden, but penetrates. (116)

It is a reasonable view, as also is his refusal to eat the meat not only of Jews or Christians (Ahl al-kitāb), but also of non-believers, even if he mentions the name of God at the

(117)
time of slaughter. Maqbalī and Jalāl both go far in

(114) Al-Sayl, III, 95-120.

(115) Ibid., III, 121.

(116) Ibid., III, 121-3.

(117) Ibid., III, 124-5.

forbidding only what is slaughtered in the name of anyone other than God (li-ghayr Allāh). (118) However, none of the Muslim ulema refuses the meat of Jews and Christians, but none of them also accept that of the unbeliever (kāfir). On the question of eating, al-Shawkānī disagrees with many points raised in the Azhār, which forbids the eating of horse meat, hare and spleen, while others regard them as "disapproved of" (makrūh), not forbidden. He supports his opinions by some sound hadīths. (119)

Just as the Hadawīs ban the eating of any meat which is not slaughtered by a Muslim, they also ban the use of gold and silver in any way. Al-Shawkānī says that there is no text (nass) which supports this, except for a ruling not to eat or drink from gold or silver bowls and cups etc. (120) Maqbalī, Jalāl and Ibn al-Amīr) all state the use of gold and silver is only disapproved of (karāhiyah (121)), not specifically prohibited.

(118) Al-Maqbalī, al-Manār, II, 97a; al-Jalāl, Daw', II, 250.

(119) Al-Sayl, III, 131-6.

(120) Al-Sayl, III, 137. Cf. Muslim, al-Sahīh, I, 2, 249-53; for al-Bukhārī, cf. Ibn Hajar, IX, 533-2, 542.

(121) Al-Maqbalī, al-Manār, III, 110.

In "Bāb al-Qadā'" (chapter on the office of qādī) al-Shawkānī accepts al-Murtadā's qualifications of a qādī with some comments and argues that the position is not makruh; it is rather a duty for him who can give a judgment. (122) He completely rejects the idea that the appointment (wilāyah) should be legitimate, only if the imam (i.e. the ruler) is right (haqq). He insists on the necessity to submit to the ruler, even if he is unjust, unless he shows himself to be an open infidel (al-kufr al-bawāh). He gives the example of the Umayyad and ^CAbbasid dynasties. (123) This view of al-Shawkānī is a common one among the Sunnī madhhabs, but not among the Shi'ites, including the Zaydīs. (124) Al-Murtadā adds that the authority (wilāyah) of the qādī could come from the muhtasib. But al-Shawkānī answers that "he who has not received the oath of allegiance from the people has no wilāyah".

Al-Shawkānī means that muhtasib has not the authority to appoint the qādī and this is not what al-Murtadā means.

(122) Al-Sayl, III, 174-6.

(123) Al-Sayl, III, 176-7.

(124) See above p. 214.

Muhtasib here is the one who acts on behalf of the ruler and indeed this post, if it happens to exist as an authority, is of the same rank as emir whom al-Shawkānī previously suggests should be submitted to in the same way as a ruler (125)
(wulāt al-amr). He deals with this subject in some detail in his capacity as chief qādī.

Legal punishment (al-hudūd) is the responsibility of the imam and his assistants. Al-Shawkānī rejects the idea (126)
 that the imam can dismiss a case without punishment.

For a drunkard (sakrān) and adulterer, al-Shawkānī disagrees with the Azhār. He agrees with al-Jalāl and Ibn al-Amīr that he should not be flogged, but stoned. (127)

Al-Shawkānī agrees with the Hadawī Zaydīs that the married (muḥassan) adulterer should be sentenced to both flogging and stoning. The Sunnī madhhabs, such as Shāfi'ī, Hanafī and Mālikī, disagree with both punishments at the same time and al-Jalāl supports them in this. Al-Shawkānī

(125) For the muhtasib and his office, hisbah, cf. Tāj al-Arūs, II, 275; al-Hāwardī, al-Aḥkam, 240-59; al-Qurashī, Ma'ālīm al-qurbāh, 51-60; Berjeant, "Zaidī Manual", passim.

(126) Al-Sayl, III, 191.

(127) Al-Sayl, III, 194.

takes full advantage of the situation to criticise al-Jalāl's

(128)
opinion strongly. He does not agree to the killing of

a fornicator by the husband who has found him in the act

(129)
with his wife, his slave, or his daughter.

The legal punishment for drunkenness, in al-Shawkānī's
opinion, should be executed on the evidence of only two

reliable witnesses or one man, plus two women. This

demonstrates the same strict attitude as with the previous

accusation of adultery, while the Azhār asks for four

(120)
witnesses. In the rest of the chapter, which deals

with theft in particular, and the full range of crimes,

both minor and serious, the differences are not wide, but

there are many details including the amount of blood money

(diyah) to be paid and fines (arsh, pl. urūsh) or penalties

for bodily injury.

The last chapter in al-Sayl al-jarrār is that of "Kitāb
al-Siyar" which deals with the position of the imam, (the

man and his position), his rights and duties. This point

(131)
has already been covered in the previous chapter.

(128) Al-Sayl, III, 195-7.

(129) Al-Sayl, III, 200.

(130) Al-Sayl, III, 201-3.

(131) Cf. above p. 214.

For many other important regulations and views, political and religious, the following are illustrations of al-Shawkānī's originality, the ideas he adopted, the controversies he aroused and the arguments he put forward.

Jihād (holy war) is a collective duty (fard kifāyah), and not an individual one (fard 'ayn). The Hadawī Zaydīs, such as al-Murtadā, state that the free adult Muslim is obliged to join the army, even if his parents disagree.

Al-Shawkānī rejects this and says that obedience to ones (132) parents is an individual duty. This is also

al-Maqbalī's and al-Jalāl's opinion. (133) They both

disagree with al-Murtadā, that an Arab adult unbeliever (134) should not be a slave, if he happens to be captured.

Al-Shawkānī emphasizes that there is no difference between (135) an Arab or non-Arab in this matter. He gives the

example of those of Tamīm in the time of the Prophet and and also when the Prophet said to the Meccans at the

(132) Al-Sayl, III, 261.

(133) Al-Maqbalī, al-Manār, II, 196; al-Jalāl, Daw' al-Manār, II, 255.

(134) Al-Maqbalī, al-Manār, II, 1976.

(135) Al-Sayl, III, 271.

Conquest of Mecca, "Go, you are free." Any land within Dār al-Harb ("Abode of War"), in contrast to Dār al-Islām ("Abode of Islām"), is permitted to be appropriated, as enemy territory (dār ibāḥah). Even the person of the Muslim within Dār al-Harb may be treated as an unbeliever, but his property is sacred. Again within Dār al-Harb there can be no requital or punishment of any bloodshed (lā qisās fī-hā wā-lā arsh). Al-Shawkānī, however, disagrees saying that the Muslim as well as his property must be excepted from ibāḥah, together (136) with any of his children who are minors.

The tyrant (bāḥī, pl. bughāh) in the Azhār is defined as the one who acts as if he is right (muḥiqq) and the imam is wrong (muṭṭil). Further he is the one who fights against the imam. Al-Shawkānī agrees and, moreover, is against any open opposition to the imam, even if he is (137) unjust. This is indeed the crux of the Zaydī madhhab, not the long, mainly irrelevant argument of al-Murtadā in

(136) Irshād, III, 271-2. Al-Murtadā gives a further explanation in his al-Bahr al-zakḥkhār, II, 407-14.

(137) Al-Sayl, III, 373-80.

Jews from Arabia is not in contrast to his own opinion. (142)

For the Madawī Zaydīs the order of the Prophet applied to the Hijaz and that they were permitted to remain on their own estates (khutat, sing. khuttah) only with permission from the Muslims and for the latter's benefit (maslahah). (143)

Al-Shawkānī insists that they should be expelled from the whole of Arabia, that they could live free anywhere else under Muslim protection and that, even if anyone might bring proof (dalīl) of benefit, i.e. from the continued presence of the Jews in Arabia, this very proof would be in direct conflict (tasāḍum al-dalīl) with the incontrovertible proof that the Prophet did order their expulsion. (144)

(142) Al-Sayl, III, 385.

(143) These khutat are Khaybar and Palestine (al-Bahr, XI, 456-9). For the different riwāyahs of this ḥadīth on this problem, cf. Bukhārī, (Fath al-Bārī), "al-Jizyah", XII; Muslim, al-Sahīh, "al-Jihād", II, I, 149. Tirmidhī, Sunan, "Bāb mā jā'a fī idhrāj al-Yahūd", V, 230-32; Al-Dārimī, Sunan, II, 233; Ahmad, al-Musnad, I, 29, 32, 87, 125-6; I, 451; III, 345; vi, 274.

(144) Al-Sayl, III, 283; Tasāḍum al-dalīl, a well-known technical term in fiqh, means in simple terms the clash of two contrary proofs, in which case only the first is acceptable to the ṣaḥāh and the second must be rejected.

It is interesting to note that, when al-Maqbalī is
 consulted on this point, ⁽¹⁴⁵⁾ he is found to be proving the
 point that the Prophet did indeed order the expulsion of
 the Jews from the whole of Arabia. Moreover al-Maqbalī,
 then in self-imposed exile in Mecca, says that Imam al-Mahdī
 Ahmad b. al-Hasan (1087-92/1676-81) decided to evict the
 Jews from the Yemen, either because of what is reported in
 the Hadīth literature or because of their corruption.
 Al-Maqbalī was asked by the imam, through the emir of the
 Yemeni pilgrimage, for his opinion as to where he should
 send them. Al-Maqbalī, after weighing up the question,
 replied that they should go to India where they would not
 pay the jizyah (which is what they wanted) and moreover
 where the country was large enough to assimilate them easily.
 Al-Mahdi Ahmad had already assembled them in Mocha and Aden,
 awaiting al-Maqbalī's answer. The Imam, however, died
 before this plan could come into effect. ⁽¹⁴⁶⁾

(145) Al-Maqbalī, al-Manār, II, 200.

(146) Ibid.

The last point in the Azhār and consequently al-Sayl al-jarrār is the question of apostasy (riddah). Al-Shawkānī successfully refutes one argument of the Azhār, that concerning the accusation of unbelief (takfīr) without proof as clear as "the light of day", in his own words. Al-Shawkānī gives evidence from the Sīrah and mentions many sound hadīth. Here he agrees with other Yemeni Zaydīs, though not with the Hadawīs, such as al-Jalāl and
 (147)
 al-Maqbali.

(147) Al-Sayl, III, 288-91.

CHAPTER EIGHT

Al-Shawkānī as Muhaddith

وقوله صلى الله عليه وسلم : « نضّر الله امرءاً سمع مقالتي
فوعاها فأداها كما سمعها » .

"May Allāh make radiant [the face of] someone
who has heard what I have said, has learnt
it by heart, and has then emitted it as he heard it."

The Prophet.

"He who insists on spreading falsehoods in my name,
let him prepare his seat in Hell".

Hadīth Sahīh

Al-Shawkānī as a Muhaddith

1. The Muhaddith

The Hadīth (Tradition) of the Prophet and its science ʿilm al-Hadīth is in the view of al-Shawkānī the most important subject for an ʿālim or one seeking knowledge. He paints a remarkable picture of the Hadīth scholar. (1) He goes further than that when he strongly criticises famous and distinguished ulema such as al-Juwaynī (d. 478/1085) (2) and al-Shazālī (d. 505/1111) in the field of fiqh, or al-Zamakhsharī (538/1144) and al-Fakhr al-Rāzī (d. 606/

(1) Adab al-talab, 52.

(2) Al-Juwaynī, an Ashʿarite, became known as "Imām al-Haramayn", "the Imam of the two sanctuaries", Mecca and Medina, after he had stayed there about four years when he fled from Baghdad. We have met him on many occasions in the last chapter while reviewing Al-Shawkānī's ʿayl.

1209) in the field of tafsīr, for using "weak" (daʿīf) or "invented" (mawḏūʿ) hadīth without understanding or distinguishing the simple fact of the different categories of Hadīth. (3)

We need go no further into the background of al-Shawkānī to recognise his deep knowledge and great understanding in this field. (4)

It is easy to realize this fact from all his writings. He constantly makes use of the "Six Books"

(al-Kutub al-Sittah, al-Ummahāt al-Sitt or "the Six Sahīh" i.e. the correct, reliable collections of Tradition) (5)

and other famous collections, such as that of the Muwattaʿ of Mālik, the Sunan of al-Dāraqutnī (d. 385/995) or all the later secondary collections. (6)

His teaching these books for half a century (i.e. all his working life) and deep immersion in ʿilm al-Hadīth led some to regard him as one of the Ahl al-Hadīth, rather than one of the fugahāʾ. He was indeed both in one man.

(3) Adab, 53.

(4) See above p.179-185.

(5) They are the collections by :

i) al-Bukhārī (d. 256/870) ii) Muslim (d. 256/870)
iii) Abū Dāwūd (d. 275/888) iv) al-Tirmidhī (d. 279/892)
v) al-Nasāʾī (d. 303/915) vi) Ibn Mājah (d. 273/886)

(6) Cf. our volume III below, "Sources of al-Shawkānī".

2. Nayl al-Awtār

Al-Shawkānī's fame as a muhaddith came from his book Nayl al-Awtār (7) in which he devotes himself to an interpretation of Ibn Taymiyyah's al-Muntaqā min ahādīth al-ahkām. This is [°]Abd al-Salām b. Taymiyyah (d. 652/1254), not his famous grandson Taqī 'l-Dīn Ahmad b. [°]Abd al-Halīm (723/1323). However, the Muntaqā of Ibn Taymiyyah is one of the few books on the Hadīth of ahkām (statutes), i.e. the legal consequences of the facts of a case. Among those who wrote or composed on the subject is Taqī 'l-Dīn [°]Abd al-Shanī al-Maqdasī al-Hanbalī (d. 600/1203) who composed his Umdat al-ahkām and its commentary Ihkām al-ahkām Sharh al-Ahkām by Ibn Daqīq al-[°]Id (d. 704/1304).

Ibn Hajar (d. 852/1448) in his turn wrote Bulūgh al-marām min ahādīth al-ahkām, a commentary of which was written by the Yemeni Zaytī scholar, Ibn al-Amīr, and published in his well-known book Subul al-Salām. (8)

Before al-Shawkānī, Muḥammad al-Maddāsī (d. 744/1343),

(7) Cairo, first edition, 1347/1929).

(8) Cairo, first edition, 1344 (1924).

Abū 'l-^CAbbās Ahmad b. al-Muhsin al-Hanbalī (d. 771/1369) and Sirāj al-Dīn ^CUmar b. ^CAlī al-Mulaqqin al-Shāfi^Cī (d. 804/1401) all wrote on Ibn Taymiyyah's work. In fact the last two did not finish their books. The reason for these commentaries is not only the importance of Ibn Taymiyyah's al-Muntaqā, but also, as al-Shawkānī and others before him point out, the lack of critical vision of Ibn Taymiyyah's material which he selected (intaqā) from the Saḥihān of al-Bukhārī and Muslim, the Musnad of Ahmad and the four Sunan. (9) In other words Ibn Taymiyyah in his book omits the isnād and does not distinguish between ṣaḥīḥ (sound) and ḍa^Cīf (weak). What is more he includes some ḥadīth mentioned by al-Tirmidhī, who usually criticises the category of the ḥadīth, if it is ḍa^Cīf, but Ibn Taymiyyah (10) mentions such ḥadīth without applying this criticism.

Al-Shawkānī, under the supervision of his eminent shaykhs, ^CAbd al-Qādir b. Ahmad and al-Hasan al-Maghribī,

(9) Al-Shawkānī, the introduction of Ḥayl, I, 25-31.

(10) Ibid., I, 31.

(11)
began to compile his remarkable and voluminous commentary
on the Muntaqā of Ibn Taymiyyah. Both shaykhs died in 1207-8/
1792-3 before he had finished. (12) When al-Shawkānī

completed his work he was less than forty and the Nayl became
one of his important early works on judicial matters. He does
not only explain, correct and criticise, but also adds
valuable and accurate material to the original. He uses all
the collections of Hadīth and many of its shurūh, such as
that of al-Nawawī (d. 676/1277) on Muslim and Ibn Hajar
(d. 852/1448) on al-Bukhārī and countless others both ancient
and modern. By reason of this al-Shawkānī's Nayl is of
infinitely more value than the Muntaqā of Ibn Taymiyyah. It
met with universal acclaim and became an essential source
for teaching. Al-Shawkānī himself taught his students and
disciples from this book, side by side with other classic
collections. From thence forward in the Yemen it became a
tradition to study the book. In many other Arab and Islamic

(11) He wrote the book in four large volumes. Among the
famous early editions is that of Cairo, 1347 (1923),
India, 1357 (1933) and recently of Cairo, 1397 (1978)
in ten volumes, edited by Sa^cd and al-Nawārī. It is
the last which I have myself consulted.

(12) Al-Shawkānī, al-Badr, II, 219.

countries the Kayl has been used for teaching, including al-Azhar and in India and later in the 1340s/1930s it became part of the curriculum of the Madrasah al-Shar^ḥī al-^ḥUlyā in Cairo and in other Shari^ḥah colleges in different Arab countries.

3. Darr al-sahābah

One of the very few unpublished books of al-Shawkānī is Darr al-Sahābah fī manāqib al-qarābah wa-'l-Sahābah, a critical edition of which comprises Volume II of this study. Al-Shawkānī wrote this book in 1241/1826. (13) It is, therefore, probably his last major work and one of his last compositions in general. In this book al-Shawkānī uses his immense talent and deep knowledge of Hadīth in order to attempt the important subject of the Prophet's family, Ahl al-Bayt, and his Companions' virtues (manāqib). The

(13) Our edition is based on the author's original unique autograph MS copy which was preserved in the private library of Imam Yahyā Ḥamīd al-Dīn (d. 1367/1948), part of which he presented as a wagf in 1360/1943 to the library of the Great Mosque in Sa^ḥā'. (Hadīth No. 69).

importance of the book comes from al-Shawkānī's successful attempts to join together material on the virtues of the Ahl al-Bayt and those of the Companions in one volume, granting to everyone who features in the work what is due to him or her on the Prophet's own authority. Indeed, the nature of the subject and the method on which al-Shawkānī depended in quoting all the manāqib from different sources laid the author open to the same criticism he himself had used against others, namely of using da'īf^C (weak) or mawḍū'^C (14) (invented) hadīth.

The book is arranged in five parts (bāb): first virtues in general; second the virtues of the ten Companions who were promised entry into Paradise; third, the virtues of the Ahl al-Bayt; fourth the virtues of the rest of the Companions (men and women); and finally the virtues of the Followers (Tābi'ūn)^C and the Islamic nation in general. In each of the five parts are many chapters (fusṭ^{ūl}). He deals with

(14) Cf. al-Shawkānī's criticisms at the beginning of this chapter, p. 200.

(15)
a total of a hundred and eighty-four persons.

Al-Shawkānī uses, directly or indirectly, and consults
(16)
sixty-three sources and references. From all sources

the book contains about one thousand five hundred hadīth
among which are a few "invented" (mawḍūʿ) ones. Each
hadīth, however, has been investigated and its category
assigned, according to the isnād and reliability of its
chain of authorities. Unfortunately I have found from this
investigation that many "invented" hadīths are included by
al-Shawkānī himself in one of his books which is devoted to
such material. (17) However, all criticisms and necessary
annotations can be found in Volume II.

use

Our criticism concerning the ~~use~~ of "invented" hadīth
is not only directed at al-Shawkānī, since many great
scholars before him committed the same fault. The problem

(15) Since al-Shawkānī mentions only manāqib (virtues) of
each one without a biography, I have added biographies
of those names appearing in the text.

cf. II, Appendix I, 487-492; also all names appearing
in isnāds and names mentioned in the text.

(16) Cf. II, 11-73 below.

(17) The book is al-Faṣṣā'id al-Majmū'ah fī 'l-ahādīth al-
Mawḍū'ah.

for al-Shawkānī, as has been pointed out before, is that he was always rigid in his criticism of others in this precise matter. This particular point apart, Darr al-sahābah gives us a vivid picture of the Medinese community and the close circle of those around the Prophet through the reports of the Muhaddithūn, not the historians. From this point of view this material is well worthy of study.

4. Some other works on Hadīth by al-Shawkānī

Among al-Shawkānī's works on Hadīth is his sharh (commentary) Tuhfat al-ṭhākirīn on a treatise, al-Husn al-Hasīn of Shams al-Dīn Muḥammad al-Jazarī (d. 833/1429). (13) The treatise concerns du^{ʿā} (invocation) and its adab (etiquette), where and when it is permitted. The superiority of the Qur'ān and the benefit of praying to God to bless the Prophet comprises the final part of the Husn and .

(13) Al-Shawkānī gives us his biography in his al-Badr, II, 257-2; the Tuhfat has been published with some footnotes by the late historian, Zabārah, Cairo, 1350 (1931). To our knowledge, the fourth edition, 1392 (1973) is the latest.

al-Shawkānī's Tuhfah. The latter was published in Cairo in 1350 (1931). Recently a wider and truly remarkable work on Hadīth was published which depends entirely on al-Shawkānī, together with a deep analysis of his views on the subject. This was compiled by one of the second generation disciples of al-Shawkānī, Qādī Yahyā b. Muḥammad al-Iryānī (1299-1362/1882/1943). (19)

Qutr al-Walī (20) on the subject of the Prophet's hadīth al-Walī (i.e. the friend of God or a man close to God), is another book of al-Shawkānī on Hadīth. This hadīth is one of importance in the Ṣaḥīḥ of al-Bukhārī on the subject of the wilāyah which came to provide an important support for the Ṣūfīs, but not for those among the extremists or those who are not guided in all their actions by the Qur'ān and the Sunnah, as al-Shawkānī himself

(19) Edited by the author's distinguished son, the ex-President of the Yemen, Qādī 'Abd al-Rahmān al-Iryānī, and published in Damascus, 1397/1977.

(20) Edited for the M.A. degree by Ibrāhīm Ibrāhīm Hilāl and published under the title Wilāyat Allāh wa-'l-tarīq ilayhā, Cairo, 1389 (1969).

(21)
states.

It might be useful here to clarify the subject by quoting the hadīth in the words of the Prophet as Abū Hurayrah
(22)
reported:

"Allāh the Almighty has said: Whosoever shows enmity (man ʿālā lī waliyyan) to a friend of Mine, I shall be at war with him. My servant does not draw near to me with anything more loved by Me than the religious duties I have imposed upon him, and My servant continues to draw near to Me with supererogatory works (nawāfil) so that I shall love him. When I love him I am his hearing with which he hears, his seeing with which he sees, his hand with which he strikes (yabdushu bihā), and his foot with which he walks. Were he to ask [something] of Me, I would surely give it to him; and were he to ask me (23)
for refuge, I would surely grant him it".

Al-Shawkānī notices that Ibn Hajar in his Sharh does not
(24)
explain this hadīth in more than three pages, so he takes on the responsibility of interpreting it in three
(25)
hundred and seven published pages.

(21) Al-Shawkānī, Qutr al-Valī, 235-7; for more details of al-Shawkānī's views of Sufism, cf. the useful introduction of the editor and his footnote; see also the Dīwān of al-Shawkānī, 75-9.

(22) See the biography of Abū Hurayrah in our vol. II, 563 below.

(23) Ibn Hajar, Fath al-Bārī, XI, 202-3.

(24) Al-Shawkānī, Wilāyat Allāh, 213.

(25) Ibid., 217-524.

There is another book concerning one of the hadīth qudsī (sacred hadīth) i.e. one in which the Prophet reports what has been revealed to him by God, though not necessarily His actual words. A hadīth qudsī is in no way regarded as part of the Holy Qur'ān. (26) This book is Mathr al-Jawhar which was written in 1240/1824, only three months after al-Shawkānī had written the previous work, Qutr al-Walī. The author gives us the precise date and they were bound in one volume. (27) The British Library copy of Mathr al-Jawhar (28) was copied in the following year by al-Shawkānī's disciple, Muhammad b. Ahmad al-Shātībī (d. 1255/1839), who (29) was greatly involved in copying MSS, and partly by al-Shawkānī's son, Ahmad.

However this long and important hadīth reported on the authority of Abū Dharr al-Ghifārī (30) begins as follows:

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- (26) Cf. al-Shawkānī, Mathr al-Jawhar, 4a; Subhī al-Sālīh, ʿUlūm al-Hadīth, 122-5; EF², "Hadīth", I, 28-9.
 (27) Al-Jāmi^c al-Kabīr's Library, No. 366, Hadīth.
 (28) Or 3887. Cf. al-ʿAnrī, Maṣādir, 301-2.
 (29) Al-Shijālī, Tiqṣār, 26; Zabārah, Mayl, II, 237-8.
 (30) For his biography, see vol. II, 566 below.

"My servants, I have forbidden oppression for Myself and have made it forbidden among you, so do not oppress one another..." (31)

Al-Shawkānī makes the same remark here as in Qutr al-Walī, namely that he observes that al-Nawawī (d. 676/1277) explains this ḥadīth in only half a page (32) and that there is no-one of the ulema who tries to give this ḥadīth an interpretation which is worthy of its remarkable importance. (33) It is clear that al-Shawkānī did not know that Taqī 'l-Dīn Ibn Taymiyyah (d. 728/1328) had composed a treatise (risālah) on this ḥadīth. (34) In fact al-Shawkānī's Nathr al-Jawhar is more important and far-reaching in both depth of knowledge and originality of ideas. It is also a different treatment of the subject and is three or four times longer than that of Ibn Taymiyyah. (35)

(31) Muslim, Ṣaḥīḥ, "Bāb tahrīm al-zulm", II, 2, 184; Ahmad, Musnad, V, 160.

(32) Cf. al-Nawawī, Sharḥ Muslim, XVI, 131-4.

(33) Al-Shawkānī, Nathr al-Jawhar, 1.

(34) Ibn Taymiyyah, al-Rasā'il al-Muniriyyah, III, 205-46.

(35) An edition of the Nathr is in preparation and it will include a comparison between Shawkānī's and Ibn Taymiyyah's treatises.

CHAPTER NINE

Al-Shawkānī as a Quranic commentator (mufassir)

1. Al-Shawkānī as a Quranic commentator (mufasssīr)

The major modern pioneer study in the field of Quranic commentary (tafīr) is that of the late Muhammad Husayn al-Dhahabī⁽¹⁾ who was assassinated by extremist Muslims in Cairo in the summer of 1398/1977. Al-Dhahabī wrote a chapter on the Zaydīs and their attitude to tafīr.⁽²⁾ The problem which he faced was that there were no Yemeni sources in this field available to him and only two commentaries were known, one of which was Fath al-Qadīr by al-Shawkānī which had already been published in Cairo in 1349/1930. It happened that the Yemeni delegation to the first meeting of the Arab League arrived in Cairo in 1945. Among the delegation

(1) His study is al-Tafīr wa-'l-mufasssīrūn.

(2) Al-Dhahabī, II, 290-99.

was "an eminent figure", Qādī Muḥammad b. ^cAbdullāh al-^cAmrī (3) whom al-Dhahabī met and consulted. Drawing on Qādī Muḥammad's knowledge, he wrote his chapter on Zaydī tafsīr adding his own remarks on al-Shawkānī's Fath al-Qadīr.

Thirty-eight years after al-Dhahabī's study, nothing further, unfortunately, has been done and we still face the same problem of a lack of anything on the subject to this day. (4) So it will be useful to return to clarify this point and to give some background in brief before reviewing al-Shawkānī's important work.

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- (3) He is the brother of the present writer. He died in a tragic air accident near Moscow in the summer of 1380/1960, together with the Yemeni historian Qādī Muḥammad al-Hajrī and the rest of a Yemeni delegation on their way to Moscow and Peking. The description of Qādī Muḥammad is al-Dhahabī's.
- (4) We have recently heard that a Saudi student, Muḥammad al-Thumārī is writing a study on al-Shawkānī as a mufasssīr in the University of 'Umm al-Qurā, Mecca. It is hoped that this study will prove useful.

2. The Yemeni commentators before al-Shawkānī

Without taking into account the early Yemeni commentaries, such as that of Wahb b. Munabbih (d. 114/782) or ⁽⁵⁾ ^ʿAbd al-Razzāq al-Sanʿānī (d. 211/827) and those of the Zaydī imams up to the time of scholar-imam ^ʿAbdullāh b. Hamzah (d. 614/1217) who has a tafsīr mentioned by al-⁽⁶⁾ al-Shawkānī and the philologist and scholar-emir Nashwān b. Saʿīd al-Himyārī (d. 573/1173) who has a tafsīr called al-Tibyān fī tafsīr al-Qurʾān, ⁽⁷⁾ Ibn Abī 'l-Najm (d. 656/1256), the disciple of the famous Mu'tazilite qādī, Jaʿfar b. ^ʿAbd al-Salām, composed al-Tibyān fī 'l-nāsikh wa-'l-mansūkh fī 'l-Qurʾān ⁽⁸⁾ and also his contemporary, ^ʿAlī al-Bannā' al-Subāhī (d. 656/1253) wrote al-Manhaj al-qawīm in four volumes. ⁽⁹⁾ Among the commentaries of this era there is also al-Bayān fī 'l-tafsīr by ^ʿAtiyyah

(5) See Geiger, QAS, I.

(6) Al-Shawkānī, Ithāf; al-^ʿAmrī, Maqādir, 151-2.

(7) Brockelmann, QAL, I, 300, 3, I, 527-3; al-Shawkānī, Ithāf, 27; al-Subāhī, Maqādir, 16; al-^ʿAmrī, Maqādir, 41.

(8) Al-Subāhī, Maqādir, 17.

(9) Ibid., 17.

b. Muḥammad al-Majrānī al-Ḥa^cdī (d. 665/1267), a renowned
(10)
Zaydī scholar.

In the eighth/fourteenth century at least four competent
Yemeni Zaydī scholars wrote useful and important commentaries,
the originals or good copies of which can be found in
al-Jānī^c al-Kabīr Library in Ḥanā' and the Ambrosiana in
Naples. (11) They are: al-A^cqam (d. about 773/1371), (12)
al-Ḥasan al-Nahwī (d. 791/1389), (13) Na^cīs b. Muflīh
(d. c. 793/1391) (14) and Abū Bakr al-Ḥaddād (d. 800/1397),
the latter a Ḥanafī from Zabīd, whose tafsīr, al-Shawkānī
(15)
says, became famous among the people of his time.

The acceptance and the influence of the Kashshāf of
al-Zamakhsharī (d. 623/1025) who had strong Mu^ctazilite
leanings, is clear and important in the majority, if not
all, of the Yemeni commentaries down to al-Shawkānī. The
latter does not always agree with him because of his

(10) Al-Shawkānī, Ithāf, 22; al-Ḥibshī, Maṣādir, 17.

(11) Al-Ḥibshī, 20-1.

(12) Zabārah, Nashr, I, 235; al-Dhababī, II, 323,
erroneously gives his name as al-Aqam!

(13) Al-^cAmī, Maṣādir, 124; al-Ḥibshī, Maṣādir, 20.

(14) Al-Ḥibshī, Maṣādir, 20-1.

(15) Al-Shawkānī, al-Badr, I, 166.

Mu^ctazilite ideas.

Among those who explain or abridge the Kashshāf are

(16) ^cAbdullāh b. al-Hādī (d. 310/1407), ^cAlī b. Abī 'l-Qāsim
(d. 337/1433) who has besides his abridgement of the Kashshāf,
(17) al-Tafsīr al-Kabīr in eight volumes. His great disciple,

Muhammad b. Ibrāhīm al-Wazīr (d. 340/1436), who was not in

(18) the end on good terms with his shaykh, also has a
(19) tafsīr. Bahrān al-Sa^cdī (d. 957/1550) has attempted a

joint commentary of the Kashshāf of al-Zamakhsharī and the
Tafsīr of Ibn Kathīr (d. 774/1372) in his al-Tafsīr al-Kabīr,
(20) in addition to another hāshiyah on the Kashshāf.

Yūsuf b. Ahmad al-Thulā'ī (d. 832/1429), the famous
author of al-Thamarāt al-Yāni^cah shows great admiration for
al-Zamakhsharī in his three volumes which have been reviewed
(21) by al-Phahabī. Indeed this tafsīr concerns only the
verses on legal regulations (āyāt al-ahkām).

(16) Brockelmann, CAL, I, II, 242.

(17) Al-Shawkānī, al-Badr, I, 185.

(18) Ibid., I, 485.

(19) Ibid., II, 91; al-Mabshū, Maqādir, 22-3.

(20) Ibid., II, 273-29; al-^cAnnā, Maqādir, 241.

(21) Al-Phahabī, al-Tafsīr, II, 462-73; al-Shawkānī, al-Badr, II, 350; al-^cAnnā, Maqādir, 190; Mabshū, Maqādir, 21.

Among the eminent Yemeni scholars who wrote commentaries on the Kashshāf are Ḥalīb al-ʿAmrī (d. 1062/1652),⁽²²⁾ al-Ḥasan al-Jalāl (d. 1094/1673),⁽²³⁾ al-Maqbalī (d. 1108/1696) with his excellent critique, al-Ithāf li-talābat al-Kashshāf,⁽²⁴⁾

Ḥamid b. Ḥasan Shākīr (d. 1173/1759) who was not at odds with Ibn al-Amīr, wrote a hāshiyah on the Kashshāf. When Ibn al-Amīr heard this, he said that there is a hāshiyah of al-Ṣa^cd ("good fortune" but referring to Taftazānī), but this particular hāshiyah would best be named al-Shaqb (a Yemeni word, the opposite of sa^cd,⁽²⁵⁾ meaning "ill-fortune")! Ibn al-Amīr himself wrote Kafātih al-riḍwān⁽²⁶⁾ and another work on tafsīr not on the Kashshāf.

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- (22) Al-Ḥibshī, Masādir, 27.
 (23) Al-Shawkānī, al-Badr, I, 191-4; al-ʿAmrī, Masādir, 224; al-Ḥibshī, Masādir, 27.
 (24) Al-Shawkānī, al-Badr, I, 288-92; al-ʿAmrī, Masādir, 283; al-Ḥibshī, Masādir, 28, who mentions a copy of al-Maqbalī written by Ibn al-Amīr in al-Jamī^c al-Kabīr Library no. 113.
 (25) Al-Shawkānī, al-Badr, I, 189; Zabārah, Nashr, I, 419; al-ʿAmrī, Masādir, 298.
 (26) Brockelmann, CAS, § 11, 582; al-Ḥibshī, Masādir, 30; al-ʿAmrī, Masādir, 295-9.

Another commentary on the Kashshāf was that of the ^cālim, Ahmad b. Ṣālih b. Abī 'l-Rijāl, the grandson (d. 1191/1777). (27)

Although the Anwār al-tanzīl of Baydawī (d. 691/1292) has met with popularity in the Yemen, as elsewhere, especially among those who lean towards the Sunnah, there are few studies on it, if any at all. ^cAlī b. Ṣālih al-Dīn al-Kawkabānī (d. 1191/1777) summarized the two commentaries of al-Zamakhsharī and al-Baydawī in his Surar al-asdāf. (28)

However there are dozens of treatises by individuals on certain chapters or verses of the Qur'ān throughout the history of tafsīr in the Yemen which are completely ignored here in order to keep the discussion brief, as well as many other important marginal works. (29)

By al-Shawkānī's time the science of Quranic interpretation and the literature of tafsīr had come to a zenith within the general field of Quranic studies and writing. Among the many close friends and contemporaries of al-Shawkānī who wrote a tafsīr are his shaykh, ^cAbd al-Qādir

(27) Zabārah, Nashr, I, 138.

(28) Zabārah, Dayl al-Badr, II, 166.

(29) A list of these is readily available in al-Hibshī, Maqādir, 14-31.

(30)
 b. Ahmad' (d. 1207/1792), Ibrāhīm b. Muḥammad b. Jamāl^c al-
 al-Anīr (d. 1213/1798) and his son, 'Alī b. Ibrāhīm (d. 1219/
 1804), both of whom wrote tafsīr. (31)

Ahmad b. 'Abd al-Qādir, (d. 1222/1807) the son of
 al-Shawkānī's shaykh wrote his voluminous commentary, Taysīr
al-mannān fī tafsīr al-Qur'ān in three volumes. (32)

Finally, Jabbāf (d. 1243/1828) the historian, wrote a
 commentary entitled al-^cIlm al-jadīd fī 'l-tafsīr ("the new
 science concerning tafsīr"), so far undiscovered, which
 causes al-Shijnī to doubt the author's mental health! (33)

(30) Al-Ahdal, al-Nafas al-Yamānī, 170.

(31) Al-Shawkānī, al-Badr, I, 420-4; Jabbāf, 83-4;
 al-Hibshī, Masādir, 31.

(32) Zabārah, Mayl, I, 126; al-Hibshī, Masādir, 31, who
 mentions that a copy of it is in al-Jāmī^c al-Kabīr
 Library, Tafsīr no. 58.

(33) Al-Shijnī, Tiqsār, 126b.

3. Ṭaḥ al-Qadīr of al-Shawkānī

Al-Shawkānī with such a Yemeni legacy to draw on and with his own deep and diverse knowledge of the massive corpus of ṭaḥ literature and its schools, laboured on his remarkable and extensive commentary for six and a half years (1223-9/1808-14). (34)

In addition to al-Durr al-marṭūn of al-Tuyūṭī (911/1505) which he admired (35)

and the Kaḥḥāf of al-Zamakhsharī with which on some points al-Shawkānī disagreed and which he strongly criticised, he

used many books as his sources, some of which he himself

mentions at the very beginning. (36) Amongst them are:

1	Ibn Jarīr al-Tabarī	d. 311/923
2	Abū Ja'far al-Nahās	d. 337/948
3	Ibn 'Atiyyah al-Dīnashqī	d. 383/993
4	Abū Ishāq al-Tha'labī	d. 427/1036
5	Abū 'l-Hasan al-Wāhidī	d. 468/1075
6	Al-Hakīm al-Jushamī	d. 494/1101
7	Ibn 'Atiyyah al-Muhārribī	d. 546/1151
8	Fakhr al-Dīn al-Rāzī	d. 606/1210
9	Abū 'Abdullāh al-Qurtūbī	d. 671/1272
10	Nāṣir al-Dīn al-Bayḥawī	d. 691/1292 some suggest 685/1286
11	Abū Hayyān al-Andalusī	d. 745/1344
12	Ibn Kathīr	d. 774/1372

(34) Ṭaḥ al-Qadīr, V, 524.

(35) Ṭaḥ, I, 13.

(36) He uses them throughout his Ṭaḥ; see also his Ithāf al-Akābir, 1^o, 22-7.

The importance and value of the Fath can also be seen from the linguistic material which al-Thaḥḥārī borrows widely from his example titles and arguments. In addition to lexical material, he shows clearly his employment of and borrowing from such weighty sources on the subject as Maḥṣūṣ al-Qur'ān of al-Zajjāj (d. 301/913), al-Jamharah of Ibn Furayḍ (d. 321/933), Tahdhīb al-lughah of al-Azharī (d. 370/980) and the Siḥāh of al-Jawharī (d. 393/1003) and so on.

Al-Shawkānī, already an accomplished muhaddith with his major Hadīth work Ḥayl al-Awtār completed, turned all his expertise and knowledge thus gained to tafsīr. It is regrettable that on occasions he accepts weak or fabricated

(37)
hadīth and traditions. This is indeed a fault which should be raised as a criticism against him, as al-Rhahabī (38)
 well realises.

(37) Cf. for example, Fath, his commentary on verses 55, 67 of "Sūrat al-Nā'idah", II, 49-61; II, 215 "al-Isrā"; IV, 257 his introduction to "al-Ahzāb"; V, 21, "al-Ahqāf".

(38) Al-Rhahabī, al-Tafsīr, II, 288.

However, al-Shawkānī follows his own peculiar method which he elaborates in his introduction. This method is a combination of "narrative" (al-risālah) and "understanding" (al-dirāyah). By this al-Shawkānī gives himself a free hand to accept or reject many things which can be found unquestioned in other commentaries.

Here, in Fath al-Qadīr also, al-Shawkānī does not abandon his cause against the "imitators" (mugallidūn).
 (39)
 In at least ten comments he argues against those who imitate their predecessors in their practice without understanding what they are doing. The answer of all the mugallidūn was to quote what the Qur'ān says of them:

"When they do aught that is shameful, they say: 'We found our fathers doing so and God commanded us thus'. Say: 'Way, God never commands what is shameful: Do ye say of God what ye know not?!'" (40)

(39) Cf. Fath al-Qadīr, "al-Baqarah" I, 167-9; "al-Hisā' ", I, 421-2, "al-Mā'idah", II, 81; "al-A'raf", I, 198; "al-Tawbah", II, 352; "Yūnis", II, 474; "al-Anbiyā' ", III, 396-418; "al-Nūr", IV, 43-6; "al-Zukhruf", IV, 550-3.

(40) Qur'ān, "al-A'raf", VII, 28; al-Shawkānī, Fath, II, 198-9.

Al-Shawkānī is sometimes successful in his argument, but at other times not, either because of the exaggeration he employs, or because his terminology is not appropriate for the comments he is making.

It is worthy of mention that his treatment of some important and controversial issues, such as that of the uncreated and eternal character of the Qur'ān (khalq al-Qur'ān) is excellent and successful. He comes to the conclusion that Muslims accusing one another is wrong in itself, the matter should be left and the answer lies only with God.⁽⁴¹⁾

However, Fath al-Qadīr became well-known throughout the Arab and Islamic world, as well as his Mayl al-Awtār and Irshād al-Fuhūl. Moreover, he also has ten, or probably more, treatises on some verses or their particular meaning in the Qur'ān.⁽⁴²⁾ Among the unpublished tafsīr treatises is that which deals with the argument of those suggesting

(41) Al-Shawkānī, Fath, III, 397.

(42) Some of these treatises were published by Ibrāhīm Hilāl, along with others, entitled Ummān al-Tharīḥ, Cairo, 1326 (1976). Cf. Hilāl, Maqādir, 31-2.

that Hell is mortal. (43) He has original views on this point which depends on three verses from the Qur'ān. This particular treatise is indeed worthy of publication and we hope to publish it, along with others, before long.

(14) Al-Shawfī, Ḥaṣṣ al-ʿaṣṭār, al-Jazīʿ al-Ḥabīb
Library (Collection n. 59).

Al-Shawkānī as biographer/historian and poet

- | | | |
|--------------------------|--------------------------|---|
| أريدُ نثرَ السُّنَنِ | في كُلِّ قَطْرِ اليَمَنِ | ١ |
| والعَدْلَ في الرِّعِيَةِ | والْحُكْمَ بالسُّوِيَةِ | ٢ |
| ومَحُو آثارَ البِدْعِ | وهَتَكَ أثارَ الشَّنْعِ | ٣ |
| وبَمَدِّ هَذَا الجَنَّةِ | تَفْضُلًا وَمِنْهُ | ٤ |

☆ ☆ ☆

- | | | |
|--|------------------------------------|---|
| عَصَى أَبُو المَالَمِ وَهُوَ الَّذِي | من طِينَةِ صَوْرَةِ اللهِ | ١ |
| وَأَسْجَدَ الأَمْلَاكَ مِنْ أَجْلِهِ | وَكَانَ فِي الجَنَّةِ مَأْوَاهُ | ٢ |
| أَغْوَاهُ إِبْلِيسُ فَمَنْ ذَا أَنَا الـ | مِسْكِينُ إِنْ إِبْلِيسُ أَغْوَاهُ | ٣ |

وقال رحمه الله في مدح صنمائه وقد غاب عنها مدة يسيرة :

- | | | |
|--|---|---|
| سَلَامٌ عَلَى صَنَمَائِهِ وَإِنْ قَرَّبَ المُنَادُ | أَلَمْ تَكُ فِي الدُّنْيَا هِيَ العَلَمُ الفَرْدُ | ١ |
| أَيَا حَبِذَا الدُّنْيَا فَمَنْ خَلَّ سُوْحَهَا | يَلَا حِظَّةً فِي دَهْرِهِ اليَمْنُ وَالنُّمْدُ | ٢ |

Al-Shawkānī, Diwān.

1. Al-Shawkānī as biographer/historian

By collecting his six hundred and ten biographies in his important work al-Badr al-Talī^c bi-mahāsīn man ba'd al-qarn al-Sābi^c, (1) al-Shawkānī adds to his other disciplines that of historian/biographer. His work is indeed a contribution to Arabic biographical literature in general and this, as is well-known, is of immense richness throughout all the stages of the literature.

Al-Shawkānī, as mentioned above, (2) said that his purpose in writing his biographies was to prove that there are many eminent scholars and mujtahidūn after the seventh/thirteenth century down to his own time, none of whom has closed the door of ijtihād. The idea led him to be involved in writing history, since he was aware of the meaning of

(1) The Yemeni historian, Zabārah, published the book in Cairo in 1348 (1929), with his own useful supplement of 441 biographies.

(2) Cf. above p. 247-8.

history and, as he says in his introduction, elegant style and saj^c are not the language of historiography and criticises those late historians for doing so, neglecting the essential task of explaining situations and giving no specific dates of birth and death and so on. This elegance of language is, al-Shawkānī adds, "not a part of the science of history..."⁽³⁾

However, although al-Shawkānī maintains a strict balance between native Yemenis and others, Arabs and non-Arabs,⁽⁴⁾ the Yemeni biographies are indeed vivid and detailed and the most important. Especially important are those of his contemporaries, the events, thought, education, the struggle between parties and the ideas which form the basis of his book. He writes with warmth of the private and friendly relationship between himself and many eminent and intellectual friends.

Al-Shawkānī in general mentions his sources and is always honest in his quotations. He writes about the biographers themselves as a part of his book. He shows a critical vision of their writings and their attitudes.

(3) Al-Badr, I, 3.

(4) 308 Yemenis, as opposed to 302 non-Yemenis.

The biography of al-Suyūṭī (d. 911/1505) ⁽⁵⁾ might here be mentioned as an excellent example of al-Shawkānī's criticism of other biographies of al-Suyūṭī. He shows how prejudiced al-Zakhawī (d. 902/1496), the contemporary and adversary of al-Suyūṭī, was in his book al-Daw' al-lānī^c.

Al-Shawkānī depends on both the Egyptian scholars, in addition to Ibn Hajar (d. 852/1443), ⁽⁶⁾ al-Ḍahabī (d. 743/1347), ⁽⁷⁾ al-Aṣṇawī (d. 772/1322), ⁽⁸⁾ al-Ṭafadī (d. 764/1363), ⁽⁹⁾ Ibn Rajab (d. 795/1393) ⁽¹⁰⁾ and many others.

Another example of al-Shawkānī's criticism is that directed against the judgement of the Yemeni adīb and biographer, al-Haymī (d. 1151/1738), ⁽¹¹⁾ in his biography of Yūsuf al-Kawkabānī (d. 1115/1703) of whose poems al-Haymī doubts the originality. ⁽¹²⁾ Al-Shawkānī is wiser and more

(5) Al-Shawkānī, al-Badr, I, 323-35. For al-Shawkānī's opinion of al-Zakhawī and Ibn Hajar, cf. his individual biography, al-Badr, II, 134-7; cf. also II, 355.

(6) Al-Shawkānī, al-Badr.

(7) *Ibid.*

(8) *Ibid.*, I, 352.

(9) *Ibid.*, I, 242-4.

(10) *Ibid.*, I, 322.

(11) *Ibid.*, I, 103-4; cf. his biography/collection; cf. al-Ḍahabī, al-Badr, 112.

(12) Al-Badr, II, 355-6.

broad-minded in his criticism of the author of Muḥarrat al-sahr, Yusuf b. Yahya (d. 1121/1709), ⁽¹³⁾ not only because of the latter's accusing his contemporaries of possessing every short-coming, but also because of his extremist Imāmī attitude, and his neglecting many eminent opponents of his own beliefs. This, al-Shawkānī says, is not a historical method of writing about others. More than that, al-Shawkānī continues, there is the confusion of the author in his alphabetical arrangement of the book. ⁽¹⁴⁾

Among al-Shawkānī's many Yemeni sources are: al-Khazraǧī (d. 812/1410), Ibn al-Dayba^c (d. 944/1537), Ibn Abī 'l-Rijāl (d. 1029/1639), ^cIsā b. Iṭf Allāh (d. 1048/1638), al-Jurmūzī (d. 1077/1667), the scholars of Āl al-Ḥazār, Yahyā b. al-Ḥusayn (d. 1100/1688) and many others. Al-Shawkānī points out that he found no complete biography and definite dates of the birth and death of the last great historian. He suggests that Yahyā b. al-Ḥusayn is neglected by other writers because of the objectivity and frankness he shows in his numerous works. ⁽¹⁵⁾

(13) Al-Badr, II, 372-5.

(14) Ibid., II, 372-3.

(15) Ibid., II, 323-4.

Al-Shawkānī's reluctance to show injustice and his support for the mujtahidūn and their ideas is clear in scores of his biographies, such as that of non-Yemenis, e.g. Ibn Taymiyyah (d. 728/1328) ⁽¹⁶⁾ and al-Suyūṭī. The same can be said in connection with the great Yemeni scholars and what they had suffered or faced either from rulers or their narrow-minded opponents. Ibn al-Waṣīr, al-Maqbalī and al-Jalāl all met opposition and al-Shawkānī approves of their views and is in sympathy with them in their long biographies.

The case of Ibn al-Amīr, who was imprisoned in 1166/1752 by order of Imam al-Mahdī ʿAbbās is one of the unhappy incidents which occurred as a result of the reaction of "zealous bigots and rabble", in the words of al-Shawkānī. ⁽¹⁷⁾ He writes of that incident in Ibn al-Amīr's biography, namely that he saw him in a dream in 1206/1791 and in this dream Ibn al-Amīr, on horseback, dismounted and embraced al-Shawkānī, weeping loudly. When al-Shawkānī later asked a certain interpreter of dreams what the meaning of his weeping and embracing was, the interpreter answered:

(16) Al-Baḥr, I, 62-63.

(17) Al-Baḥr, II, 133.

"What happened to him is ordained to happen to you!" After

that dream, al-Shawkānī continues, many strange and

prodigious things happened to him and only Allāh saved him

(18) from their evil. This indeed illustrates al-Shawkānī's

style and presentation - all this in a fine and simple

language.

Al-Shawkānī states at the end of al-Badr that he (19)
collected his biographies in 1213/1792 in about four months.

However, he adds many events and dates after that year till

nearly the end of the following decade. This important book

is invaluable and has been widely consulted and used through-

out this study. It is indeed indispensable in any research

which involves any personality whose biography can be found

within its pages.

(18) Al-Badr, II, 132.

(19) Al-Badr, II, 375.

2. Al-Shawkānī as a poet

(20)

When the Diwān of al-Shawkānī was published last year it astonished those who know al-Shawkānī as a fagīh and a mufasssīr or those who thought that he was typical of the fugahā'. Also others, who have read some of his poems in al-Badr al-Tālī⁶ did not think that his poems could possibly form a diwān. However, al-Shawkānī composed more than 2600 lines in scores of long and short poems. His poems cover all the recognised categories of the Arab poet: eulogy (madh), censure (ihzār), love (fahs), criticism (hazl) and politics. Education and morals are included, but not love poetry and no Humaynī verse, which nevertheless flourished during his time. However al-Shawkānī from the very beginning refused to regard himself as a professional poet. He wondered how he could spend his time on poetry, when he had occupied his early childhood and youth seeking the different branches of knowledge day and night. Then he

(20) Diwān al-Shawkānī, al-Badr al-Tālī, p. 1. al-Badr, Damascus, 1932.

was involved in teaching, iftā', writing treatises and books and finally he found himself with an extremely demanding position, that of qādī 'l-quḍh. (21) Al-Shawkānī is here trying to explain and emphasize that talent is not enough in writing verse without being able to immerse oneself in it. He is correct, but also he shows great modesty in saying this, since some of his poems might well be compared in excellence with outstanding contemporaries. He uses poetry sometimes as a political manifestation to explain his views or attitudes, as is pointed out above. (22)

A full and detailed appreciation of his poetry is given in our introduction to his Dīwān. (23) The latter is indeed an excellent mirror of contemporary Yemeni society and a true landmark in Yemeni literature.

(21) Al-Shawkānī, Dīwān, 48.

(22) Cf. p. 17, 205.

(23) Cf. p. 32-4 and passim in the footnotes of the text.

APPENDIX I

The decree of Imam al-Manṣūr Ālī to his provincial officials concerning taxation, 1222 / 1807.

« المرسوم المنصوري في رفع المظالم ، والمساواة في الحقوق والواجبات بين أبناء اليمن »

بسم الله الرحمن الرحيم

والصلاة والسلام على رسوله الأمين وآله الطاهرين^(١)

(الحمد لله :

هذا ما رجّحه النظر الشريف وجزم به رأيه العالي المنيف ، وهو العدل الذي قامت به السماوات والأرض ، والشرع الذي أمر الله به عباده في بلاده بطولها والعرض .

محمد بن علي الشوكاني) .



طلوع شمس عدل ، وسطوع نور فضل ، وهبوب ريح بر ، طاب نشركم ، وطار في الأقطار ذكركم ، فنالت منه خلل إحسان خلعتهم أيدي الإمامة على العباد ، ومن مطارف أمان نشرتها أكف الزعامة على (الحاضر)^(٢) والباد ، ومن موارد خير صفت فعلت للشاربين ، ومن شرائع حق كرعت من معينها أفواء المسلمين أجمعين ، ومن حقائب بر قامت

(١) أغلاد بخط الإمام المنصور علي وتوقيعه ما يلي : هذا ما اقتضاه ترجيحنا الشريف أغلاد الله تعالى . حسباً رقمه حكماً القاضي محمد بن علي الشوكاني حرمه الله فليعتد بتاريخه .

(٢) لأصل (الحاضر) .

بها للعدل أسواقها ، وصارت عندكم لبضائع الحق نفاقاً ، ولأرواح الجور إزهاقاً ، ولزُعاق أفواه الباطل إهراقاً ؛ وما ذاك إلا أن مولانا إمام الزمن ، وخيرة الخيرة من « بني الحسن »^(١) وذخيرة العترة في قطر الين ، أمير المؤمنين ، المنصور ، خلد الله محاسنه على صفحات الدهور ؛ رَجَحَ نظره الشريف ، المؤيد بالفلاح والنجاح ، وحزم رأيه العالي المنيف المؤسس - إن شاء الله - على الخير والصلاح : أن جميع رعاياه في جميع الأقطار وكل من شملته دولته المباركة في الأنجاد والأغوار ليس عليهم من المطلب إلا ما أثبتته الشرع الشريف في جميع ما يملكونه كائناً ما كان ، مما فيه حق لله عز وجل ، لا يخاطبون بغير ذلك ، فمن طلب نقيراً أو قطميراً زائداً على ما أوجبه الله تعالى ، فلا طاعة له ، وعلى المسلمين أن يأخذوا على يده ، ويُنْهَوْا أمره إلى القاضي في الجهة ، وعلى القاضي أن يُنْهِيَ ذلك إلى (الحضرة)^(٢) الإمامية حتى يناله من العقوبة ما يُزجر به من رام أن يفعل كفعله . وإذا داهن القاضي ظالماً أو حابي رجلاً رام غير ما فرضه الله فقد استحق أن يُعزل عن هذه الوظيفة الدينية ، فليس يستحق لها ، ولا مأمون عليها .

فليفرخ رُوع الرعية ، وتتلج صدورهم ، وتطمئن قلوبهم : فلا خطاب عليهم « بجباية » ولا « قبالة » ، ولا « سياسة » ، ولا « فرقة » ، ولا « دفعة » ، ولا ما يجري مجرى^(٣) هذه الأمور المحدثّة التي لم يأذن الله بها ، بل يأخذ « العامل » عليهم ما أوجبه الله عز وجل من كل شيء بعينه كما ورد به الشرع الشريف ، ومن زاغ عن شيء من ذلك فقد استحق أغلظ^(٤) العقوبة ، وأعظم النكال . وهكذا من عامل معاملة مشتملة على نوع من أنواع الرّبا ، فماله حلال بحكم ذي الجلال ، وعقوبته واجبة على كل مسلم .

وعلى الجاهل أن يتعلّم وعلى العالم أن يُعلّم . فليطلع حكام الجهات على مارسمه إمامنا

(١) يعني به الحسن بن الإمام القائم بن محمد (٩٩٦ - ١٠٤٨ هـ / ١٥٨٨ - ١٦٣٨ م) وهو الجد السابع للمنصور هذا ولم يكن إماماً بل كان قائداً عسكرياً قام بدور هام ضد الأتراك فعرف بالشجاعة والجهاد (البدر الطالع :

٢٠٥٨) .

(٢) في الأصل : الحضرة .

(٣) الأصل (محراً) بالألف . والجباية . والقبالة . والسياسة . والفرقة . والدفعة : كانت في عصره ألباء لأنواع من الضرائب وما ينبغي من الناس للدولة .

(٤) أغلظ : في الأصل : أغلظ .

وأمر بإنفاذه وسمعناه منه كما يقتضيه تعميده الشريف أعلى هذا ، وعلى كل حاكم أن يقرأ هذا على رعية القطر الذي هو فيه ، ويجمعهم ، وينقل لأهل كل قرية صورة بخطه وعلامته^(١) ليبقى بأيديهم مستراً يدفعون به ظلم كل ظالم وجور كل جائر ، فهذه سنة عدل واضحة المنار ، وذخيرة خير باقية في جميع الأعصار قد أظفر الله سبحانه إمامنا بخيرها ، وأسعده في الدارين بأجرها ، واستحق به إن شاء الله ماورد عن جدّه المصطفى ﷺ من الأجر العظيم والخير العميم للإمام العادل والسلطان الفاضل .

وعلى كل حاكم من حكام الجهات أن يبعث من لديه رجالاً أمناء عارفين ، يعلمون الناس معالم دينهم ، وما يجب عليهم لله عز وجل من صلاة ، وصيام ، وحج ، وتوحيد على الوجه المطابق لمراد الله تعالى عز وجل « فمن سن سنة حسنة كان له أجرها ، وعلى من غير وزرها » .

فالحمد لله الذي أحيا بإمامنا معالم الشرع الشريف وأقام به سنن العدل المنيف ، المقدس عن التغيير والتبديل والتحريف ، وألحقه بأئمة العدل من آبائه الكرام ، وجمع له بين خير هذه الدار ودار السلام .

(١) العلامة : أي التوقيع .

APPENDIX II

Abstract from Durar Nuḥūr al - Ḥūr al - ʿīn of Jaḥḥāf ,
a biography of al - Ṣhawkānī

ترجمة الإمام الشوكاني

(نَسِیْلَةٌ مِنْ دُرَرِ نُحُورِ الْخُورِ الْعَيْنِ لَجَحَّافٍ) (٥٠)

وفيها [١٢٠٩ هـ / ١٧٩٤ م] : نصب الإمام لفصل الأحكام شيخنا المحقق في المعقول والمنقول الجيهذ المجتهد العالم الرباني ، محمد بن علي الشوكاني في العشر الأولى من شهر رجب ، وكان إذ ذاك مدرّساً بالجامع المقدس بصنعاء في كثير من الفنون ، ومولده ضحوة نهار الاثنين ثامن وعشرين شهر القعدة ١١٧٢ هـ - [٥ / ١٧٦٠ م] ولما بلغ الحافظ الحجة ، جاز الله

(٥٠) لطف الله بن أحمد بن لطف الله جحاف (١١٨٩ - ١٢٤٣ هـ : ١٧٧٥ - ١٨٢٨ م) أديب . شاعر . فقيه . مؤرخ . صنعاني المولد والدار والنشأ والوفاء . أخذ العلوم والفقه واللغة عن كثير من شيوخ الشوكاني وأخذ عنه أيضاً ولازمه ومدحه وكتبه . وكان متحلاً بكبار رجال الدولة ومنهم الإمام المتوكل أحمد وكان له عنده حظ وافر غمر في علاقته به وأنه كان عيناً له على الناس وقد سجن في عهد المهدي عبد الله بن المتوكل أحمد (١٢٣١ - ١٢٥١ هـ : ١٨١٧ - ١٨٣٥ م) ثم أطلق بشدعة أستاذ الشوكاني الذي لم يكن مرتاحاً لمسلكه في سنيه الأخيرة .

له مؤلفات (مخطوطة) معروفة من أشهرها كتاب : المرتقى إلى المنتقى « شرح به منتقى ابن تيمية والديباج ودرر نحور الخور العين أرخ فيه معالمه الأصنام المنصور علي (ت ١٢٢٤ هـ : ١٨١٦ م) ورجال دولته و فنون الحون في جنون فنون » قد أدب . لكنه لم يبدو اختلط آخر عمره فكان يتحدث عن غرائب وهو يضع تفسيراً للقرآن الكريم « المعجزة » العلم الجديد في التفسير وذكر الشجني أنه مليء بحرفات . وله غير ذلك .

(لسان الطباع : ٢ : ١٥٠) . التفسير (ج ١ : ١٦٦) . بين الزمان : ١١٣ : ١١٤ . ولسان الخور سيد مصطفى : ١٤٠ : ١٤١ . نسخة من نسخة نسخة من نسخة كتاب جحاف درر نحور الخور العين . القاهرة ١٩٨٥ . يظهر ديوان الشوكاني : ٨١ : ١٣٧ : ١٣٨ .

إبراهيم بن محمد الأمير^(١) ، نصب المترجم له للقضاء وهو بمكة قال : « وأنا لاندري أشر أريد
 بمن في الأرض أم أراد بهم ربهم رشداً »^(٢)

وقال مطهر بن الحسن الهاشمي الصّفي ، المعروف بأبي الطحاطح^(٣) في ذلك قصيدة
 منوهاً [٢٣٨] ، ومُعَلِّماً بعظيم قدره وجهها إلى الإمام ، وأملاها على الخاص والعام ، بكل
 مقام .

نَظَمَ الإِمَامَ شَرِيعَةَ الدِّيَوَانِ بِالْحَاكِمِ الْعَلَامَةِ الشُّوكَانِي
 فَكَأَنَّمَا هُوَ فِي الزَّمَانِ مُجَدِّدٌ بِالسُّنَّةِ الْبَيْضَاءِ وَالْقُرْآنِ

قال : هو كما قال ، وواحد الزمان في الأعيان والأمثال أخذ في الفروع عن أحمد بن
 عامر الحدائي^(٤) ، وعن القاضي أحمد بن محمد الحرازي ، وأخذ في الآلات عن شيخنا فخر
 القاصي والداني ، القاسم بن يحيى الخولاني ، وعن عبد الله بن الحسن بن علي الأبيض ، وعن
 شيخ الأعلام الحسن بن إسماعيل المغربي في شرح « المطول » و « العضد » و « الكشف »
 و « البدر التمام » وغيرها ، وعن شيخنا الأستاذ الجهبذ ، المجتهد ، الإمام الرحلة ، المحدث
 علي بن إبراهيم بن عامر ، سمع عليه صحيح أبي عبد الله البخاري ، وعن إمام أهل المعقول
 والمتقول عبد القادر بن أحمد بن عبد القادر في الأصول والحديث وبه صار يقام ، وقام
 بالتدريس في الآلات ، وشهد له بالفهم أهل زمانه .

وبلغت به المعارف إلى أن أذعن له كل طالب للعلم عارف ، فصار رأساً في الانتقاد ،
 وعيناً يستضيء بها النقاد ، مُجَلِّياً ، أم مقامه الأساتذة ، علماً خافقاً في المحافل ، أخبارياً
 فقيها يعرف الحجة ، شاعراً ، ناقداً .

وعنه خلق لا يحصون ، منهم مؤلف هذا الدفتر ، غفر الله تعالى له ، في النحو
 والصرف ، والمعاني والبيان ، وأصول الفقه والحديث .

(١) (١١٤١ - ١٢١٣ هـ - ١٧٢٨ - ١٧٩٨ م) .

(٢) سورة الجن الآية : (١٠) .

(٣) (١١٦٦ - ١٢٢٢ هـ - ١٧٥٢ - ١٨٠٨ م) وحسن أبي الطحاطح باسم جني كان يريد أنه كان يأتيه !

(٤) انظر تراجمه وتواريخ وفیاتهم في تحف السديوان للإمام الشوكاني . أسلاك الجواهر : دار الفكر ١٩٨٢ م .
 والنفس لا تخلفني لدراسة هذه . وحواشي ترجمة الشوكاني التي تلى هذه .

وعنه محمد بن أحمد السّودي ، ومحمد بن أحمد بن محمد مشحم ، وأحمد بن علي بن محسن بن المتوكل ، ومحمد بن محمد بن هاشم [الشامي] وحسن بن إسماعيل السنيدار ، وعبد الرحمن بن أحمد البهكلي ، وأحمد بن عبد الله الضّدي ، وعلي بن أحمد هاجر ، وإبراهيم بن محمد بن يحيى ، وعبد الله بن محسن البصير ، وأحمد بن لطف الله جَحَاف ، وإسماعيل بن إبراهيم بن حسن ، وأحمد بن حسين الوزان ، وحسين بن محمد العنسي ، ومحمد بن علي العمراني ، وهادي بن حسين القارني ، ومحسن بن عبد الكريم بن أحمد بن محمد بن إسحاق ، ويحيى بن محمد الجيّوري ، ويحيى بن مطهر بن إسماعيل ، ويحيى بن علي الشوكاني ، وأحمد بن يوسف الرباعي القاضي وولده^(١) ، وغير هؤلاء من ذكرناه في كتابنا « العباب بتراجم الأصحاب » .

مارأيت أنشط منه في التدريس ، يصل ليله بنهاره في الإفادة ، وله مصنفات تدلك على قوة الساعد وسعة الاطلاع ، لا يدع القول المحرر من حجة توضح الحجّة ، رزق السعادة في تصانيفه مع القضاء وكاد الإجماع يقوم على حسنّها ، وتناقضها من يلوذ به ، وذكروها في دروسهم .

ألّف على « المنتقى »^(٢) شرحاً فجاء في ست عشرة مائة ورقة ، سماه « نيل الأوطار شرح منتقى الأخبار » .

وله حاشية^(٣) على « شفاء الأمير الحسين » في نحو ثلاثمائة ورقة ، سلك فيها طريقة الجلال في الإنصاف .

(١) الأصل « والداه » زلة قلم ، والصحيح ما أثبتناه . وهما : إبراهيم بن أحمد ، وهو الأكبر . وكان فاضلاً ورعاً زاهداً . والثاني : حسن بن أحمد بن يوسف الرباعي ، كلاهما تلمذ على الإمام الشوكاني . وكان الثاني من أبنه تلاميذه وأكثرهم ملازمة له . له « فتح الغفار يجمع أحكام سنة المختار » طبع في جزأين . وقد توفي بعد أخيه إبراهيم في سنة ١٢٧٦ هـ / ١٨٥٩ م .

(٢) « منتقى الأخبار » لابن تيمية (ت ٦٥٣ / ١٢٥٥ م) مطبوع مشهور وكذلك شرحه « نيل الأوطار » منه عدة طبعات .

(٣) هي : « ويل الغمام على شفاء لأوام » . مخطوط - لم ينشر - بقلم المؤلف سنة ١٢١٣ هـ في مكتبة الجامع الكبير برقم (٣٠٣ حديث) .

والجلال : هو العلامة المعروف الحسن بن أحمد الجلال : (١٠١٤ - ١٠٨٤ هـ / ١٦٠٥ - ١٦٧٣ م) صاحب ضوء النهار وغيره .

وله « البدر الطالع بحاسن من بعد القرن السابع » كل به « وَفَيَاتِ الْأَعْيَانِ » للقاضي أحمد بن خلكان .

وله كتاب « الدراري » متناً وشرحاً في الفقه ، وضعه على مقتضى الدليل ، وجرده عن أباطيل الأقاويل .

وله « أنموذج لطيف » في علم الاشتقاق ، ولم تقف على شيء في هذا الشأن .

وله كتاب في « الموضوعات »^(١) جمع فيه « موضوعات » ابن طاهر « وموضوعات » ابن الجوزي وغيرهما ، فجاء مفيداً .

وله تفسير^(٢) ، هو في تحريره أيام تحريرنا لهذه الورقات .

وله رسائل ومسائل تحتلها مجلدات كثيرة^(٣) .

وله رغبة ومحبة في العلم ونقله ، يُعَظَّمُ الطالب وَيُرَغَّبُ في سلوك جادة الاجتهاد والعمل بما جاء عن سيد العباد ﷺ [صلاة] تَلَأُ الْأَغْوَارَ وَالْأَنْجَادَ .

ويحب أن ينشر علمه وإفاداته ، وذاكَرَتْهُ في العدالة ، فقال مامعناه : « هي محافظة دينية تحمل صاحبها على ملازمة التقوى والمروءة ، وترك الرذائل » .

فقلت له : ماترك الرذائل ؟

قال [٢٣٩] : « ما كان عند الناس ممتهاً » .

قلت : الامتحان كان لعباد الرحمن ، والممتنون وأهل الرذائل ، أتباع الأنبياء عليهم السلام ، قال الله تعالى عن قوم نوح ﴿ أَنْزَلْنَاكَ مِنْ آثَانِ مَوْلَانَا أَنْ أَنْتَ بِنِعْمَةِ رَبِّكَ أَنْبَاةٌ وَأَنْتَ بِنِعْمَةِ رَبِّكَ أَنْبَاةٌ ﴾^(٤) ، وقال :

﴿ أَنْتَ بِنِعْمَةِ رَبِّكَ أَنْبَاةٌ ﴾^(٥) وفي بعض التفاسير ، أنهم الحواكون .

فأحال ذلك على مارسم به « ابن الحاجب » في « مختصر المنتهى » .

(١) هو « الفوائد المجموعة في الأحاديث الموضوعة » . مطبوع . وكلمات : « الدرر الطالع والدراري المنيفة » .

(٢) تفسيره المصنوع المشهور فتح القدير .

(٣) يقوم بتحقيق ما ينشر منها محرر هذا ، ونشره .

(٤) الشعراء ، ١ : ١١١ .

(٥) خود (آية : ٢٧) .

قلت : فينظر في ذلك ، وما معنى قولهم : وترك الرذائل اللهم إلا أن يقال : من لا يبالي بمروءته ، وهي صيانة الدين عما يثلمه لا يبالي بدينه ، لأن الدين من المروءة فهي مظنة للكذب ..

ولنا معه بحث نفيس في ترتيب آي القرآن وأنها توقيفية ، فمنع ذلك محتجا بأنهم جمعوا القرآن أيام عثمان من الألواح والصحائف ، وربما جاء الرجل بالآية لا يعرفها غيره ، فإذا أقام بيئته أثبتوها ، وجمعهم للقرآن على هذه الصفة يدل على أنه كله من ترتيب الصحابة ، وإن كان بعضه من ترتيب النبي ﷺ وصح أن عثمان أثبت « برأءة » بعد الأنفال وأنه قال : إنما فعلت ذلك لشبهها بها^(١) ، وأن النبي ﷺ مات ولم يعين موضعها ، فإذا كان هذا في السورة وأنها وضعت بموضع عن غير درية فما ظنك بالآية والآيتين ، واسترسل الكلام إلى القول بتواتر القرآن ، وهو بحث طويل الذيل ثبتوا فيه بين نقل الكتاب والسنة .

وفي مذهبه أن يشفع الأذان ويشفع الإقامة ، وقد صرح بمذهبه هذا في كتابه شرح المنتقى ، وهو من يذهب إلى أن الجمع بين الصلاتين في حديث جمع النبي ﷺ من غير عذر ولا سفر أي جمعا صوريا ويقول : هو أسهل شيء يقصد الإنسان إلى أن يقارب مصير ظل الشيء مثله ويقوم فيصلي ، فقد يصادف خروج الوقت ، وقد يتأخر قليلا ، وقد يتقدم قليلا ويصلي عقيبته الآخر وذهب أولاً إلى [أن] الوتر على حلة القرآن استدلالاً بحديث « أوتروا بأهل القرآن » عند أبي داود^(٢) وغيره ، ثم ذهب أخرا إلى أن الوتر على الأمة جميعا ، وقال : ما قوله « أوتروا بأهل القرآن » لا كقوله بأهل الكتاب ، المراد به أمة موسى ، وهنا المراد به أمة محمد ﷺ .

وسمعه يضعف حال من لا يضبط أوقاته لأمر ديني أو لأمر دنيوي بالغ الغاية ، وما

(١) انظر حول هذا : « تفسير القرطبي » : ١ / ٥١ - ٥٤ (باب ما جاء في ترتيب سور القرآن وآياته ..) وكذلك « فتح القدير » للشوكاني ٢ / ٣٢١ حيث ناقش مختلف الروايات التي قيلت في « سورة التوبة » التي تسمى - أيضا - « برأءة » وفي أسباب حذف البسلة .

(٢) سنن أبي داود : ١ / ٢٢٤ (كتاب الصلاة : باب تفريع أبواب الوتر) . الترمذي : ٢ / ٥٣٦ . (الصلاة ، باب ما جاء أن الوتر ليس بختم) . النسائي : ٢ / ١٨٧ . (كتاب قيام الليل وتطوع النهار . باب الأمر بالوتر) . مسند أحمد : ١ / ١١٠ ، ١٤٣ ، ١٤٤ ، ١٤٥ ، ١٤٨ . وهو من حديث الإمام علي . وانظر رأي الشوكاني مبسوطا في نيل الأوطار : ٣ / ٢٩١ - ٢٩٤ (باب أن الوتر سنة مؤكدة ...) .

الناس إلا واحد من هذين ، وكثيراً ما يندد أبيات الطغرائي هذه ^(١) :

إذا مالم تكن ملكاً مطاعاً فكُنْ عبداً مالِكه مطيعاً
وإن لم تملك الدنيا جميعاً كما تخشأ فاشترِكها جميعاً
هتما يتيان من ملك ونسك يتيان الفتى الشرف الرفيعا
فمن يقطع من الدنيا بشيء سوى هذين كان بها وضعاً

ورأيتَه ينتم على التسنن والتذهب ، ويقول : ما ينبغي لصاحب السنة أن يحمدها عليها ، ولا ينبغي للمتذهب أن يحمده عليه ، وهذا الكلام لصاحب السنة فيه مقال .

وله الشعر الجيد المبوك ، كتب إليه وإلى الحسين بن أحمد السباعي ^(٢) ، محمد بن هاشم الشامي ^(٣) سؤالا ، يسألها عن الود ، الشكك حوأم التواطئ ؟ فقال :

يا نيزي قللك العلياء دام لنا من نور عليكما ما يكشف الظلمات
(ولا تكدر هذا النور أن خجبت نور الزواهر خُجبت مُطر الدنيا ^(٤))
ماذا تقولان فيما قد تقرر بال إجماع حقق هذا من به حكما
(وما علمنا خلافا فيه قط لمن مضى وخبره في الشعر أو نظما ^(٥))
قالوا : بأن شهادات القلوب إذا قاست بصدق وداد صار ملتزما
ومن أحب امرأ صح القياس له قطعاً ، بأنها في السلك قد نظما
وقد تضمن تصديقا تصوره بنسبة لنساوي الود بينهما
وإنما الشوق من قسم الشكك حل فيه اعتراض قياس في الشوائها
وقد ترددت في تقريره فإفاد دأ مغرماً صار مشتاقاً لوصولها

(١) مؤيد الدين إسماعيل بن الحسين الطغرائي (ت ١١٤٥ هـ - ١١٢٠ م) صاحب لامية المعجم مشهورة مطبوعة وعليها ترويح عربية ولائحة وترجمات كثيرة . والأبيات هي الأول والثاني والخامس والسادس من مقطعة أبيات ثمانية رقمها ١٦١ في الصفحة ٢٥٥ من ديوانه الذي نشره علي جواد الطاهر وبخى الجبوري في بغداد سنة ١٨٧٦ .

(٢) (١٨٨٠ - ١٢٢٦ هـ - ١٨٦٦ - ١٨٠٦ م) وهو صاحب - الروض النضير شرح كتاب الفقه الكبير - للإمام زيد بن علي مغنوع .

(٣) (١٨٤٠ - ١٢٠٧ هـ - ١٨٧٧/٨ - ١٨٩٢ م) .

(٤) زيادة من اليد المطابع : ٢٧٤/٢ .

[٢٤٠] فأجابه صاحب الترجمة عنهما معا ، فقال^(١) :

يابنَ البهاليل والأطوادِ من مُضِرٍ والمنعمين بسببِ يُخجلُ الدِّمَا
قد دَلَّ نَظْمُكَ لِلدَّرِ الثَّمِينِ بِلا شَكَّ بِأَنَّكَ بَحْرٌ بِالْعُلُومِ طَمًا
ورمَتْ إِبْدَاءَ عَتَبٍ فِي مِلَاطَفَةٍ وقد^(٢) أَسَأْتُ بُعْدِي فَاحْتَمَلْ كَرَمًا
فالشُّوقُ بِالشُّوقِ مَنْقَاسٌ^(٣) وَمُعْتَبَرٌ قَضَى بِذَلِكَ خَيْرَ الرِّسْلِ وَالْحَكَمَا
وَلَا أَشْكُكَ بِالتَّشْكِيكِ فَهُوَ عَلَى تَوَاطُؤُ بَاتِحَادِ الْجِنْسِ قَدْ نَظَمَا^(٤)
وَمَوْجِبَاتُ وَدَادِي فِيكَ مَا سَلَبَتْ وَلَا غَدَا عَقْدُ وَدِي عَنْكَ مُنْفَصَمَا
(وَلَا انْقِصَلَتْ لَمَنْعِ الْجَمْعِ مُذْ دَلَّهَتْ نَفْسِي بِمَنْعِ خُلُوصِ صَارَ مُلتَزِمَا)^(٥)
مُحْصَلَاتُ وَدَادِي مَارِضِيَتْ لَهَا عَنْكَ الْعُدُولَ وَلَا أَوْلَيْتَهَا الْعَدَمَا
وَقَدْ تَأَلَّفَ شَمْلَانَا عَلَى نَمَطٍ لَهُ تَنَائِجٌ وَدٌّ تَمْنَعُ الْعُقَمَا

وقد ورد عليٌّ من جنابه هذه الأبيات :^(٦)

عَجَبًا أَيْنَ الْعُقُولُ لَسْتُ أَذْرِي مَا أَقُولُ
مَا لَنَا عَنْ مَنَهِجِ التَّخُ قِيَقُ وَالْحَقُّ نَحُولُ
فَضَلَاتٌ ذَهَبَتْ بِهَا فَضْلٌ مِنَّا وَفُضُولُ
نَبْدَعِي الْعِلْمَ وَلَكِنْ مَا إِلَى الْعِلْمِ وَصُولُ
إِنَّمَا الْعِلْمُ خُرُوجٌ عَنْ شُكُوكٍ لَا دُخُولُ
وَقِيَامٌ فِي مَقَامٍ فِيهِ قَدْ قَامَ الْفُحُولُ
وَانْجِاعٌ وَانْصِياعٌ وَاتَّقِطُوعٌ وَوُصُولُ
وَفِرَارٌ عَنْ مَهْمَا قَدْ هَوَى فِيهَا الْجَهُولُ
وَوُقُوفٌ عِنْدَ قَالِ الْ لِسَةِ أَوْ قَالِ الرُّسُولُ

(١) نظر الديوان ص ٢٦١ .

(٢) لأصل : فقد .

(٣) متين .

(٤) الذي في "النهار الطالع" : ٢٧٥/٢ ولا تشكك بالتشكيك . و : قد نظما . في الديوان : قد حكما .

(٥) البيت مفرد من "النهار الطالع" : ٢٧٥/٢ والديوان .

(٦) الديوان ٢٧٥ - ٢٧٥ .

لا تَقُلْ قَدِ قَالَ زَيْدٌ
مَا لَنَا وَالرَّأْيُ إِنَّ الـ
حَكَمَ الشَّرْعَ إِذَا مَـ
عَدَّ عَنْ رَسْطَا فَمَارَتْ
وَالْمَقَايِسُ إِذَا تَـ
تَقَصَّرَ الْأَقْوَالُ عِنْدَ الـ
خَابِ تَبَعِ مَنْ قَصَّارِي
وَجِيدَالٍ وَنَضَّالٍ
وَقِيَامٍ وَقُعُودٍ

لَيْسَ ذَا زَادَ مَعَادٍ
فِي كَثِيرٍ مِنْ غُلُومِ الـ
أَنَّمَا الزُّرَادُ هُوَ الزُّهْدُ
فَعَلَى الزُّهْدِ يَدُورُ الرُّ
وَعَلَى هَـ ذَا بَرَاهِيْدِ

فَقَالَ لَطْفُ اللَّهِ غُفِرَ اللَّهُ تَعَالَى لَهَا :

لَعْنُ النُّقْطَةِ وَالطَّفَّةِ
وَالْمَيْسُولِ وَالْقَضَايَا
وَكَذَا الْأَعْرَاضِ وَالْجَوُ
يَا خَلِيلِي بِأَرْسُطَا
لِفُتْلَيْسَ سَعِيرٍ
وَلِبَطْلَيْمُوسَ نَارِ الـ
وَلِمَنْطِيسَ وَأَفْلَسُوسَ

رَّةَ وَالْجُثْمِ الطَّوْيِلِ
وَالْمَقَالِ الْمُسْتَحْيِلِ
هَرَّ وَالْكَلْبِي الْعَلِيْلِ
طَالِيْسَ لَا تَهْدِي السَّبِيلَ^(١)
وَلَفَيْثَاغُورَ وَيْلَ^(٢)
لِلْهَ وَالْمَرْوَلِ الْمُهَيْلِ
طَيْنَ مَقْتًا لَا يَزُولُ^(٣)

(١) فِي الْأَصْلِ : يَا خَلِيلِي الْكَافُورُ لَا يَهْدِي السَّبِيلَ .

(٢) فِي الْأَصْلِ : لِفُتْلَيْسَ سَعِيرَ وَفَيْثَاغُورَ وَيْلَ وَالْبَيْتُ غَيْرُ مُسْتَقِيمٍ .

(٣) فِي الْأَصْلِ : وَلِمَنْطِيسَ وَفَلَسْطَيْنَ مَقْتًا لَا يَزُولُ .

تِلْكَ أَسْمَاءُ هَٰؤُلَاءِ الَّذِينَ
 مِمَّا تَرَى السِّينَ مِنْهُمْ مِنْ
 أَنبِيَاءٍ مِنْهُمْ بَرِيءٌ
 كَلَّمَا قَالُوا أَبَاطِيحُ
 وَجْهَ السَّالَاتِ وَغَيِّ
 مَا لِهَٰذَا جَاءَنَا عَنْ
 أُمَّةٍ أُمِّيَّةٍ نَحْنُ
 فَكُفَّانَا شَرَفًا هَـ
 فَدَعِ الْغَاوِي بِيحْرٍ
 وَأَحْذَرِ الْحَرْبَ الَّذِي قَا
 لَا تَقْصِلْ فِي الْمُنْتَهَى هَـ
 [٢٤١] فَهِيَ (مِمَّا لَمْ يَكُنْ) فِيهِ
 (وَلَقَدْ قَالُوا بَلَاءُ آلِ
 وَهُوَ فِي مَرْتَبَةِ الظَّنِّ
 وَكَذَٰلِكَ الْأَخْفَشُ فِيمَا
 لَيْسَ إِلَّا الظَّنُّ فِيمَا
 وَلَنَا بِالسُّنَّةِ الْغَدَا
 وَبِمَا فِي الذِّكْرِ مِنْ لَفْ
 خَادِمُوا السُّنَّةَ نَقَا
 فَهُمْ الْقَوْمُ (٢) وَكُلُّ

سُدُومَ أَبْلِسُ الضَّلِيلُ
 مَعَهُ مَعَ الْإِلَامِ تَمِيلُ
 وَيَا جَاءُوا جَهْلُ
 لَ وَزُورَ وَفَضْلُ
 وَقَسَادَ وَنُكُولُ
 رَبَّنَا قَطُّ رَسُولُ
 نَ بِذَا جَاءَ الدَّلِيلُ
 لَ ذَا عَلَى النَّاسِ يَطُولُ
 فِي الْجَهْلَاتِ يَجُولُ
 دَتْ نَوَاصِيهَا الْأُصُولُ
 لَ ذَا حِكْمَ ذَاكَ الْفُضُولُ
 هَا إِلَى الْحَقِّ وَضُولُ (١)
 أَصْلَ قَطْعِي جَلِيلُ (٣)
 عَلَى الشَّكِّ نَزِيلُ
 قَدْ رَوَاهُ وَالْخَلِيلُ
 عَنْهُمْ وَهُوَ الْقَلِيلُ
 رَاءَ حَبْلٍ مُسْتَطِيلُ
 لَ ظَرْفُ تَلْقَاءِ الْأُصُولُ
 ذِ الْأَحَادِيثِ الْفُخُولُ
 ذَوْنَهُمْ فِيمَا يَقُولُ

☆ ☆ ☆

(١) المصدر في الأصل : فهي ما لم يكن .

(٢) في الأصل : ولقد قالوا الذي أصل قطعي جليل .

(٣) الأصل : لهم القول .

نعم ! لم ير الإمام في القضاة من يَزْهَد مثله ، أَقْطَعُه^(١) لذلك السبب صدقات
وَصَابَة ، وجبل اللوز ، وصدقات الرُّؤْيَة وَسَعْوَان والمِشْرَاق ، وهم : شَوَّكَان وشَوْبَان وغير
هذه مما أَقْطَعُه شيئاً واسعاً ، ومن صدقة بيت راجح ، وأضاف إليه صدقة بيت قُبَّان ،
وصدقة بيت الحَيْمِي ، ووصية التَّوْهَمِي وتَنْعِم ، ولم ينقم عليه أحد شيئاً إلا ما كان من
ركونه على الأمانة ، وكادت هذه أن تكون إجماعية .

وفيه نقاسةٌ ومَحَبَّةٌ للاجتماع بالصدّور من النَّاس ، مُحِبّاً لِلْمَعِيشَةِ الْأَنْيَقَةِ ، ولللبسِ
الفاخر من الثياب مع انسجام طَبْع ورَقَةٍ ، وجمود على الأمر الديني [!] ، وعدم الإصغاء إلى
المعِينِ عنده في الأمور الشرعية ، وتَحَدَّثَ أَنَّ نفسه تكرهه الصاحب في موقف الحكم ، وأنه
يدرك منها الميل مع البعيد .

(١) كان الأولى أن يقول « اتَّخَذَ لذلك السبب على صدقات ... » فالنقدور : يقطع (بل وليس من حقه) تلك
الصدقات إعطاءً خاصاً به ! بل جعلها تحت إشرافه لتوزع في أوجه الخير المختلفة كما أوصى بها واقفوها ، وهي
في اليمين وقف مستقل يشرف عليه موظف كبير يدعى « ناظر الزاوية » ومسؤوليته في الغالب لا علاقة لها
بناظر الأوقاف العامة (وزير الأوقاف حالياً) وله مقابل ذلك نسبة ٢٠٪ .

APPENDIX III

Abstract from Nafahāt al-Ānbar of AL - ḤUTHĪ^(*) -
another biography of al-Shawkānī

ترجمة أخرى للإمام الشوكاني

(مستلة من نفحات العنبر للحوثي^(*))

القاضي العلامة ؛ أبو علي ، بدر الدين ، محمد بن علي بن محمد بن عبد الله بن الحسن بن محمد بن صلاح بن إبراهيم بن محمد الشوكاني ، ونسبه ينتهي إلى خيشنة - بفتح الحاء المعجمة وسكون المثناة من تحت وفتح الشين المعجمة وبعدها [٥١] نون مفتوحة - ، وخيشنة هو ابن زياد بن قُثم بن ربيعة بن مرهبة الأصغر وبقية النسب معروف في كتب الأنساب^(١) وهو ينتهي إلى بكيل بن جُشم ، ثم إلى قحطان بن هود .

وشوكان : قرية من قرى السحامية ، إحدى قبائل خولان ، بينها وبين صنعاء دون مسافة يوم^(٢) .

(*) إبراهيم بن عبد الله الحوثي الصنعائي (١١٨٧ - ١٢٢٢ هـ / ١٧٧٢ - ١٨٠٨ م) عالم . فقيه . أديب . مؤرخ . صنعائي الذار والنشأ والوفاة . أخذ عن بعض علماء صنعاء من شيوخ الشوكاني ولازم ابن شيخه السيد المحقق إبراهيم بن عبد القادر بن أحمد وقد برع في علوم وفنون كثيرة . وكان بالغ الإدراك جيد الفهم . اشتغل بوضع كتابه نفحات العنبر بفضل اثنين في القرن الثاني عشر . وقد اطلع الإمام الشوكاني على بعض تراجمه فأثنى عليها . ومنها ترجمته نفسه التي انتزعها منه عن نسخة تركية . وقد احترمتها المنية شاباً قبل فراغه من مراجعة كتابه هذا فقام والده بناء على توجيهات الإمام المتوكل أحمد بجمع ذلك . وله مراسلات وأبحاث قليلة أخرى . انظر : (جغراف خ) : ١ ق ٥١٢ - ٥١٤ . البدر الطالع : ١١/٨ . نيل الوتر : ١٧/١ - ٢٤ . مصادر أمين السيد : ٢/١٦ . مصادر الخيشي : ٤٥٢ .

(١) الإكمال : ١٣٦/١٠ و ١٤٢ . حبرة أساب العرب لابن حزم : ٢٦٦ . الأساب للصنعائي ٢٧٨/٢ وانظر " البدر الطالع " : ٤٧٨/١ - ٤٨١ في ترجمة الإمام الشوكاني لوالده .

(٢) البدر الطالع : ٤٨٠/١ .

وصاحب الترجمة هو قاضي قضاة الإسلام ، ومفتي المسلمين ، ومفيد الأنام ، إمام العلوم والمعارف ، والمفتي ، ظليل ظلها الوارف ، المُثَرِّقَ بالتحقيق أَقْأَرَه وشَوْسَه ، والزَّآخِرَ بالعلم عَيْبَاهُ وقَامُوسَه ، مُجْتَهِدَ الزَّوْمَانِ واسْطَ عَقْدِ الرُّؤْسَاءِ والعُلَمَاءِ الأَعْيَانِ ، جامع شمل العلوم العقلية والنقلية ، مقتطف ثمرات الفنون الفرعية من الأصلية ، مشكَّة الفضائل ومصباحها ، والمنير به مساوئها وصباحها . آلف بتأليفه شتات الفنون ، وصنّف بتصنيفه الدرر المكنون ، ففولقاته مُجْتَمِعٌ على حُسْنِهَا بين علماء الإسلام ، وأنظاره وأبحاثه هي شفاء للأولم^(١) ، وفتاواه هي عمدة الخاص والعام ، وأقواله في معترك الخلاف قاطعة للشجار والخصام ، وأحكامه في خلافاته المضطربة أصول الأحكام ، جمع بين الرئاسة والدراسة للعلوم ، والتحقيق لحدودها والرسوم ، والأدب الغضّ والبلاغة في المنثور والمنظوم ، وطول الباع في إنشاء الرسائل ، وحسن الأخلاق ولطافة الشائل ، [٥٢] والعرض الطاهر ، وسخاء النفس ، وطيب السرائر ، والنقادة ، والفحولية ، والدكاء ، والألمعية ، وحفظ السنن والآثار ، والتواريخ والأخبار ، وسعة الاطلاع ، وشدة الاستحضار ، وحسن الإيراد والإصدار ، وتعمُّو الهمة وسلامة الصدر ، وكثرة الاحتمال وجلالة القدر ، والبعد عن الشهوات ، وحسن النظر في فصل الخصومات ، ومعرفة الحقائق وجودة الرأي في جميع الوردات ، والاهتمام بأمور المسلمين ، ونصرة المظلومين ، والشفقة على ضعفاء المساكين مع الورع الشحيح ، والعفاف المؤسس على بنيان من التقوى صحيح . وبالجمله فمحاسنه وأوصافه لا يحيط بها قلم ، ولا يمكن التعبير عنها بضم . وقد أشار إلى بعض أحواله القاضي العلامة ، الوجيه عبد الرحمن بن يحيى الأنسي^(٢) المقدم ذكره فيما كتبه إليه من قصيدة منها :

(١) الأولم : حرارة العطش : يقال : في جوفه أروم وأوار . وللشوكاني حاشية بهذا الاسم .

(٢) عبد الرحمن بن يحيى الأنسي . الشاعر . الأديب . العلم . القاضي (١١٦٨ - ١٢٥٠ هـ / ١٧٨٢ - ١٨٣٤ م) . أشهر شعراء النين في عصر الإمام الشوكاني . بل هو أعظم شعراء الخيني وأرقم وأكثرهم شعبية : ديوان شعره الخيني . المسمى : ترجيع الأنشراح في مرقع الأنشراح . مشهور مضموع بتحقيق العلامة الرئيس القاضي عبد الرحمن بن يحيى الأرياني وصديقه الرحوم عبد الله عبيد الإله الأغبيري . أما ديوان شعره النقيص . المحكي " الذي ساءد . الأنشراح " فمأزول مخطوط ويوجد لدى كثير من البينيين ومنه نسخة بكنية الجامع الكبير بصفاء الغربية . رقم ١٢٣ أدب . وكان للأنسي ملاحظات ومعارجات أدبية وشعرية مع الشوكاني ورد بعضها في الديوان - وهو قليل - من كثير لفته الشعبي تليد الشوكاني في ترجمته له في كتاب - التقدير . "

لَهُ وَعَلَيْهِ طِبْتُهُ النَّسَاءَ
 غَوَارِبَ مَوْجِيَةٍ ذَاتِ الزَّمْنَاءِ
 إِلَيْهِ الْفَضْلُ عَنْ عَذْرِ مَلَاءِ
 وَلَيْسَ اللَّهُ مَحْظُورَ الْعَطَاءِ
 يَضِيقُ بِوُسْعِهِ ذَاتُ الْفَضَاءِ
 كَأَنَّ الثَّرِيصَ ذَاتَ الثَّرَاءِ
 بِوَقْتِ مِثْلِ إِبْهَامِ الْقَضَاءِ
 بَعْدَ الشَّخْصِ مَتَحَسِّدِ الزَّوَاءِ
 وَفِي عِلْمِ اللُّغَاتِ «ابن العلاء»^(١)
 وَفِي النُّحُو «المرّة» و«الكسائي»
 وَإِبْرَازِ النُّكَاتِ مِنَ الْحَقِّ السَّاءِ
 مِنَ التَّفْسِيرِ خَافِقُفَّةِ اللِّوَاءِ
 لِأَسْنَادِ وَمَنْ ذَا وَكَاءِ
 جَرَى فِيهِ بَصْفُ أَوْ جَفَاءِ
 عَنْهَا «الذهبي» فَهَاقَ الْإِنَاءِ
 نَهَائِيَتُهُ بِحُسْنِ الْإِبْتِسَاءِ
 هُ عَنْ تَبْرِيزِهِ كُفُّ الْعَطْسَاءِ
 نَ خَطِي مِنْهُ تَكَرَّرَ الْقَسَاءِ

لَيْتَ مُحَقِّقَ رَجُلًا وَخَوِّ
 هُوَ الْبَحْرُ الَّذِي جَاشَتْ بِهِ لِمَ
 فَطِيقَتِ الْبِلَادَ وَعَادَ مِنْهَا
 تَعَالَى اللَّهُ مُعْظِيَهُ ائْتِنَانَا
 لَقَدْ آتَاهُ عِلْمًا مِنْ لَدُنْهُ
 وَلَكِنْ صَدْرُهُ الشُّرُوحُ أَضْحَى
 وَجِبْنَ لَقَيْتُهُ بِإِدَائِي بِسَاءِ
 [٥٢] لَقَيْتُ بِهِ الْأَنْمَةَ فِي فَنُونِ
 فَفِي عِلْمِ الْكَلَامِ «أَبَا عَلِيٍّ»
 وَفِي التَّصْرِيفِ «عَثَانُ بْنُ جَنِيٍّ»
 وَ«جَارَ اللَّهِ» فِي عِلْمِ الْعَنَانِي
 وَ«ابْنُ كَثِيرٍ» الشُّيْخُ الْعَالِي
 وَ«زَيْنُ الدِّينِ» فِي التَّحْدِيثِ حَفْظًا
 وَ«يَحْيَى» فِي الرِّجَالِ بِتَقْدِ قَوْلِ
 وَفِي التَّأْرِيخِ وَالْأَخْبَارِ جَمًّا
 وَفِي الْفَقْهِ «ابْنُ رُشْدٍ» مَنْ تَحَلَّتْ
 وَعِنْدَ قَضَائِهِ وَلَدَى قَتَاوَا
 قَلْبُهُ لَا زَمْنَتُهُ مِنْ بَعْثٍ أَوْ كَا

= أما مطلع القصيدة التي بعث بها الأسي إلى الإمام الشوكلي فهو :

أَلَا قَسَامَتُ تَنْتَازِعِي رِدَائِي عَسَدَةٌ تَغَطَّتْ أَخْلَامُ الْفُجُورِ
 وَتَقَعُ فِي ٢٢ بَيْتًا أَلَيْتُهَا التَّوَكُّلُ مِنْ مَقْدَمِهَا الثَّرِيَّةُ ، وَأَلَيْتُ رَدَّهَا عَلَيْهَا ، وَذَلِكَ فِي تَرْجُمَتِهِ لِلْأَسِي فِي الْبَدْرِ
 الطَّالِعِ : ١ : ٢٤٠ - ٢٥٢ ، وَأَطْلَرُ : زِيَارَةٌ : نِيلُ الْيُوطَرِ : ٤٢٢ ، غَالِمٌ : شَطْرُ الْعَنَاءِ الْعُسْفَانِي : ١٦١ الْمَقَالِجُ :

شَعْرُ الْعَامِيَةِ فِي الْبَيْتِ : ٣٦١ - ٣٧٢

(١) الشُّطْرُ السَّائِي فِي الْأَخْلَامِ : : وَفِي عِلْمِ اللُّغَاتِ أَيْ الْعِلَالُ ، وَلَعَلَّهُ تَصْغِيرُ مَصْحُوحَةٍ مَاتِ الْقَيْتَةُ فَابْنُ الْعِلَالِ هُوَ أَوْ
 عَمْرُو بْنُ الْعِلَالِ ، زَمْسَانُ بْنُ عَمْسَانَ التَّجِيٍّ مِنَ الْأَنْفَةِ اللَّغَةِ وَالْأَدَبِ ، وَأَحَدُ الْقُرَاءِ السَّعْدَةِ :
 (٧٠٠ - ١٥٤ ح ٢٤٠ - ٧٧١ م) .

يَكُونُ يَهْدِيهِ فِيهَا اهْتِدَائِي
 يُصَدِّقُ بَيْنَ مُسْتَعْمِي النَّدَاءِ
 بَيْنَ سَهَامِ ارْثِ الْأَنْبِيَاءِ
 وَمُجْتَهِدِ الزَّمَانِ بِلَا مِرَاءِ
 مَنْ فِيهَا لَهَوَانَتْ بِلَا امْتِرَاءِ^(١)
 وَلَمْ يَرِ مَثَلُ نَفْسِكَ فِي الرَّائِي
 بِمَا سَمَيْتَ فِيهَا لِلْقَضَاءِ
 عَلَيَّكَ مُصَيِّقًا وَقْتَ الْإِبَاءِ
 أَيْمَنْ بِمَا جَنَحْتَ إِلَى الْإِبَاءِ
 خَفِيفٌ وَقُومِيهِ خَيْرُ الْجَزَاءِ
 وَقَدْ أَيْسُوا تَعْدِي الْأَقْوِيَاءِ^(٢)

إِذَا لَعَدَدْتُ رَأْسًا فِي غُلُومِ
 أَنْادِي قَائِلًا قَوْلًا سَدِيدًا
 بِأَنَّكَ صَاحِبُ السَّهْمِ الْعَلَاءِ
 وَأَنَّكَ عَالِمُ الْقَطْرِ الْمَسْمُومِ
 [وَأَنْ مَجْدُكَ الْمَائِدَةِ الَّتِي نَحْنُ
 وَأَنَّكَ لَا نَرَى لَكَ مِنْ مَثِيلِ
 وَأَنْ شَرِيفَةَ الدِّينِ اسْتَبَارَتْ
 أَصَابَ بِكَ الْخَلِيفَةُ فَرَضَ عَيْنِ
 [٥٤] قُلُوبُكُمْ تَقْضِي بَيْنَ النَّاسِ طُوعًا
 جَزِيَّتَ عَنْ الَّتِيْمِ وَأُمِّهِ وَالْضِّ ...
 أَخَذَتْ لَيْمٌ بِحَقِّهِمْ فَبَاتُوا

مولد صاحب الترجمة في يوم الإثنين لثلاث بقين من شهر القعدة سنة ثلاث^(١) وسبعين ومائة وألف [م ١٧٦٠] ، ونشأ في صنعاء ، فقرأ القرآن وما يتعلق به من التجويد وحسن الأداء ، وحفظ متون الفنون غيباً ، مختصراتها ومطولاتها ، وقرأ على مشايخ عصره ، وحقق أولاً علم الفقه تحقيقاً سارت بذكره الركبان ، وضربت الأعيان به الأمثال في كل مكان ، وأجل من أخذ عنه في الفقه من المشايخ القاضي العلامة أحمد بن محمد المزاري^(٢) قرأ عليه « شرح الأزهار » ، و « البيان » لابن مظفر ولم يزل يحققه حتى صار إماماً فيه ، وأفتى وراجع ، وناظر ، ولما وصل المحققون للفقه من علماء « دمار » إلى « صنعاء » كالفقيه العلامة

(١) البيهت أفضله من « البدر الطالع » : ٢٤٧/١ .

(٢) بعد هذا آيات هي بقية القصيدة ، انظرها في البدر : ٢٤٦/٨ .

(٣) الأصل : ... سبع . ولم يتم تصحيح من « البدر الطالع » : ٢١٥/٢٢ . لمصاحب الترجمة نفسه .

(٤) كان القاضي أحمد بن محمد خزازي (١٧٥٨ - ١٢٢٧ هـ / ١٧٤٥/٥٢ م) شيخ شيوخ الفقه في صنعاء ، انتقل

من دمار واستقر بصنعاء وتولى بكسار طائفتها والفرط في التدريس فتخرج عليه علماء وحكا كبار ، قام

بتفصرة وتوضيح بين الإمامة مشهور على معنى المعاصرين وأخبرجين على صنعاء (see chapter III.P.)

ونظر : (لسر الطالع : ٢١٠) ونيل الوطر : ١٧٧/٨ . الشيخ (ح) « التفصير » : ١٠٤ (١) .

[حسن بن علي بن] أحمد بن ناصر الشَّجَني^(١) وسَيَّدي العلامة الحسين بن يحيى الديلمي^(٢) وأُضْرأَها ، واجتمعوا هم وصاحب الترجمة فأروا ما بَهَرهم من تحقيقه للفقهِ وإتقانه ، وشدة استحضاره لعويصات مسائله ، وسرعة بادرته لحل الإشكالات ، وإيراد الأَشْبَاه والنظائر والأَوْجُه الفقهيَّة وصار معتمد الفُتيا ، معولاً عليه فيه ، يقصد لأجله من الأقطار ، وتعتمد فتاواه عند جميع الحكام [٥٥] والنظار .

ثم قرأ في سائر الفنون فحقق النحو والصرف ، والبيان واللغة ، والعروض والقوافي ، والمنطق ، والأصولين والحساب والمساحة ، والفرائض ، وعلم الأثر والحديث ، رواية ودراية ، وعلم التفسير ، وطالع الدواوين الشعرية ، والكتب التاريخية ، وبحث في كتب الرجال ، والجرح والتعديل ، بعزم باهر وذكاء متوقد ، وفهم صادق وحفظ عظيم ، وألمعية ، ونقادة ، وفحولية ، وتحقيق ، وإتقان وضبط وإمعان ، حتى فاق الأقران ، و [أصبح] زينة للزمان .

(١) أضفنا اسمه ولم أبيه . فهو والد محمد بن حسن صاحب « التقصار » وتلميذ الشوكاني ، وكان عالماً ، فقيهاً ، أديباً ، شاعراً . ارتحل إلى صنعاء وأخذ عن العلامة أحمد بن صالح أبي الرجال وتصدر للتدريس « بجامع نُعَير » . وقد توفي بمسقط رأسه « ذمار » سنة ١٢٢٢ هـ / ١٨١٨ م التقصار ق ١٥ - ١٠٨ وزيارة : نيل الوطر : ٢٤٥/١ - ٢٤٧ .

(٢) حسين بن يحيى بن إبراهيم بن يحيى الديلمي ، الذماري : (١١٤٩ - ١٢٤٩ هـ / ١٧٢٦ - ١٨٢٢ م) . عالم ، فقيه ، محقق ، مدرس ، مُعَير ، ذماري الأصل والمنشأ والوفاة أخذ عن علماء مسقط رأسه كالعلامة دلامة والقاضي علي الشجني والفقيه الشيباني ثم ارتحل إلى صنعاء سنة ١١٧٥ هـ / ١٧٦١ م فأخذ العربية وعلوم الحديث على أشهر علمائها كالعلامة ابن الأمير وابن إسحق وحامد شاكر ويوسف زيارة وآخرين ورجع إلى ذمار حيث عكف على التدريس لكنه لم يلبث أن عاد إلى صنعاء سنة ١٢٠٠ هـ فرافق شيخ الإسلام الشوكاني في القراءة على شيخه الحسن المغربي ودرَّس الفقه بجامع صنعاء وكاد يستوطنها لكنه عاد إلى بلده وصار أستاذها وعالمها بدون منازع . وكان قد فُتِح عليه بالزواج بامرأة ثرية فأشرف على تجارتها وحسنت حاله . وقد قويت علاقته بالشوكاني حتى إنه لما مر بدمار مع الإمام المتوكل أحمد سنة ١٢٢٥ هـ / ١٨١٠ م نزل لشهرين عنده ، وله معه رسائل ومطارحات . وله كتاب في الفقه مفيد ساه « العروة الوثقى في أدلة مذهب ذوي القربى » في مجلدين منه نسخة بالأميروزيانا (٩١) وسختان بالجامع الكبير أحسنها برقم ١٠٩ و ١١٠ ، وكان فاضلاً ، متحرراً . وحدثت له محنة بإصداره حكماً شرعياً في قضية مزور ادعى أنه أحد أولاد المهدي صاحب المواهب الذي كان مفتوناً . وقد توفي قبل الشوكاني ستة أشهر بعد أن نافذ عن المائة سنة . (المبداء الطالع : ١ : ٢٢٢ - ٢٢٦ . درر خور الخور (خ) : التقصار (خ) : ٢١ نيل الوطر : ١ : ٤٠١ . مصادر الحبشي : ٢٤١) .

ثم نظر في سائر فنون علوم العقول ، وفي كتب تهذيب الأخلاق وتصفية النفوس واتصل بشيخنا شيخ الإسلام عبد القادر بن أحمد^(١) فلازمه ، واقتبس من أنواره ، وقرأ عليه « صحيح مسلم » من أوله إلى آخره مع مراجعة شرحه للنووي ، ثم « سنن الترمذي » ، وفي « جامع الأصول » مقدار الربع منه ، وفي « الموطأ » نحو ثلثه ، وبعضاً من « سنن ابن ماجه » ومن « سنن النسائي » وبعضاً من « شفا » القاضي عياض ، وبعضاً من « المنتقى » لابن تيمية^(٢) وبعضاً من « البحر الزخار » وحاشيته [للمقبلي]^(٣) ومن « ضوء النهار » [للجلال] ، وحاشية شيخنا عليه الموسومة « برفع حجب الأنظار » وبعضاً من منظومة زين الدين العراقي ، وشرحها له ، و « فلك القاموس » لشيخنا « الوجيه »^(٤) ، وبعضاً من « شرح المواقف » للشريف ، وأوائل « دماغ الأوهام » و « شرح القلائد » للنجزي [٥٦] ، وبعضاً من « صحاح » الجوهرى ، وكذلك من « فتح الباري شرح البخاري » [لابن حجر] .

وقرأ عليه « شرح منظومة الجزري » في العروض والقوافي ، وكان شيخنا يأمره بالاعتصار على بعض المجموعات ، ويأمره بالشروع في غيره لما يرى من أهليته وذكائه

(١) السيد عبد القادر بن أحمد بن عبد القادر بن الناصر بن عبد الرب بن الإمام شرف الدين الحنفى الكوكباني الصنعاني (١١٣٥ - ١٢٠٧ هـ : ١٧٢٣ - ١٧٩٢ م) عالم ، فقيه حافظ مجتهد ، شاعر ، ناقد ، لغوي تلمذ بصنعاء وكوكبان ودمار وزيد ومكة والمدينة . كان أحد شيوخ الإمام الشوكاني وكان من أبرز علماء عصره وأكثرهم إفادة وفائدة وفي رأي الشوكاني أنه لم يكن في الين له نظير في آخر عمره ، وبينه وبين الشوكاني - تلميذه القديم - مراسلات ومناظرات علمية وأدبية وكان كل منهما يكن للآخر تقديراً وحباً بالغاً ، له حواش ، ورسائل وجمع ديوان شعره تليذه إبراهيم بن عبد الله الحوئي (ت ١٢٢٢ : ١٨٠٨ م) ومن كتبه تفحات العنبر أخذنا هذه النسيلة ومنه نسخة بخطه في مكتبة الجامع الكبير (الغربية برقم ٨٨) (البدر الطالع : ١ : ٣٦٠ - ٣٦٨ ، التقتصار (خ) : ٨٦ ، درر غور الخور (خ) : ٢٠٩ ، ونيل الوطر : ٢ : ٤٤ - ٥٢) .

(٢) وهو الذي قام الإمام الشوكاني بشرحه في كتابه المشهور « نيل الأوطار » .

(٣) أضفتُ - المقبلي - ليتفق مع السياق والشوكاني يروي هذه الحاشية - المنار « وكذلك » العلم الشامخ « له عن شيخه عبد القادر بن أحمد (إتحاف الأكابر : ٧٢ و ٩٨) .

(٤) « الوجيه » لقب عبد القادر وما شابه من أسماء في الين .

و « فلك القاموس » هذا السيد العلامة عبد القادر بن أحمد هو ملاحظاته وانتقاداته على « القاموس المحيط » ، وهو يدل على سعة علمه وعمق معرفته ومنه ثلاث نسخ بمكتبة الجامع الكبير بصنعاء برقم ١٤ غريبه . و ١٧٣ أوقاف و ٢٥٨ ، ورابعة بالأمنية وخامسة بجامعة الرياض ١٢٩٥ (انظر المحشي : ٢٩٠) .

واستحضاره للقواعد وملكته الراسخة في العلوم ، وأجاز له شيخنا إجازة عامة ، وكتب له بخطه على أكثر هذه المجموعات .

وقرأ على شيخنا العلامة علي بن إبراهيم بن عامر^(١) « صحيح البخاري » من أوله إلى آخره ، وأجاز له إجازة عامة .

وقرأ على القاضي العلامة شرف الإسلام الحسن بن إسماعيل المغربي^(٢) « سنن أبي داود » من أولها إلى آخرها ، وبعضاً من « شرح الخطابي » عليها ، و « شرح ابن رسلان » ، وقرأ عليه « المطوّل » جميعه مع حواشيه « للشلبي » و « للشريف » و « شرح العضد » في « الأصول » جميعه مع « حاشيته للسعد » عليه ، وقرأ عليه « الكشف » جميعه مع حاشية السعد عليه في أوله ، و « حاشية السراج » عليه في آخره ، وقرأ عليه جميع « البدر التام » ، شرح بلوغ المرام « إلا فتواً يسيراً من أوله ، وقرأ عليه بعضاً من « صحيح مسلم » و « شرح النووي » ، ومن « التنقيح » ومن « شرح الرسالة الشمسية » في « المنطق » ، و « حاشية الشريف » عليها ، وأجاز له إجازة عامة .

وأجاز له شيخنا العلامة يوسف بن محمد المزجّاجي^(٣) .

(١) علي بن إبراهيم بن علي بن إبراهيم بن أحمد بن عامر الشيد : (١١٤٠ - ١٢٠٧ هـ : ١٧٢٧ - ١٧٩٢) . عالم ، حافظ ، شاعر ، راوية ، مدرس ، ولد بشهارة وقرأ بها ثم بكوكيان ثم ارتحل إلى صنعاء حيث أقام واستقر وبها أخذ عن القاضي أحمد بن صالح أبي الرجال والفقيه حامد بن حسن شاکر والعلامة أحمد بن محمد بن إسحق ولازمه . وتردد على مكة وبها أخذ . وكان إماماً في جميع العلوم محققاً لكل فن ذا سيطرة ووقار وتواضع وسيل إلى الحصول فلم يؤلف واعتذر عن القضاء أيام المهدي عباس ، لكنه نسخ بخطه الكثير من نفائس الكتب والمؤلفات وكان أحد مشايخ الإمام الشوكاني وكثير من علماء زمانه ومعاصريه . (البدر الطالع : ١ : ٤١٦ - ٤٢٠ ، درر خور الخور العين (خ) : ٢٢٠ ، التقصار (خ) : ٩٨ ، نيل الوطر : ١٠٦/٢ - ١١٠ ، ديوان الشوكاني : ١٨٩) .

(٢) الحسن بن إسماعيل بن الحسن المغربي ، الصنعائي (١١٤٠ - ١٢٠٨ هـ : ١٧٢٧ - ١٧٩٣) : عالم ، فقيه ، لغوي ، مدرس ، أصل أسرته من معارب صنعاء . وكان أحد شيوخ الإمام الشوكاني بل . وشيخ شيوخ عصره . . رفض القضاء وكان يخاف ذلك على تلميذه الشوكاني الذي تحمسه بعد موت شيخه بعد .

(البدر الطالع : ١ : ١٩٦ ، التقصار (خ) : ٩٨ ، نيل الوطر : ٢١٩/١ ديوان الشوكاني : ١٠٩) .

(٣) يوسف بن محمد بن ملا الدين المزجّاجي ، الزبيدي (١١٤٠ - ١٢٢٣ هـ : ١٨٠٠ - ١٨٠٠) : عالم ، حافظ ، مسند ، تلميذ تلميذه زبيد وأخذ عن علمائها . ومما في آخر أيامه حامل لواء الإسناد في لبنان ، وقد صنعاء =

ومشايحه ينوفون على العشرين .

ولما سار ذكره سير شمس الإشراق في جميع الافاق ، قصده الناس للفتيا [٥٧] وخلق
المشكلات ، وأفتى بما اعتمد عليه الحكم ، وصار فيصلاً للشجار والحصام ، ودرس في عدة
فنون ، واشتغل بالتدريس والتأليف ، واجتهد في العمل بما صح له ، وألف التواليف
الحسنة ، ونظم الشعر ، وكاتب ، وطال باعده في الإنشاء ، ورسخت ملكته في جميع
المعارف .

[ومن شعره مجيباً على القاضي عبد الرحمن بن أحمد الأنسي ^(١)]

- ١ وَفَسُودَ حَبِيبٌ أَمْ وَرَوَدَ عَنْهُ سَادِ وَصُوتُ بَشِيرٍ أَمْ تَرْتُمُ حَسَادِي
- ٢ يَعْشِيكَ هَلْ قَدْ مُزِقَتْ خَلَلُ النُّوَى وَخَسَانَ مِنَ اللَّقِيَا مَنْ مَالُ مُرَادِي
- ٣ وَهَلْ طَلَعَتْ شَمْسُ التَّوَالُصِ بَعْدَمَا تَطْلُؤُا لَيْلُ مَظْلَمٍ يَبْعَادِي
- ٤ وَعَادَتْ لَنَا الْأَيَّامُ بِيضاً زَوَاهِرُا وَقَدْ لَبَسَتْ مِنْ قَبْلِ ثُوبِ حِدَادِي
- ٥ فَإِنْ كَانَ مَاقَالَ الشَّيْرِ يَقْطَعُ وَلَمْ يَكْ أَخْلَامُا وَزُورَ زُقَادِي
- ٦ قَيْسَا دَهْرُ قُمْ فَاسْخَبْ دُيُولَ مَخِيلَةٍ وَزَنَحَ أَغْطَافُا بِرَنْبَةِ شَدَادِي ^(٢)
- ٧ وَيَأْنَاقُ قَدْ أَغْضَيْتَ مِنْ بَعْثِ الثُّرَى وَمِنْ طَيِّ أَغْشَوَارٍ وَقَطَّعَ نَجَادِي ^(٣)
- ٨ وَقُمْ يَا غَلَامِي خُطْ رَحْلاً مَطِيَّي وَخُذْ ذَائِلِي وَاخْطُلْ عَشُودَ نَجَادِي
- ٩ وَسَكُنْ صَهِيلَ الْمَهْرِ وَأَنْزِعْ شَكِيمَتَهُ وَضَعْ لَأْمِي مِنْ فَوْقِ ظَهْرِ جَوَادِي ^(٤)
- ١٠ [٥٨] قَدْ كُنْتَ أَرْمَعْتَ أَتَّحِيَامَ مَتَالِفِ وَقَطَّعَ أَكْخَامِ أَفْقَرْتُ وَوَهَادِي
- ١١ وَمَنْ دُونَ مَا ابْتَيْبِهِ فِي كُلِّ مَوْطِنِ طِرَادِ جِسَادٍ وَارْتَقِصَامِ صِعَادِي ^(٥)

سنة ١٢٠٧ هـ / ١٧٩٢ م فاجتمع به الإمام الشوكاني وأخذ عنه وأجازه بجميع ما تجوز له روايته . وكان قد أضر ثم

عاد إلى زبده حيث توفي بها .

(١) البحر الطالع ٢٥٦٧٢ . نيل الوتر : ٤٢٥٢٢ .

(٢) ينشئ في الأصل لفظة من الديون : ص ١٧٢

(٣) فتح الخاء في رنج للضرورة

(٤) الشكيم : أي الترقوت عند رعا وتعرفت

(٥) الشكيم : متردداً شكيميا وهي حديثة في اللغة تعترض في الفرس . واللافة : الدرع

(٥) لا يرتقل : نوع من سير اللابل . والقعداء : متردداً صعوداً . وهي اللاقة .

وإن لقيت في الحرب حر جـلاد
من المال أبغىها بكل بلاد
أديرت كؤوس [من] رحيق سهاد
لقا زينب أو طالبا لسعاد
وقد كان ليلاً فاحاً بسواد
وأبقى له يفضاً كثير عداد^(١)
ثلاثون عاماً أذنت برشاد^(٢)
وهل عندها من مززع لوداد
أشاد من العليا رفيع عماد
وصار له فيه أعز مهاد^(٣)

١٢ سلب نفوس لا تحيد عن اللقاء
١٣ ولم يك ترحالي لجمع شوارب
١٤ ولا للقا خود زجاج بذكرها
١٥ وأنى لثلي يزجر العيس قاصداً
١٦ وقد طلعت شمس النهار بعارضي
١٧ وطار غراب كان فؤدي وكرة
١٨ وتمت سنون الغمر تبعاً وقبلها
١٩ فهل بعدها من ملعب لصابة
٢٠ ولكن ترحالي لزورة ماجد
٢١ فنى حل في بيت من المجد شامخ
وهي طويلة .

ومن شعره مجيباً على المذكور أيضاً^(٤) :

وداوي إن قدزت على الدواء
إذا أنوى الحبيب على النواء
عري صبري قبأتوا بالعراء
ولا سمعت تراجيح الحذاء^(٥)
وتخترق الموامي للتثائي^(٦)
وضرج قادميها بالدماء^(٧)

١ دعى لومي على فرط الهواء
٢ وكوني عن سلوي في سلو
٣ أبانوا يوم بانوا عن فؤادي
٤ فلا حملت هوادجها الموادي
٥ تخب بكل عامرة وقفر
٦ [٥٩] فأنحى جازر يوماً عليها

(١) الفود : معظم شعر الرأس بما يلي الأذن .

(٢) في الديوان نقلاً حاشية أن هذا عمره إذ ولي القضاء . وهو صحيح وذلك سنة ١٢٠٩ هـ / ١٧٩٥ م .

(٣) بعد هذا ٢٢ بيتاً هي بقية القصيدة (نظر الديوان : ١٣١ - ١٣٥) .

(٤) هي في الديوان كلمة ص : ٥٩ - ٥٥ .

(٥) الموادي : مفردتها هادية وهي المتقدمة من الإبل .

(٦) الموامي : مفردتها موماء . وهي الفلاة الواسعة لا ماء فيها .

(٧) الضرج : الضاليج .

- ٧ وَنَاشَتْهَا السَّبَاعُ وَمَزَّقَتْهَا الـ
 ٨ وَيَا حَادِي الْمَطِيِّ أَلَا رِثَاءَ
 ٩ حَدَوْتَ فَكَمْ عَقُولٍ طَائِشَاتٍ
 ١٠ فَلَا رَفَعَتْ يَدَاكَ إِلَيْكَ سَوَطاً
 ١١ تُرَوِّعُنِي بَيْنَيْنِ بَعِيدَيْنِ
 ١٢ أَمَّا بِسَوَى الْفِرَاقِ لَقِيتَ قَلْبِي
 ١٣ فَلَبَّانِي إِنْ أَلَمَ الْخَطْبُ يَوْماً
 ١٤ وَطَاشَتْ عِنْدَهُ أَحْلَامُ قَوْمٍ
 ١٥ أَقْصَمَ بِهِ إِذَا قَعَدُوا لَدَيْهِ
 ١٦ وَمَا الْمَرْءُ الْمُكْمَلُ غَيْرُ حَرٍّ
 ١٧ تَسَاوَى عِنْدَهُ خَيْرٌ وَشَرٌّ
 ١٨ يَحْزَنُ السُّبُوقُ فِي أَمْنٍ وَخَوْفٍ
 ١٩ تَرَاهُ وَهُوَ فِي طَمَرَيْنِ يَمْشِي
 ٢٠ تَقْدُمُهُ فَضَائِلُهُ إِذَا مَا
 ٢١ أَلَا إِنَّ الْفَتَى رَبُّ الْمَعَالِي
 ٢٢ وَمَنْ حَازَ الْفَضَائِلَ غَيْرَ وَإِنْ
 ٢٣ فَمَا الشَّرَفُ الرَّفِيعُ بِخَسَنِ ثَوْبٍ
- قَشَاعِمُ بَيْنَ أَذْرَاجِ الْفَضَاءِ^(١)
 وَشَرُّ النَّاسِ مَعْدُومُ الرِّثَاءِ
 وَأَرْوَاحُ تَرُوحُ إِلَى الْفَنَاءِ
 وَلَا تَقَلَّتْكَ مُسْرَعَةُ الْخَطَاءِ^(٢)
 طَوِيلٌ فِي قَصِيرٍ مِنْ لِقَائِي
 لَتَعْلَمَ فِي الْحَوَادِثِ مَا غَنَائِي^(٣)
 وَضَاقَ بِجَمَلِهِ وَجْهُ الثَّرَاءِ
 وَحَادَ الْآخَرُونَ إِلَى الْوَرَاءِ^(٤)
 وَأَذْفَعُهُ إِذَا أُغْيَا يَوَائِي
 لَهُ عِنْدَ الْعَنَاءِ كُلُّ الْعَنَاءِ
 يَرَى طَعْمَ الْمَيْسَةِ كَأَنَّهَا^(٥)
 وَيُكْرِمُ عِنْدَ فَقْرٍ أَوْ غِنَاءِ^(٦)
 بِهِمَّتِهِ عَلَى هَامِ السَّمَاءِ^(٧)
 تَفَاخَرَ بِالْمَلَأِ كُلِّ الْمَلَأِ^(٨)
 - إِذَا حَقَّقْتَ - لَارِبُ الثَّرَاءِ
 فَذَلِكَ هُوَ الْفَتَى كُلُّ الْفَتَاءِ
 وَلَا دَارَ مُشَيَّدَةِ الْبِنَاءِ

- (١) ناشتها : تناولتها في سرعة . والقشاع : مفردها قشع وهو المسن من النور .
 (٢) يريد : « الخطي » ومد المتصور للضرورة .
 (٣) الأصل : « يسوا » وكثيراً ما يجعل الناسخ الياء ألفاً .
 و : غنائني « جاءت في الأصل » غنائني « بالإهمال » ولا يقوم بذلك معنى البيت .
 (٤) أحلام قوم : عقولهم .
 (٥) والملاء : لعله يريد النبي ومدته ضرورة .
 (٦) يريد : « الغنى » على عادته في مد المتصور .
 (٧) في طمرين : مفردهما طمر وهو الثوب الخلق العتيق .
 (٨) والملاء : يريد بالملاء الأولى الملاء وهي الأشراف وقد قصر . والملاء الثانية : مسند ملاء وقد مد . ومعناها الثوم .

- ٢٤ [٦٠] ولا ينفوذ قول في البرايا
 ٢٥ فرأس المجدي عند الحر علم
 ٢٦ إذا ما المرء قام بكل فن
 ٢٧ وصار له بمذرجة صعوداً
 ٢٨ وقام لدفع مضلة وحل
 ٢٩ فذاك الفرد في ملا المعالي
 ٣٠ فتي يهتز عطف الدهر شوقاً
 ٣١ إذا ما جال في بحث ذكاه
 ٣٢ وإن ماراه ذو لدد أتاه
 ٣٣ تقاصر عن مداه كل حبر
 ٣٤ فيا من صار في سلك المعالي
 ٣٥ وضح ممع الأيام طيباً
 ٣٦ وقام بغيره الآداب يدعو
 ٣٧ بلغت من العلو إلى مكان
 ٣٨ فعدت من البلاغة في محل
 ٣٩ وضعت من القريض نبات فكر
 ٤٠ وجية الدين دمت لكل فن
 ٤١ تذود الشائين له بجهل
 ٤٢ غلومك زانها سميت بهي
- فإن نفوذه أصل البلاء
 يجود به على غاد وجائي
 قياماً في سمو إلى السماء
 إلى عين الحقيقة والجلال^(١)
 لمشكلة ورفع للخفاء
 كما الفرد ابن يحيى في الملاء
 إليه لأنه رب القلاء
 تنحى عنه أرباب الذكاه^(٢)
 بما ينبيه عن سوط المراء^(٣)
 لما يلقاه من بعد المداء^(٤)
 نحو السدر النفيس لكل رائ
 كما قد طاب من حسن الثناء
 وفي يمناه خافقة اللواء
 تمكن في سمو وفي السناء
 به الصابي يعود إلى الصباء
 دفعت بها الورى نحو الوراق
 يهرج فيه أهل الإدعاء^(٥)
 فيصفو العلم عن شوب القداء^(٦)
 وحسن السم من حلل البهلاء^(٧)

(١) المدرجة - المكان الذي يثبي فيه في الشاي الغلاظ من الجبال .
 (٢) الأصل : حال « بعلامة الإهمال » ولا يقوم بها المعنى . وذكاه : يريد « ذكاه » وقد قصر على عادته .
 (٣) اللدد : خصومة . ويقصد بهذا البيت مدح عبد الرحمن بن يحيى الأنسي .
 (٤) المداء : مدى . ومد ضرورية . وتلدى : العاية . والخبر : العلم .
 (٥) وجية ليس : لقب على كل من اخته في حين عبد الرحمن أو عبد الملك . ويهرج : يضح ويبلغو .
 (٦) القلاء : يريد تلدى . وقد قدس : والتلدى : ما يقع في العين أو الشراب من وسخ .
 (٧) ما بين مغنوفين من ٣٠ - ٤٢ : من الديوان : ٥٥ - ٥٥ .

- ٤٣ أَتَانِي يَابْنَ يَحْيَى مِنْكَ نَظْمٌ
٤٤ عَلَى نَمَطِ الْأَعَارِبِ فِي لُغَاتِ
٤٥ تَحَدَّى مَنْ تَعَاوَدَهُ هُمُومٌ
٤٦ يُعَانِي مِنْ خُصُومٍ أَوْ خِصَامٍ
٤٧ فَحِينًا فِي صَرَخٍ أَوْ عَوِيلٍ
٤٨ وَإِذْ يَصْفُو لَهْ وَفَتْ تَرَاهُ
٤٩ وَيُمْضِي اللَّيْلَ فِي نَشْرِ وَطِيٍّ
٥٠ وَقَفْنَا يَابْنَ وَدِّي فِي شَفِيرٍ
٥١ بِذَا قَدْ جَاءَنَا نَصْرٌ صَرِيحٌ
[٥٢] فَإِنْ قُلْتَ النُّصُوصُ بِجَنَسِ هَذَا
٥٣ كَمَا فِي أَجْرٍ مَنْ يَقْضِي بِحَقٍّ
٥٤ وَيُعْدِلُ فِي حُكُومَتِهِ بِرُفْقٍ
- تَعَالَى عَنْ نِظَامِ أَبِي الْعَلَاءِ
وَفِي حُسْنِ الرُّوْيِ وَفِي الرُّوَاءِ
يَعُودُ بِهَا الْجَلْبُ إِلَى الْخَفَاءِ
خَطُوبًا فِي الصَّبَاحِ وَفِي الْمَسَاءِ
وَحِينَـَآ فِي شَكَاٍ أَوْ بُكَاءِ
يُوقَعُ فِي رِقَاعِ الْإِدْعَاءِ^(١)
بِأَسْجَالٍ قَدِيمَاتِ الْبِنَاءِ^(٢)
وَمِنْ ذَلِكَ الشَّفِيرِ عَلَى شَفَاءِ^(٣)
فَمَا ذَلِكَ السَّبِيلُ إِلَى النَّجَاءِ
أَتُنَا بِالْأَجُورِ وَبِالزَّجَاءِ
وَيَعْمَلُ بِاجْتِهَادٍ فِي الْقَضَاءِ
وَيَلْتَفُ الْمَكَارِهِ بِالرِّضَاءِ^(٤)]

وفي هذا القدر منها كفاية ، وإلا فهي كلها من غرر القصائد .

- (١) في الأصل : وإن يفتنو . و : موقع . و : رِقَاعُ الْإِدْعَاءِ : إشارة إلى وظيفة القضاء التي يشغلها الأنسي .
(٢) بِأَسْجَالٍ : مفردتها : سَجَلٌ وهو الكتاب .
(٣) في الأصل : زار الشفير : والشفير : طرف الوادي . والشفاء : يريد الشئ . وحتى كل شيء : حرفه . وقد مد ضرورة واعتدنا قراءة الديوان .
(٤) في الأصل : . ويلتقي المكاره بالرضا . ولا تقوم البيت . والتصحيح من البصر المطاع . وقد انقلنا الأبيات الثلاثة الأخيرة من الديوان ص : ٥٥ .

SELECT BIBLIOGRAPHY

I The works of AL-SHAWKĀNĪ, Muhammad b. ^CAlī

a) unpublished

For more details of his unpublished works, cf. GAL, I, 818; Hibshī, Masādir, 31-2; also his useful article, "Thabt bi-mu'allafāt al-^Callāmah Muhammad b. ^CAlī al-Shawkānī", Majallat Markaz al-Dirāsāt al-Yamaniyyah, III, October 1979; al-Baghdādī, Hadiyat al-^Cārifīn, II, 365; al-^CAmrī, Masādir, 300-2.

The following are only those which have been used in our study. Unless otherwise indicated, all are in al-Jāmi^C al-Kabīr Library, San^Cā'.

Bahth fī 'l-mahārib (Fiqh 183).

Fath al-Khallāq fī masā'il ^CAbd al-Razzāq, Leiden, Or 3005.

al-Fath al-rabānī fī fatawā 'l-Shawkānī, Gharbiyyah 183; also Asfiya, II, 1060. 67/7.

Hall al-ishkāl fī ijbār al-yahūd ^Calā 'ltiqād al-azbāl, in the possession of Qādī Husayn al-Sayyāghī.

Ifādat al-sā'il fī 'l-^Cashr al-masā'il, Majāmi^C 59.

Jawāb al-muwahhidīn, Leiden, Or 3005.

^CIqd al-jumān fī sha'n hudūd al-buldān, Majāmi^C 150.

al-Iqd al-thamīn fī ithbāt wisāyat Amīr al-Mu'minīn,

Gharbiyyah 185.

Irshād al-ghabī ilā madhhab Ahl al-Bayt fī saḥb al-Nabī,

Sharqiyyah, 53 and 83.

Ithāf al-akābir fī isnād al-dafātir, in my possession,

copied by his disciple, al-Zufri.

Kashf al-astār fī ibtāl man qāla bi fanā' al-nār,

Sharqiyyah, 59.

al-Mabāhith al-wāfiyah fī 'l-shurkah al-^Curfiyyah,

Gharbiyyah, 150 and 155.

Nathr al-jawhar fī hadīth Abī Dharr, Sharqiyyah (autograph)

866; also BL MS Or 3887.

al-Sayl al-jarrār al-mutadaffiq ^Calā hadā'iq al-Azhār, Chester

Beatty, 3964.

Wabl al-ghamām ^Calā shifā' al-awām, autograph, 303.

b) published

Adab al-talab, ed. ^CAbdullāh al-Hibshī, San^Cā', 1979.

al-Badr al-tāli^C bi-mahāsin man ba^Cd al-qarn al-sābi^C, Cairo, 1348.

Darārī 'l-muḍiyyah fī sharḥ al-Durar al-bahiyyah, Cairo, 1328;

Beirut, 1398 (1978), 2nd edit.

al-Dawā' al-^Cajil li-daf^C al-^Caduww al-sā'il, Cairo, 1343.

Diwān al-Shawkānī (Aslāk al-jawhar) ed. H. A. al-^CAmrī,

Damascus, 1402 (1982).

Durr al-nadīd fī ikhlās kalimat al-tawhīd, Cairo, 1351.

Fath al-Qadīr al-jāmi^C bayna fannay al-riwāyah wa-'l-

dirāyah min al-tafsīr, Cairo, 1349 (1930).

al-Fawā'id al-majmū'ah fī 'l-hādith al-mawdū'ah, ed.

al-Mu^Callimī al-Yamanī, Cairo, 1380 (1960).

Irshād al-fuhūl ilā tahqīq al-haqq min 'ilm al-usūl, Cairo, 1347.

Irshād al-thiqāt ilā 'ttifāq al-sharā'i^C 'alā 'l-tawhīd wa-'l-

ma'ād wa-'l-nubuwwāt, ed. Ibrāhīm Hilāl, Cairo, 1395 (1975).

Ithāf al-akābir bi-isnād al-dafātir, Hyderabad, 1328.

Kashf al-shubuhāt 'an al-mushtabihāt, Cairo, 1340.

Nayl al-awtār fī sharh muntaqā 'l-ahkām, Cairo, 1347 (1928),

1st edit. and among recent new editions that of Sa^Cd and

al-Hawārī, Cairo, 1398 (1978).

Qawl al-mufīd fī adillat al-ijtihād wa-'l-taqlīd, Cairo, 1340.

Qutr al-walī 'alā hadīth al-walī (= wilāyat Allāh wa 'l-tarīq ilayhā) ed. Ibrāhīm Hilāl, Cairo, 1389 (1969).

Raf^C al-rībah fī-mā yajūz wa-lā-yajūz fī ghībah, Cairo, 1343.

Tuhaf fī madhhab al-salaf, Cairo, 1343.

Tuhfat al-dhākirīn fī sharh al-husn al-hasīn, Cairo, 1393

(1973) 4th edition.

Umanā' al-sharī^Cah (with some other treatises) ed. Ibrāhīm

Hilal, Cairo, 1935 (1975).

II Manuscripts and theses

al-DĀRQUTNĪ, ^CAlī b. ^CUmar

Fawā'id al-afrād, al-Zāhiriyyah 3772, Damascus.

al-HAYMĪ, Ahmad b. Muhammad

Tib al-samar fī awqāt al-sahar, BL MS Or 2427 and Or 2428.

al-HŪTHĪ, Ibrāhīm b. ^CAbdullāh

Nafahāt al-^Canbar, ^CAlī Amīrī Library, Istanbul, 2398-2400.

IBN AL-AMĪR, Muhammad b. Ismā^Cīl

Munhat al-ghaffār ^Calā daw' al-nahār, private copy of Qādī
Muhammad b. Ahmad al-Jirāfī, San^Cā'. Also BL MS Or 3870.

IBN HAJAR, Ahmad b. ^CAlī

Tasdīd al-qaws fī mukhtasar Musnad al-Firdaws (= Zahr al-
Firdaws), Dār al-Kutub, Cairo, 20489b.

JAHHĀF, Lutf Allāh b. Ahmad

Durar Nuhūr al-Hūr al-^Cīn fī sirat al-imam al-Mansūr ^CAlī...,
removed from Imam Ahmad's library in Ta^Cizz to San^Cā'.

Ta^Cizz, no. 61.

Sīrat al-Mahdī ^CAbdullāh, in the margin of Durar nuhūr above.

al-JALĀL, al-Hasan

Daw' al-nahār, private copy of Qādī Muhammad al-Jirāfī, San^Cā'.

al-KIBSĪ, Muhammad b. Ismā^Cīl

Lata'if al-saniyah fī 'l-mamālik al-yamaniyyah, a good copy in my possession.

al-MAQBALĪ, Sālih b. Mahdī

al-Manār alā al-Bahr al-zakhkhār, a private copy in the possession of Qādī Husayn al-Sayyāghī, once owned by Imam al-Shawkānī himself.

al-MU'AYYAD al-SAN^CĀNĪ, Yūsuf b. Yahyā

Nasamāt al-sahar bi-dhikr man tashayya^Ca wa-sha^Car, ^CAlī Amīrī Library, (autograph), 2393.

NU^CAYM b. Hammād al-Khuzā^Cī

Kitāb al-Fitan, BL MS Or 9449.

al-NU^CMĪ, Ahmad b. Ahmad

An untitled diary (1215-57) called here Diary, BL MS Or 3265 (ff. 170-231).

SAEEDULLAH

"The life and works of Muhammad Hasan Khān", University of Cambridge PhD, 1390/1970.

al-SHAWKĀNĪ, Muhammad b. ^CAlī

See Section I above

al-SHIJNĪ, Muhammad b. Hasan

Tiqsār fī jīd callāmat ^Culamā' al-amsār... Muhammad b. ^CAlī al-Shawkānī, probably autograph, Princeton University Library, 262H (713).

WILSON, R.T.O.

"Mapping of historical north-west Yemen", University of Cambridge PhD, 1980.

ZAYN al-^CABDIN, al-Tayyib

"The role of Islam in the state, Yemen Arab Republic (1940-72)", University of Cambridge PhD, 1975.

III Printed works

^CABD al-RAHĪM, ^CAbd al-Rahīm
al-Dawlah al-Su^Cūdiyyah al-Ūlā, Cairo, 1975, 2nd edit.

^CABD al-RĀZIQ, Mustafā Muhammad ^CAbduh
Tamhīd li-tārīkh al-falsafah al-islamiyyah, Cairo, 1944.

ABŪ BEQER b. Khair
Fahrasat mā rawāhu ^Can shuyūkhīh, (Index des livres et
 des maîtres), ed. F. Codera et J.R. Tarrago, Beirut,
 1399 (1979), 2nd edit.

ABŪ DĀWUD, Sulaymān b. al-Ash^Cath
Sunan Abū Dāwud, Cairo, 1369.

ABŪ DAWUD al-Tayālīsī
Musnad Abī Dāwud, Hyderabad, 1321.

ABŪ JA^CFAR al-Tahāwī
Mushkil al-Āthār, Hyderabad, 1333.

ABŪ NA^CĪM al-Isbahānī
Dhayl al-Nubuyah, Beirut, Cairo, 1351.
Hilyat al-awliyā', Cairo, 1351.

ABŪ ZAHRAH, Muhammad
Ibn Taymiyyah, Cairo, 1977.
al-Imam Zayd, Cairo, 1378 (1959).
al-Shāfi^Cī, Cairo, 1978.
Tārīkh al-madhāhib al-islāmiyyah, Cairo, n.d.

al-AHDAL, ^CAbd al-Rahmān b. Sulaymān
al-Nafas al-Yamānī, ed. ^CAbdullāh al-Hibshī, San^Cā', 1979.

AHMAD IBN HANBAL

al-ʿIlal wa-maʿrifat al-rijāl, Ankara, 1963 vol I.
al-Musnad, Cairo, 1313, 6 vols.

al-AKWA^C, Muhammad ^CAlī

al-Yaman al-khudrā' mahd al-hadārah, Cairo, 1391 (1971).

al-AKWA^C, Ismāʿīl b. ^CAlī

al-Madāris al-islamiyyah fī 'l-Yaman, Damascus, 1400 (1980)

AMĪN, Ahmad

Fajr al-Islām, Cairo, 1962.

Zuʿamā' al-islāh fī 'l-ʿasr al-hadīth, Cairo, 1948.

al-AMĪN, Muhsin

Aʿyān al-Shīʿah, Beirut, 1370 (1951), 35 vols.

al-^CAMRĪ, H.A.

Maṣādir al-turāth al-yamanī fī al-muthaf al-Birītānī,
 Damascus, 1981.

Dīwān al-Shawkānī, (ed. al-^CAmri), Damascus, 1982.

"A Document concerning the sale of Ghayl al-Barmakī and
 al-Ghayl al-Aswad by al-Mahdī ^CAbbās, Imam of the Yemen,
 1131-89/1718-75", in BIDWELL and SMITH, Arabian and
 Islamic Studies, London and New York, 1983.

ANDERSON, J.N.D.

Law reform in the Muslim world, London, 1976.

"Recent Developments in Sharia Law", Muslim World, xi
 (1905), 244-56; xli(1951), 34-48, 113-26, 186-198, 271-88;
 xlii(1952), 33-47, 124-40, 190-206, 257-76.

al-ĀNISĪ, ^CAbd al-Rahmān b. Yahyā

Tarjīḥ al-atyār bi-marqas al-ashʿār, ed. ^CAbd al-Rahmān
 b. Yahyā al-Iryānī and A. ^CAbd al-ʿIllāh al-Aghbarī,
 Beirut, 1978, 2nd edit.

ANON.

Hawliyyāt Yamāniyyah, ed. °Abdullāh al-Hibshī, Damascus, 1400 (1980).

al-°AQĪLĪ, Muhammad Ahmad

Tārīkh al-Mikhlaḥ al-Sulaymānī, Riyadh, 1402 (1982), 2nd edit.

BADAWĪ, °Abd al-Rahmān

al-Madhāhib al-Islāmiyyah, Beirut, 1979, 2nd edit., 2 vols.

al-BAHKALĪ, °Abd al-Rahmān b. Ahmad

Nafh al-°ūd fī dawlat al-Sharīf Hamūd, Riyadh, 1402 (1982).

BAHR al-°ULŪM, Muhammad

al-Ijtihād wa-usūluh wa-ahkāmuh, Beirut, 1397/1977,

al-BAQILLĀNĪ, Abū Bakr Muhammad b. al-Tayyib

I°jāz al-Qur'ān, Cairo, 1373.

al-Tamhīd, Cairo, 1947.

BARBIT, K. K.

Ottoman rule in Damascus, 1708-1758, Princeton, 1980.

al-BASRĪ, Abū 'l-Husayn Muhammad b. °Alī b. al-Tayyib

Kitāb al-Mu°tamad fī usūl al-fiqh, ed. Muhammad Hamīdullāh, Damascus, 1964.

BAYDĀWĪ, °Abdullāh b. °Umar

Anwār al-tanzīl wa-asrār al-ta'wīl, 1329.

al-BAYHAQĪ, Ahmad b. al-Husayn

Dalā'il, Cairo, 1382.

al-Sunan al-Kubrā, Hyderabad, 1344 and Cairo, 1358.

BIDWELL, R. L. and SMITH, G. R., (eds.)

Arabian and Islamic Studies, London and New York, 1983.

BROCKELMANN, C.

Geschichte der arabischen Literatur, Leiden, 1937-49,

2 vols, 3 supp. vols.

al-BUKHĀRĪ, Muhammad b. Ismā^Cīl

al-Adab al-mufrad, Cairo, 1349,

al-Du^Cafā' al-saghīr, Hyderabad, 1325.

al-Sahīh, see Ibn Hajar

al-Tārīkh al-kabīr, Hyderabad, 1941-5, 1952-63.

BURTON, John

The Collection of the Quran, Cambridge, 1979.

COULSON, N. J.

Conflicts and tensions in Islamic jurisprudence, Chicago, 1969.

A History of Islamic law, Edinburgh, 1964.

al-DĀRIMĪ, ^CAbdullāh b. ^CAbd al-Rahmān

Sunan al-Dārimī, ed. Ahmad Muhammad Duhmān, Damascus, 1349.

al-DHAHABĪ, Muhammad b. Ahmad

al-^CTbar fī khabar man ḡhabar, ed. Fu'ad al-Sayyid, Kuwait, 1960.

al-DHAHABĪ, Muhammad b. Husayn

Mīzān al-i^Ctidāl, ed. M. al-Bijawī, Cairo, 1382 (1963).

Siyar ^Calām al-nubalā', ed. Shu^Cayb al-Arnūṭī, Damascus, 1981-2.

Tadhkirat al-huffāz, India, 1375.

al-Tafsīr wa-'l-mufasssirūn, Cairo, 1376 (1976), 2nd edit.

Tajrīd asmā' al-Sahābah, Beirut, n.d.

ENCYCLOPAEDIA OF ISLAM

1st and 2nd edits. Abbreviated EI¹, EI².

al-FADĀNĪ, ^CAlam al-Dīn Muhammad b. Yāsīn al-Makrī

Sadd al-arab min ^Culūm al-isnād wa-'l-Adab, Cairo, n.d.

2nd edit.

al-FĀSĪ, Taqī 'l-Dīn Muhammad b. Ahmad

al-^CIqd al-thamīn fī tārīkh al-balad al-amīn, ed. Fu'ad

Sayyid, Cairo, 1959-68, 8 vols.

FOSTER, Sir William

The Red Sea and adjacent countries at the close of the
seventeenth century, London, 1949.

GIBB, H.A.R.

"Arabiyya", EI².

"An interpretation of Islamic History", J. of World History,
i (1953), 291-302.

Modern Trends in Islam, Chicago, 1947,

"Some considerations on the Sunni theory of the Caliphate",
Arch. d'histoire du droit oriental, iii (1948), 401-10.

"Studies in contemporary Arabic literature", BSOAS, iv (1926-8),
745-60; v (1928-30), 311-322 and 445-66; vii (1933-5), 1-22.

(ed.) Whither Islam?, London, 1932.

(ed.) with BOWEN, H., Islamic Society and the West, London,
1956-7, 2 vols.

al-HAJRĪ, Muhammad b. Ahmad

Masājid San^Cā', San^Cā', 1361.

al-HAMDĀNĪ, al-Hasan b. Ahmad

Kitāb al-Iklīl, I and II, ed. Muhammad al-Akwa^C, Cairo, 1963 & 1967;
VIII, ed. A. al-Karmalī, Baghdad, 1931; VIII, ed. N.A.Faris,
Princeton, 1940; X, ed. Muhibb al-Khatīb, Cairo, 1949.

Sifat al-Jazīrat al-^CArab, ed. Muhammad al-Akwa^C, Beirut, 1974.

HARRIS, Walter B.

A Journey through the Yemen and some general remarks upon
the country, London, 1893.

al-HAYTHAMĪ, ^CAlī b. Abī Bakr

Mujma^C al-Zawā'id wa-manba^C al-fawā'id, Cairo, 1353.

al-HIBSHĪ, ^CAbdullāh Muhammad

Masādir al-fikr al-^CArabī al-Islāmī fī 'l-Yaman, San^Cā', 1978.

HILĀL, Ibrāhīm Ibrāhīm

Umanā' al-Sharī^Cah, Cairo, 1396 (1976).

Wilāyat Allāh wa-'l-tarīq ilayhā, Cairo, 1389 (1969).

HOGARTH, D.G.

The Penetration of Arabia, London, 1904.

HOURLANT, A. H.

Arabic thought in the liberal age, 1798-1939, Oxford, 1962.

"The Changing face of the Fertile Crescent in the Eighteenth Century", Studia Islamica, viii (1957), 89-122.

"Historians of Lebanon", in B. Lewis and P. M. Holt, Historians of the Middle East, London, 1962.

al-HUMAYDĪ, Abū Bakr ^CAbdullāh b. al-Zubayr,

al-Musnad, ed. Habīb al-Rahmān al-A^Czamī, India, 1382.

HUNTER, F. M.

An Account of the British settlement of Aden in Arabia, London, 1968.

IBN ^CABD al-BARR

al-Istī^Cāb fī ma^C rifat al-Ashāb, ed. al-Bijawī, Cairo, 1974, 4 vols.

IBN al-AMĪR, Muhammad b. Ismā^Cīl

Dīwān Ibn al-Amīr, Cairo, 1384 (1964).

Subul al-Salām, Beirut, 1391 (1971), 5th edition.

Tanqīh al-afkār, Cairo, 1366 (1947).

IBN ^CASĀKIR, ^CAlī b. al-Hasan

Tahdhīb Ibn ^CAsākir, ed. A. Badrān, Damascus, 1329.

Tārīkh Dimashq al-kabīr, ed. Salāh al-Dīn al-Munajjid, Damascus, 1371 (1951).

IBN al-ATHĪR, ^CAlī b. Muhammad

al-Nihāyah fī gharīb al-Hadīth, Hyderabad, 1311.

- IBN al-DAYBA^C al-Shaybānī, ^CAbd al-Rahmān
Hadiyiq al-anwār, ed. ^CAbdullāh al-Ansārī, Damascus,
 1401 (1981).
Tamyīz al-tayyib min al-khabīth, Cairo, 1347.
- IBN al-^CIMĀD al-Hanbalī
Shadharāt al-dhahab fī akhbār man dhahab, Cairo, 1350.
- IBN HAJAR, al-^CAsqalānī
Fath al-Bārī, Būlāq, 1301. (Commentary on the Sahīh of al-Bukhārī)
al-Isābah, Cairo, 1358.
Lisān al-mīzān, Hyderabad, 1329, 6 vols.
Tahdhīb al-tahdhīb, Hyderabad, 1325.
Ta^Cjīl al-manfa^Cah, India, 1324.
al-Talkhīs, India, 1303.
Nukhbat al-fikr fī mustalah ahl al-athar, Beirut, 1391.
- IBN HAZM, ^CAlī al-Andalusī
al-Ihkām fī usūl al-ahkām, Cairo, 1915.
Jamharat ansāb al-^CArab, 1391 (1971).
al-Muhallah, Cairo, 1352.
- IBN HIBBĀN al-Bustī
Kitāb Mashāhīr ^Culamā' al-amsār, ed. Manfred Fleischhammer,
 Cairo, 1959.
- IBN al-JAWZĪ, Abū 'l-Faraj ^CAbd al-Rahmān
Mashyakhat Ibn al-Jawzī, ed. M. Mahfūz, Athens, Beirut,
 1400 (1980).
al-Muntazam, India, 1357.
Safwat al-safwah, Hyderabad, 1355.
- IBN al-JAWZĪ, Sibṭ
Mir'āt al-zamān, Hyderabad, 1371.
- IBN al-JAZARĪ, Muhammad b. Muhammad
Ghāyat al-nihāyah fī ṭabaqāt al-qurrā', Cairo, 1351.

IBN KATHĪR, ^CImād al-Dīn Ismā^Cīl

al-Bidāyah wa'l-nihāyah, Cairo, 1351 (1932).

Tafsīr Ibn Kathīr, Cairo, 1343.

IBN KHALDŪN, ^CAbd al-Rahmān

al-Muqaddimah, ed. E. M. Quatremere, Paris, 1858. 3 vols.

(English translation, Franz Rosenthal, al-Muqaddimah, an
Introduction to History, New York, 1959. 3 vols.).

IBN KHALLIKĀN, Ahmad b. Muhammad

Wafayāt al-A^Cyān, Cairo, 1367.

IBN MĀKŪLĀ, al-Amīr

al-Ikmāl fī raf^C al-irtiyāb, ed. ^CAbd al-Rahmān al-Mu^Callimī
al-Yamānī, Hyderabad, 1962.

IBN MANZŪR, Abū 'l-Fadl Muhammad

Lisān al-^CArab, Būlāq, 1300; Beirut, 1955.

IBN al-QAYSARĀNĪ

al-Jam^C bayn rijāl al-Sahīhayn, Hyderabad, 1323.

IBN QUTAYBAH, ^CAbdullāh b. Muslim

Adab al-Kātib, al-Salafiyyah, 1341.

al-Ma^Carif, Cairo, 1962.

Ta'wīl mukhtalif al-Hadīth, Kurdistan, 1326.

IBN SA^CD, Muhammad

al-Tabaqāt al-kubrā, Beirut, 1377 (1958), 8 vols.

IBN al-SALĀH, Taqī al-Dīn

Muqaddimat Ibn al-Salāh bi-sharh al-^CIraqī wa-mahāsin
al-istilāh, ed. Bint al-Shatī', Cairo, 1390 (1970).

IBN SALAMAH, Abū 'l-Nasr, Abū 'l-Qāsim Hibat Allāh

al-Nāsikh wa-'l-mansūkh, Cairo, 1316.

IBN SALLĀM, Abū ʿUbayd al-Qāsim

Gharīb al-Hadīth, Hyderabad, 1384.

IBN SAMURAH, ʿUmar b. ʿAli al-Jaʿdī

Tabaqāt fuḡahā' al-Yaman, ed. Fu'ād al-Sayyid, Cairo, 1957.

IBN SHĀKIR al-KUTUBĪ

Fawāt al-wafayāt, Cairo, 1951.

IBN TAYMIYYAH, Ahmad b. ʿAbd al-Halīm

Majmūʿat al-Rasā'il, ed. M. R. Ridā, Cairo, 1344.

Muntaqā al-akhbār, al-Rahmāniyyah, 1350.

al-Siyāsah al-sharʿiyyah, ed. Nashār and A. Z. ʿAtiyyah, Cairo, 1951.

IBN TUGHRI-BURDI, Jamāl al-Dīn Abū 'l-mahasin Yūsuf

al-Nujūm al-zāhirah fī mülūk Miṣr wa-'l-Qahirah, Cairo, 1929-56.

IBN al-WAZĪR, Muhammad b. Ibrāhīm

ʿIḡthār al-ḥaqq ʿalā 'l-khalq, Cairo, 1318.

al-Rawd al-Bāsim, Cairo, Beirut, 1399 (1079), 2nd edit.

al-JABARTĪ, ʿAbd al-Rahmān

ʿAja'ib al-āthār fī-'l-tarājim wa-'l-akhbār, Cairo, 1322 (1904-5), 4 vols.

JADʿĀN, Fahmī

Usus al-taqādum ʿinda al-ʿArab fī 'l-ʿālam al-ʿarabī al-Hadīth, Beirut, 1979.

al-JAʿDĪ

See IBN SAMURAH

al-JIRĀFĪ, ʿAbdullāh b. ʿAbd al-Karīm

al-Muqtataf min tarīkh al-Yaman, Cairo, 1955.

Tuhfat al-ikhwān, ..., Cairo, 1365.

- al-JUZAYRI, ^CAbd al-Rahmān
Kitāb al-fiqh ^Calā 'l-madhāhib al-arba^Cah, Beirut, 1392,
 3rd edit., 5 vols.
- al-KAWTHARĪ, Muhammad Zāhid
Fiqh al-^CIrāq wa-hadīthūn, ed. ^CAbd al-Fattah Abū Ghālah,
 Beirut, n.d.
- KEDDIE, Nikki R.
 "The Roots of ulama's power in modern Iran" in N. Keddie,
 ed. Scholars, Saints and Sufis, 211-229, Berkeley, 1972.
- KERR, Malcolm H.
Islamic Reform, Cambridge, 1966.
- KHALĪFAH b. KHAYYAT, al-Uṣfurī
Tārīkh, ed. Akram Diyā' al-Umarī, Beirut, 1397 (1977).
- al-KHATĪB al-Baghdādī
Taqyīd al-^CIlm, Damascus, 1949.
Tārīkh Baghdādī, Cairo, 1349.
- LAMBTON, A. K. S.
 "A reconsideration of the position of the Marja' al-taqlīd
 and the Religious Institution", Studia Islamica, XX (1964),
 115-135.
State and government in medieval Islam, Oxford, 1981.
- MACRO, E.
Yemen and the western world since 1571, London, 1968.
 (Trans. H. A. al-^CAmri, Damascus, 1978).
- MAHDĪ, M.
Ibn Khaldūn's philosophy of history, London, 1957.
- MĀLIK b. ANAS
al-Muwatta', India, n.d.

al-MAQBALĪ, Sālīh b. Maḥdī

al-^CAlam al-shāmikh wa-'l-arwah al-nawāfikh, Cairo, 1328.

al-MARĀ^CĪ, ^CAbdullāh Mustafā

al-Fath al-mubīn fī tabaqāt al-usūliyyīn, Cairo, 1366 (1947).

al-MUBĀRAK FÜRĪ, Muḥammad b. ^CAbd al-Raḥmān

Tuhfat al-ahwadi bi-sharḥ Jāmi^C al-Tirmidhī, ed. ^CAbd al-Waḥḥāb ^CAbd al-Latīf, Cairo, 1963, 10 vols.

al-MUBARRAD, Muḥammad b. Yazīd

al-Kāmil fī 'l-lughad, Cairo, 1356.

al-MUḤIBBĪ, Muḥammad

Khulāsat al-āthar fī a'yān al-qarn al-Rādi a^Cshar, Cairo, 1284, 4 vols.

al-MURĀDĪ, Muḥammad Khalīl

Silk al-durar fī a'yān al-qarn al-thāni ^Cashar, Cairo, 1301.

al-MURTADĀ, al-Maḥdī Ahmad b. Yahyā

al-Azhār fī fiqh al-a'imma al-āthār, Beirut, 1392 (1972)
4th edit.

Bāb Dhikr al-Mu^Ctazilah, ed. T. W. Arnold, Leipzig, 1902.

al-Bahr al-zakhkhār, Beirut, 1394 (1975), 2nd edit.

al-MUSANNIF, Abū Bakr b. Hidāyat Allāh

Tabaqāt al-shāfi^Cyyah, Baghdad, 1356.

MUSLIM b. al-Hajjāj

al-Sahīḥ, ed. Tawfīq Maḥmūd, Cairo, 1349, 2 vols.

al-NASĀ'Ī, Ahmad b. ^CAlī

al-Du^Cafā' al-saghīr, India, 1325.

al-Sunan, Cairo, 1312

NASHWĀN b. SA^CĪD al-Himyārī

al-Muntakhab fī tārikh al-Yaman, ed. Azīmuddīn Ahmad, L.
London, 1916.

al-Qasīdah al-Himyariyyah, ed. al-Jirāfī and al-Mu'ayyad,
Cairo, 1396. 2nd edit.

Shārh risālat al-Hūr al-^Cin, Cairo, 1937.

al-NAWAWĪ, Muhyī 'l-Dīn

Sharh Muslim, Cairo, 1349, 18 vols.

Tahdhīb al-asmā' wa-'l-lughāt, Cairo, n.d.

Forty Hadīth, trans. Ezedin Ibrahim - Denys Johnson-Davies,
London, 1977, 3rd edit.

al-NAYSĀBŪRĪ, Muhammad b. ^CAbdullah

Ma^Crifat ^Culūm al-Hadīth, Beirut, 1979, 3rd edit.

al-Mustadrik, India, 1968, 4 vols.

NIEBUHR, Carsten

Travels through Arabia and other countries in the East,
trans. Robert Heron, Edinburgh, 1792, 2 vols.
Beirut, n.d. (new edit.).

al-NU^CAYMĪ, ^CAbd al-Qādir b. Muhammad

al-Dāris fī tārikh al-madāris, Damascus, 1948.

PLAYFAIR, R. L.

A History of Arabia Felix, Bombay, 1859.

al-QĀSĪM b. Muhammad b. ^CAlī

Kitāb al-asās li-^Caqā'id al-akyās, ed. al-Bayr N. Nādir,
Beirut, 1980.

al-QURASHĪ, Muhammad b. Muhammad

Kitāb ma^Cālim al-qurban fī ahkām al-hisbah, ed. Sha^Cbān
and al-Mutī^Cī, Cairo, 1976.

- al-RĀFI^CI, ^CAbd al-Rahmān
Tārīkh al-harakah al-qawmiyyah wa-tatawwur nizām al-hukm
fī Misr, Cairo, 1367 (1948), 3rd edit.
- al-RĀZĪ, Ahmad b. ^CAbdullāh
Tārīkh San^Cā', ed. H. A. al-^CAmrī, Damascus, 1981, 2nd edit.
- al-RĀZĪ, Ibn Abī Hatim
Adāb al-Shāfi^Cī wa-manāqibuh, Cairo, 1953.
al-Marāsīl, India, 1321.
Taqdimat al-jarh wa-'l-ta^Cdīl, Hyderabad, 1371.
- RIDĀ, Muḥammad Rashīd
al-Sunnah wa-'l-Shī^Cah, Cairo, 1947,
al-Wahdah al-islāmiyyah wa-'l-ukhuwwah al-dīniyyah, Cairo,
 1367, 3rd edit.
al-Wahhābiyyūn wa-'l-Hijāz, Cairo, n.d.
- RIDĀ, Rashīd
al-Manār, vols. 1-35, Cairo, 1898-1935.
Tārīkh al-Ustādh al-Imām al-Shaykh Muḥammad ^CAbdullāh,
 Cairo, 1931, 3 vols.
Yusr al-Islām wa-usūl al-tashrī^C al-^Cāmm, Cairo, 1928.
- ROSENTHAL, E. I. J.
Political thought in medieval Islam, Cambridge, 1958.
- ROSENTHAL, F.
A History of Muslim historiography, Leiden, 1968, 2nd edit.
The Technique and approach of Muslim scholarship, (Arabic
 trans.), Beirut, 1961.
- SAEEDULLAH
The Life and Works of Muḥammad Siddīq Ḥasan Khān, Nawab
of Bhopal, Lahore, 1973.
- al-SAFADĪ, Salāh al-Dīn Khalīl
Kitāb al-Wāfi bi-'l-wafayāt, Wiesbaden, 1931-82, 16 vols.

al-SĀLIH, Subhī

ʿUlūm al-Hadīth wa-Mustalahuh, Damascus, 1379 (1959).

al-SAMʿĀNĪ, Abū Saʿd ʿAbd al-Karīm b. Muhammad b. Mansūr al-Tamīmī
al-Ansāb, Beirut, 1981, 10 vols.

SARKIS, Yūsuf

Muʿjam al-matbuʿāt al-ʿarabiyyah wa-l-muʿarrabah, Cairo,
1928-31, 2 vols.

al-SAYYĀGHĪ, Husayn b. Ahmad

al-Rawd al-nādir sharh majmūʿ al-fiqh al-kabīr (of Imam Zayd
b. ʿAlī), al-Tāʾif, 1388(1968), 2nd edit.

al-SAYYĀGHĪ, al-Qādī Husayn b. Ahmad

Qanūn Sanʿāʾ, Cairo, 1964.

SAYYID, Ayman Fuʿād

Masādir tarīkh al-Yaman fī ʿl-ʿasr al-islāmī, Cairo, 1974.

SCHACHT, Joseph

The Origins of Muhammadan Jurisprudence, Oxford, 1979.

with C. E. BOSWORTH

The Legacy of Islam, Oxford, 1979, 2nd edit.

SCHUMAN, L. O.

Political history of the Yemen at the beginning of the
16th century, Groningen, 1961.

SERJEANT, R. B.

The Islamic City, UNESCO, 1980.

The Portuguese off the South Arabian Coast, Oxford, 1963.

Studies in Arabian History and Civilisation, London, 1982.

with LEWCOCK, Ronald

Sanʿāʾ, an Arabian Islamic City, London, 1983.

with al-GHUL, M.

"Arabia - history of", Encyclopaedia Britannica, 1974.

SEZGIN, F.

Geschichte des arabischen schrifttums Leiden, 1967.

Tārīkh al-turāth al-[°]arabī, trans. Hijāzī and Fahmi Abū 'l-Fadl. Cairo, 1977-8, 2 vols.

al-SHĀFI[°]ī, Muhammad b. Idrīs

Musnad al-Shāfi[°]ī, Beirut, 1400 (1980).

al-Risālah, Cairo, 1358.

al-Umm, Būlāq, 1221.

al-SHAWKĀNĪ, Muhammad b. [°]Alī

See I. "The works of al-Shawkānī" above.

al-SHĪRĀZĪ, Abū Ishāq

Tabaqāt al-Fuqahā', Baghdad, 1356.

SIDDĪK ḤASAN KHĀN, Muhammad b. [°]Alī

Abjād al-[°]ulum, Bhopal, 1295-97; ed. A. Zakkar, Damascus, 1979, 2nd edit.

al-Tāj al-mukallal min jawāhir ma'āthir al-tirāz al-ākhir wa-'l-awwal, ed. [°]Abd al-Hakīm Sharaf al-Dīn, Bombay, 1963, 2nd edit.

STOOKEY, Robert W.

Yemen, the politics of the Yemen Arab Republic, Boulder, 1978.

al-SUBKĪ, Tāj al-Dīn [°]Abd al-Wahhāb

Tabaqāt al-Shāfi[°]yyah, Cairo, 1323.

SUBHĪ, Ahmad Mahmūd

Nazariyyat al-imāmah ladā 'l-Shī[°]ah al-Ithnā [°]ashariyyah, Cairo, 1969.

al-Zaydiyyah, Alexandria, 1980.

al-SUHAYLĪ, Abū 'l-Qāsim [°]Abd al-Rahmān b. [°]Abdullāh

al-Rawd al-unuf, Cairo, 1332 (1914).

- al-SUYŪTĪ, Jalāl al-Dīn °Abd al-Rahmān
al-Durr al-manthūr fī al-tafsīr bi-'l-ma'thūr, Cairo, 1314.
Husn al-mahādarah, Cairo, 1321.
al-La'ali' al-masnū°ah, 1317.
- al-TABARĀNĪ, Sulaymān b. Ahmad
al-Mu°jam al-kabīr, Baghdad, 1979-, 8 vols.
al-Mu°jam al-saghīr, ed. °Abd al-Rahmān, Muḥammad, Cairo, 1388 (1968), 2 vols.
- al-TABARĪ, Muḥammad b. Jarīr
Kitāb Ikhlilāf al-fuqahā', ed. J. Schacht, Leiden, 1933.
Tafsīr al-Tabarī, Cairo, 1329.
Tārīkh al-rusul wa-'l-mulūk, ed. Muḥammad Abū 'l-Fadl Ibrāhīm, Cairo, 1960=69.
- al-TIRMIDHĪ, Abū °Abdullāh Muḥammad b. °Alī
Kitāb Khatm al-awliya', ed. °Uthmān Ismā°il Yahyā, Beirut, 1965.
Nawādir al-usūl, Istanbul, 1290.
- al-TIRMIDHĪ, Muḥammad b. °Isā
al-Sunan, Būlāq, 1292.
- al-TUGHURĀ'Ī
Dīwān, ed. al-Tāhir and Yahyā al-Jabūrī, Baghdad, 1976.
- VALENTIA, George
Voyages and travels to India, London, 1892.
- al-WĀHIDĪ, Abū 'l-Hasan °Alī b. Ahmad
Asbāb al-nuzūl, Cairo, 1316.
- al-WĀQIDI, Muḥammad b. °Umar
Kitāb al-Maghāzī, ed. Marsden Jones, Oxford, 1966, 3 vols.
- WATT, W. M.
Islamic philosophy and theology, Edinburgh, 1972.

WINDER, R. Bayly

Saudi Arabia in the nineteenth century, New York, 1965.

al-YĀFI^CĪ, ^CAbdullāh b. As^Cad

Mirāt al-jinān, India, 1337-9.

al-YAHSUBĪ, ^CIyād b. Mūsā

al-Ilmā^C ilā usūl al-riwāyah wa-taqyīd al-samā^C,
ed. al-Sayyid A. Saqr, Cairo, 1398 (1978), 2nd edit.

al-YA^CQŪBĪ, Ahmad

Tārīkh al-Ya^Cqūbī, Najaf, 1358.

YĀQUT, IBN ^CABDULLĀH al-Rūmī

Mu^Cjam al-buldān, Cairo, 1324.

Mu^Cjam al-udabā', ed. Margoliouth, Cairo, 1928.

ZABĀRAH, Muḥammad b. Muḥammad

A'immat al-Yaman, Cairo, n.d.

Dhayl ajwad al-musalsalāt, San^Cā', 1363.

Mulhaq al-Badr al-Tāli^C, Cairo, 1348.

Nashr al-^Carf li-^Cubalā' al-Yaman ba^Cd al-alf, Cairo, 1376.

Nayl al-husnayayn, Cairo, 1376.

Nayl al-watar, Cairo, 1348-50.

al-ZABĪDĪ, Murtadā

Ithāf al-sādah, Cairo, 1311 (1893-4), 10 vols.

Tāj al-^Carūs, Cairo, 1306; Kuwait, 1965-80, 19 vols.

al-ZAMAKHSHARĪ, Maḥmūd b. ^CUmar

al-Kashshāf, Cairo, 1385.

ZAYD, ^CAlī

Musnad al-Imam Zayd, Beirut, 1401 (1981).

ZAYD, ^cAlī Muḥammad

Mu^ctazalat al-Yaman wa-dawlat al-hādī wa-fikruh, San^cā', 1981.

ZAYDĀN, Jurjī

Mashāhīr al-sharq, Cairo, 1910-11, 2 vols.

Tārīkh adab al-lughah al-^carabiyyah, Cairo, 1937.

