



SCHOOLS AND TRENDS OF SCHOLASTIC THEOLOGY AND *FIQH* (JURISPRUDENCE) IN EARLY ISLAM

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1 – Classifying Islamic religious *jama'aat* (groups)

Ridwan al Sayyid has tried to identify the features that constitute a *firqah* (class/group) by analysing the movement launched by the Shi'ite leader Mukhtar al Thaqafi (d 67 AH) which, he found, fulfilled the conditions that qualify it to be classed as an independent *firqah*. In his view these conditions are three in number: an “awareness” of *bara'ah* (rejection/dissociation) and *wilayah* (allegiance/association) (which are prerequisites for establishing a *firqah* as a separate entity); symbols and slogans defining the rationale for a *firqah's* creation; and a secret pyramidal structure.¹ Moncef bin Abdul Jalil has developed the idea further and concluded that a *firqah* is probably founded upon four principles: the *marja'* (authority/source of reference) of the particular *ta'wil* (esoteric

¹ Ridwan al Sayyid: *Mafahim al Jama'aat fi'l Islam*, Dar al Tanwir, Beirut, 1st impression, 1984, pp. 66-68.

interpretation) or, alternatively, the imam followed by the group or the alternative holy text; the legislation specific to that group; the organisation; and the faith community¹.

These two analyses cover all the *firqah*'s distinguishing aspects – faith, political, organisational and legal. However, we do not accept the inclusion of a “secret structure” in our definition, because not every *firqah* has an organisational structure, while in the case of some of them (like the Khawarij, Mu'tazilites and Ash'aris, for example) there is nothing remotely secret about their activities.

We also find it hard to accept the condition of “specific legislation” as an essential element of a *firqah*. After all, it can exist in some groups – such as the Hanafis, Malikis, Shafi'is and Hanbalis - that do not regard themselves as separate *firqahs* and, while they later evolved into distinct schools, remained within a single *firqah* (that is, the *firqah* of the Sunnis, or *Ahl al Sunnah*). On the other hand, it does not exist in other groups – like the Mu'tazilites – although they regard themselves as separate *firqahs*.

These four principles – or conditions – certainly apply to the revolutionary movements that have declared themselves not to be part of “official society” and are consequently “marginal *firqahs*”, though this is only partially the case with the *firqahs* that became an integral part of “official society” (e.g. the Mu'tazilites, Ash'aris and Twelver Shi'as).

Anyone wishing to understand precisely what constitutes a *firqah* must totally discount the way such groups have traditionally been portrayed as entities with identical structures and characteristics; instead, they should be recognized as varying widely in their organisation, functions and ideologies. First and foremost, we should consider these three aspects: “*hizb*” (political party, plural “*ahzab*”), “*madrasah*” (school, plural “*madaris*”) and “*madhhab*” (sect/doctrine/school of jurisprudence, plural “*madhahib*”).

1 Moncef Abdul Jalil: *Al Firqah al Hashimiyyah fi'l Islam*, Markaz al Nashr al Jami'i, Tunis, 1st impression, 1999, pp. 30-32.

A – Ahzāb (political parties)

In its capacity as a “*hizb*”, the *firqah* was a social phenomenon that emerged early on in the history of Islamic society. It first emerged following the Arbitration Agreement (“*Tahkim*”) during the time of ‘Ali bin Abi Talib and spread after his assassination and the transfer of power to the Umayyads. It consisted of a number of revolutionary politico-religious or pro-government movements which sought either to overthrow and replace the existing government, secede from it and set up a parallel state, or support it and reinforce its control. Although they were essentially active components of the Islamic community, several of these *firqahs* declared their rejection of “official society”, stigmatised their ruler’s domain as “*Dar al Fisq*” (“The House of Impiety”) or “*Dar al Kufr*” (“The House of Unbelief”) and set about establishing a parallel society, to the extent that – as in the case of the “*Ghulat*” Shi‘ah movements – they even went so far as to adopt an alternative scripture and parallel belief and legislative systems. In fact we could almost say that in some cases they were beginning to create a new religion on the margins of the Islamic Faith.

In this sense, the existence of every *hizb/firqah* was dependent upon three elements:

- An independent political leadership. Each *hizb/firqah* had its own leadership and in most instances the respective *firqah* was named after it. It was often the case that a leader’s rising fame and reputation were a sign that a *hizb* was about to emerge and become associated with him. The leadership enjoyed its highest status when it became an imamate endowed with power and authority (as was the case with certain branches of the Ismaili Shi‘as). However, it was also possible that the political and military leader might be someone other than that *hizb*’s declared legal imam, so that a dual leadership would be set up¹.

- Defining features. The elements that distinguished a particular *hizb/firqah* from other groups, such as the symbols and slogans recognized by

¹ Examples include the Kaisaniyyah movement and its subdivisions, which gave the political and military leadership to Mukhtar al Thaqafi and the spiritual and intellectual leadership to Muhammad Ibn al Hanafiyyah and – subsequently – his sons.

the Kisaniiyyah branches as defining the imam and his status as *Mahdi* (Divinely appointed leader) and *Gha'ib* (leader with hidden attributes), and the Mughiriyyah and Mansuriyyah groups' *ta'wil* (hidden interpretation) of the Qur'an and the Murji'ites' position on *iman* (belief)¹.

– The *hizb*'s following. The people (whether many or few) who recognized the authority of the imam/leader, accepted the elements that defined the *firqah* and committed themselves to defending it and waging war on its behalf if necessary. The size, quality, level of organisation and degree of commitment of the *firqah/hizb*'s following – as well as the perspicacity of the leadership and the impact of its slogans and emblems – were the main elements that defined its power, its ability to gain control of its own area of influence and the extent of its success in setting up a state that bore its name.

B – Madaris (schools)

Some early scholars used two expressions that were very close in meaning to the concept of a “*firqah/madrasah*”. These are “*al firqah al ru'us*” (main *firqahs*) and “*al firqah al usul*” (basic *firqahs*).² When we say “*firqah/madrasah*”, we are referring to a complex phenomenon that developed gradually over a period in which the intellectual, political, religious and social elements became intertwined and mutually inseparable. Initially, the religious schools were individual political parties (*ahzab*) or intellectual movements with limited political content. However, in many cases their views and activities began to expand, mature and merge, so that they ultimately came to form integrated ideological systems whose proponents succeeded in transforming them into religious creeds that – in some instances - attracted large numbers of followers and became the dominant group in their society. In this way the Mu'tazilites always sought to establish Mu'tazilism as the official doctrine of the state and the community, first by propagating their ideas and then by forming an alliance with the state.

1 See: *Al Ash'ariyyah: Maqalat al Islamiyyin wa Ikhtilaf al Musallin* (translation) Hellmut Ritter, Franz Steiner, Wiesbaden, 3rd impression, 1980, pp. 6-13, 132-141.

2 Ibn Hazm spoke of “*ru'us al firqah*” (“chief groups”), which he listed as five: the Sunnis, the Mu'tazilites, the Murji'ites, the Shi'ah and the Kharijites.

There was a ceaseless struggle between the Ash'aris and the Hanbalis over who should speak for the Sunni creed. However, neither group succeeded in overcoming the other and they both continued to survive as two separate and distinct expressions of a higher entity called "the *firqah* of the *Ahl al Sunnah wa'l Jama'ah*". Then from the 5th century the Imamate began a series of bitter political and ideological battles with the aim of eradicating Sunnism from some areas altogether and replacing it with Shi'ism as the dominant creed.

The distinguishing feature of the religious schools (as compared with the political parties) was the wide-ranging extent of their ideas, activities and output. They did not limit themselves to one particular sphere – such as politics, scholarship or *fiqh* (jurisprudence) – or a particular theory, concept or individual leader, and it is for this reason that they were not only able to make a positive contribution to the sciences and the expansion of human knowledge; in addition, they also succeeded in establishing highly sustainable models of religious, political and social organisation.

Consequently, we can say that a *firqah*/political party has the potential to evolve into a *firqah*/school – provided that these three conditions are present:

- A comprehensive, self-sufficient knowledge and legal system that provides the *firqah* with a substantial body of material on *Hadith* (Sayings/ Traditions of the Prophet), *tafsir* (exegesis), history, literature, legislation and the creed, practical advice on applying the intellect, and the exercise of government and debate, and answers to its followers' questions on any spiritual and temporal questions that might arise.
- Economic, social and political institutions capable of guaranteeing the continuity of the school, while responding to its followers' material, organisational and spiritual needs and protecting them from internal and external threats.
- A degree of general consensus within the school and a shared allegiance which distinguishes those who belong to it from those who do not, while at the same time allowing its members to hold different views

provided that they remain within the boundaries of the general consensus. These differences may be described in terms such as “*madhhab*” (“sect/doctrine/school of jurisprudence”), “*jil*” (“generation”), “*khatt*” (“line”), etc.

There are only two Islamic schools that fulfil these three conditions and have proved their historical sustainability – the Sunnis and the Shi‘ah.

C – *Madhahib* (“sects/doctrines/schools of jurisprudence”)

According to old Islamic terminology a *madhhab* is a *fiqh* system based upon a specific tradition and methodology. In most cases it was founded by a leading scholar of jurisprudence belonging to one of the major religious schools. While the two Islamic trends referred to above (i.e. the Sunnis and the Shi‘ah) established *madhahib* that embodied their *ijtihad* (interpretative judgement) efforts to understand the scriptures and use them to provide answers to everyday questions, it was the Sunnis in particular that excelled in this respect and produced several schools of *fiqh*, four of which - the Hanafis, Malikis, Shafi‘is and Hanbalis – have survived to this day.

The reason for this is probably that the Sunnis represent the Islamic school which enjoys the greatest political legitimacy and has played the greatest role in organising society on clear legal principles based upon the scriptures and teachings of the Faith. On the other hand, the other schools and *firqahs* spent much of their time deploying their spiritual, scholarly, political or military resources against the Sunni school and only created their own organisational structure and identity after they had established their independent sovereign territory, as was the case with the Fatimids in Egypt, the Safavids in Iran and the Ibadis in the Maghreb and Oman.

2 – The *mutakallim* (scholastic theologian) and politics: the Mu‘tazilites as an example

The history of the Mu‘tazilites’ relationship with politics was never a simple straightforward one. Sometimes they took one line of approach, sometimes another, although according to a stereotypical view,

circumstances dictated that they should sometimes act as military reserves for the Zaidis, creedal allies of the Abbasid state or intellectual backers of the Imamate. In reality, the Mu'tazilites' relationship with politics may be summed up under four headings: revolution, withdrawal, theorising and the making of alliances.

A – The Mu'tazilite as revolutionary

One striking example of the “revolutionary Mu'tazilite” position occurred when Bashir al Rahhal, one of the *firqah*'s sheikhs, and a large number of his followers joined the rebellion of Ibrahim bin 'Abdullah bin al Hasan bin al Hasan bin Abi Talib – the brother of Muhammad al Nafs al Zakiyyah (“the Pure Soul”) – against the Abbasid Caliphate of Abu Ja'far al Mansur in 145 AH.¹ Qadi 'Abdul Jabbar described the revolutionary Bashir al Rahhal as a man of learning, an ascetic and a bold religious and political critic who spoke uninhibitedly to authority, though he did not cite any examples of books he had written or *masa'il* (religious questions) he had propounded.² This confirms that he was primarily a political and military figure rather than a distinguished scholar like the famous Mu'tazilite sheikhs.

The Mu'tazilite participation in the revolution was not out of character. Indeed, the original founder of the Mu'tazilite movement – Wasil bin 'Ata (d. 131 AH) – was constantly preparing for a moment like this. According to Qadi 'Abdul Jabbar, he sent his pupils out to the Islamic regions to promote the *firqah*'s principles and, to quote the Mu'tazilite 'Uthman al Tawil, his relationship with them was like that of a king with his followers;³ at the same time, he worked hard to establish strong ties with the revolutionary leaders who opposed the Umayyads and their local representatives. In fact,

¹ Al Ash'ari: *Maqalat al Islamiyyin*, p. 79; 'Abdul Jabbar bin Ahmed: *Fadl al I'tizal wa Tabaqat al Mu'tazilah wa Mubaynathum li Sa'ir al Mukhalifin*, ed. Fu'ad Sayyid, al Dar al Tunisiyyah li'l Nashr, 2nd impression, 1986, pp. 226-228; al Balkhi: *Maqalat al Islamiyyin*, pp. 118-119. For further reading on the view that the Mu'tazilites were primarily a political movement, see: M. Tajouri: *Les Conceptions Politiques*, these de doctorat (nouveau regime), dactylographiee, Sorbonne (Paris IV), 1992-1993, pp. 159-175.

² Abdul Jabbar bin Ahmed: *Fadl al I'tizal*, pp. 226-227.

³ Ibid. pp. 237, 251-252.

his life history embodied his political vision of a state built on the values of justice and equity¹.

The revolutionary spirit was kept alive by the Mu'tazilites' other historic leader – 'Amr bin 'Ubaid (d. 144 AH) who joined the forces supporting the Umayyad Caliph Yazid bin al Walid bin 'Abdul Malik, nicknamed "*al Naqis*" ("the Diminisher"), in his endeavours to run the affairs of state according to a revolutionary programme which he announced in his accession speech. He ('Amr bin 'Ubaid) ordered his followers to ready themselves to go out in support of the Caliph, but before this could happen Yazid the Diminisher was already dead².

However, during the years following the enormous military and political damage suffered by Bashir al Rahhal and his men after they joined Ibrahim bin 'Abdullah's rebellion, the Mu'tazilites tended to adopt politically neutral positions³. Later they allied themselves openly with the Abbasid state; this began during the Caliphate of Harun al Rashid and was further cemented under his son, al Ma'mun.

While the Mu'tazilites suffered military failure in the Arab East, such was the success of their movement in the Maghreb that historians have even gone so far as to describe it as "dazzling". The Mu'tazilite al Balkhi records the names of the districts there that embraced Mu'tazilism and describes one of them – the city of al Baida – in highly "inflated" terms: "It is a huge district and it is said that it has a hundred thousand bearing arms who are called '*al Wasiliyyah*'"⁴.

If we try to evaluate the Mu'tazilite role in rebellions and warfare we will find that its consequences were considerably more damaging than beneficial. It – as well as various other factors – lost them the support

1 Ibid. pp. 239-240, and pp. 237-238.

2 Abu'l Qasim al Balkhi al Ka'bi (d. 309AH/921CE): *Maqalat al Islamiyyin*, chapter on the Mu'tazilites, p. 117.

3 However, on Bashir al Rahhal and the Mu'tazilites' support for the rebellion, al Balkhi commented: "The Mu'tazilites did not go out either before Ibrahim or after him", *Maqalat al Islamiyyin*, p. 110.

4 Al Balkhi: *Maqalat al Islamiyyin*, p. 109. And for brief references to the role of the "*Wasiliyyah*" in Morocco, see: al Darajini: *Tabaqat al Masha'ikh bi'l Maghreb*, published by Ibrahim al Tallay, undated, Part 1, pp. 57-64, 136 and 183.

of the ruling authorities and the trust of the local populations, so that they gradually became an elitist movement devoted to scholarship and intellectual and religious debate.

B – The Mu‘tazilites and positive neutrality

‘Ilm al kalam (scholastic theology) – particularly metaphysics - was a lower priority for the Mu‘tazilites than practical politics and in their approach to it they based their arguments upon reason and logic rather than rhetoric and the revealed scriptures. Consequently, a deep creedal debate developed in the *firqah*, during which they were able to crystallise their religious principles and distinctive theological doctrines and refine their intellectual and political ideas in a way that took them outside the realm of direct politics, while enabling them to become involved in specific political issues.

Even when its sheikhs were intensely involved in politics, as a *firqah* the Mu‘tazilites remained neutral and independent while retaining the right to criticise the ruler and refrain from committing themselves to his decisions. This was the stance adopted by the second founder of the movement – ‘Amr bin ‘Ubaid (d. 144 AH) – towards the Abbasid Caliph Abu Ja‘far al Mansur, who reached a two-track truce with him according to which he (‘Amr) would not give his allegiance to him (Abu Ja‘far), while at the same time he would not join any rebellion that might break out against him though he would remain free to advise and criticise him.¹ He used to sit with him, advise him on his conduct and, sometimes, admonish him so sharply that he made him cry. At the same time, he did not take part in his daily affairs and decision-making because he feared this might lead him to become involved in infringing other people’s rights². Because of this ambiguous position,

¹ Abu Ja‘far al Mansur observed: “The Mu‘tazilites did not rebel against me until ‘Amr bin ‘Ubaid died”, ‘Abdul Jabbar bin Ahmed: *Fadl al I’tizal*, p. 228. For further details on ‘Amr’s attitude to the Abbasid Caliphate see *Ibid.* pp. 242-249. And see J. Van Ess: *Une Lecture a Rebours de l’Histoire du Mu‘tazilisme*, *Revue des Etudes Islamiques*, t46, fas. 2, 1978, pp. 163-240; t47, fas1, 1979, R. E. I., t47, fas1, 1979, pp. 60-61; and M. Tajouri: *Les Conceptions Politiques*, pp. 244-258.

² ‘Abdul Jabbar bin Ahmed: *Fadl al I’tizal*, 242.

some people accused him of inertia and negativity and claimed that he was abandoning his religious and political obligations. In response he justified his inactivity by saying that he had no men whom he could rely upon¹.

Some fifty years later, Harun al Rashid (d. 193 AH) ordered the imprisonment of Bishr bin al Mu'tamar (d. 210 AH), the head of the Mu'tazilites in Baghdad, accusing him of anti-Abbasid Alawite Shi'ism. It was indeed true that Bishr had Zaidi tendencies, but he rejected the accusation and announced that he was abandoning all anti-state political activity; while he was in prison he wrote a statement denying he was guilty of excesses and declaring his allegiance to Aby Bakr and 'Umar and his repudiation of 'Amr bin al 'As, Mu'awiyah, the *Rafidah* (Shi'ites) and the Murji'ites, so he was released².

We should not be surprised by the fact that most Mu'tazilites shunned involvement in politics and military matters. The basic principle of *I'tizal* (the Mu'tazilite ideology) is expressed less as negative neutrality than as a desire to steer clear of involvement in rebellion in order to avoid *fitnah* (chaos and sedition), while at the same time disapproving of the current situation. Consequently, we find the Mu'tazilites focusing on "*al amr bi'l ma'ruf wa'l nahiy 'ani'l munkar*" (enjoining good and forbidding evil) and rejecting the notion of armed insurrection favoured by the Kharijites. In their view, "*da'wah*" (spreading the message), education, debate and teaching by example were the most effective ways for ensuring that truth prevailed³.

1 Ibid. pp. 247-250.

2 Ibid. p. 265.

3 For more information on the Mu'tazilite position on "*al amr bi'l ma'ruf wa'l nahiy 'ani'l munkar*" see al Khayyat: *Al Intisar*, p. 161; Abdul Jabbar bin Ahmed: *Sharh al Usul al Khamsah*, ed. 'Abdul Karim 'Uthman, Maktabat Wahbah, Cairo, 1st impression, 1965, pp. 744-747; M. Cook: *Commanding Right and Forbidding Wrong in Islamic Thought*, Cambridge University Press, 2000, pp. 195-226; M. Tajouri: *Les Conceptions Politiques*, p. 113. On the topic of "*al amr bi'l ma'ruf wa'l nahiy 'ani'l munkar*" in general, see Faisal Sa'd: *Al Amr bi'l Ma'ruf wa'l Nahiy 'ani'l Munkar Qadiman: al Ab'ad al Diniyyah wa'l Siyasiyyah wa'l Ijtima'iyyah*, doctoral thesis supervised by Professor 'Abdul Majid al Sharafi, Faculty of Arts, Mannubah (Tunis), 2003-2004.

At certain periods in history some Mu'tazilites concealed their creedal allegiance to avoid persecution¹.

In the Mu'tazilite view, after a theologian had freed himself from any ties to a political or military leader his most natural position should be positive political neutrality combined with a wholehearted devotion to piety and religious scholarship.

C - The Mu'tazilites and political alliances

The anti-Mu'tazilite writings of the past (as well as present-day ones) always point to their alliance with the Abbasid state from the time of the Caliph al Ma'mun to al Wathiq. This, they say, is proof that they were complicit in the Abbasids' despotism, heresies and crimes and supported them in their persecution of the *Hadith* scholars and *fuqaha'* (jurists). However, some modern studies have sought to change this view and exonerate the Mu'tazilites from the accusation that they justified and actively abetted tyranny. One of the most important of these is Fahmi Jad'an's excellent study of the *Mihna* ("Ordeal" – the term used to describe the Caliph al Ma'mun's persecution of the religious scholars).

If we ignore the pro- and anti-Mu'tazilite battles and take a dispassionate view of the history of the movement, we may conclude that, like other movements at significant periods of their existence they have established alliances with the ruling authority. It would be unfair to describe these alliances as opportunist because objective historical circumstances have made them unavoidable.

The stability of the state and the complexities of social life created a need for "specialists" in every area of life, and this led to the development of education, learning and academic disciplines such as *tafsir*, *Hadith*,

¹ This policy led some targeted theologians to conceal their true allegiance. In fact, in Baghdad Abu Hashim al Jabba'i was known as Abu Hashim al Nahawi. According to Qadi 'Abdul Jabbar bin Ahmed, this was because times were hard and "there was cause to fear for our colleagues"; if he was thought to be al Jabba'i or a Mu'tazilite, he would have been liable to persecution. (*Fadl al I'tizal*, p. 307). 'Abdul Jabbar records that Abu 'Abdullah al Basri (d. 367 AH?) had a brother who was a Hadith scholar and close to the Mu'tazilites, but he did not reveal this publicly because he would have faced hostility from the Hadith scholars' community (*Fadl al I'tizal*, p. 327).

history and language, to name but a few. Of these branches of learning *'ilm al fiqh* (the science of jurisprudence) was particularly significant because it specialised in producing practical solutions. Another was *'ilm al kalam* (the science of scholastic theology), because of the part it played in coordinating and defending religious beliefs and knowledge. As *fiqh* was the discipline responsible for the practical sphere, this left theology free to devote itself exclusively to theoretical *masa'il* related to the tenets of the Islamic creed.

'Abdul Jabbar bin Ahmed reported that the Caliph Harun al Rashid (d. 193 AH) sent a *faqih* (jurist) to Sind to engage in a debate with the chief of the *Sumniyyah* there. ("*Sumniyyah*" is a term applied to various Indian philosophical schools that influenced many Muslims.) The *faqih* failed in his mission because, as a discipline, *fiqh* was not equipped to tackle religious questions of this kind. Consequently, the Caliph sought the help of another scholar more qualified to fit the purpose - someone with specialist knowledge of creeds and an ability to distinguish the true from the false – and the only scholar in that category was a Mu'tazilite theologian¹.

This is just an example of the kind of reports about scholars, philosophers and specialists who showed an ability to tackle the religious and intellectual dangers that were current at the time and helped change the ruling authority's negative attitude towards them, so that consequently mutual doubt and discord gave way to harmony and alliance².

Figures who played a leading role in preparing the groundwork for that alliance (as well as putting it into practice) included the Murji'ite Bishr bin Ghiyath al Muraisi (d. 218 AH) and the Mu 'tazilite Thumamah

1 According to one report by 'Abdul Jabbar bin Ahmed in *Fadl al 'Itizal*, pp. 266-267, that scholar was Mu'ammar bin 'Abbad al Salmi, though on p. 269 of the same book he states that he was Abu Kaldah.

2 Evidence of an awareness of the dangers posed by other cultures and religions can be seen in the dialogue between Patriarch Timaeus I (died 208 AH/823 CE) and the Abbasid Caliph al Mahdi. See the text edited and published with a historical study in French by Pere Hans Putman entitled: "*Al Batrirk Timaus al Awwal aw al Kanisah wa'l Islam fi'l 'Asr al Abbasi al Awwal*", Dar al Mashreq, Beirut, 1st impression, 1975.

bin Ashras al Namiri (d. 213 AH)¹. It was because of their efforts that a number of respected theologians were able to obtain access to al Ma'mun. Al Ma'mun's scholarly gatherings, which he held in his palace, played a major role in transforming the bitter conflict that was taking place between the political parties into an intellectual debate based upon mutual respect and the rebuttal of arguments by means of arguments. In this climate, it was only natural that a scholar – particularly a theologian – should enjoy high status at the highest level of government. Indeed, when Hisham bin 'Amr al Fuwati used to enter al Ma'mun's presence, the Caliph's body language almost suggested that he was about to stand up in response to his entrance. Moreover, he (al Ma'mun) was also unrestrained in his admiration for Thumamah and the Mu'tazilite theologian Abu Hudhail al 'Allaf and their superior knowledge. And such was the Caliph al Wathiq's respect for al 'Allaf that when he died he held a gathering in his palace to receive the mourners' condolences².

In the 4th century AH many Mu'tazilites favoured an alliance with the Buwaiyhids and several of their sheikhs accepted official positions in the Buwaihid state. The process of "dissolution" into the Zaidi movement began with 'Abdul Jabbar bin Ahmed's pupils and continued until the latter part of the 6th century AH.³ Mu'tazilite influence on Imamite Shi'ism can also be clearly seen in the writings of *Naqib al Alawiyyin* ("Captain of the Alawis") al Sharif al Murtada 'Alam al Huda (d. 436 AH) - a pupil of al Sheikh al Mufid and 'Abdul Jabbar bin Ahmed. This Imamite theologian asserted that the fundamentals of the

1 See Ibn Taifur: *Kitab Baghdad*, Maktabat al Khangi, Cairo, 1994, pp. 36-37, 39, 47, which notes that Thumamah was a special adviser to al Ma'mun on scholarly, political and administrative matters. He is described as a man who attended his gatherings, directed general policy and nominated new ministers, judges and officials. Al Ma'mun only disagreed with him on rare occasions. And see *ibid.* pp. 37,39, 54, 118 and 139.

2 Abdul Jabbar bin Ahmed: *Fadl al I'tizal*, pp. 256-257, 263, 272.

3 One thing that this "dissolution" confirms is the fact that a significant part of the Mu'tazilite heritage has been preserved thanks to the Zaidis, and that the later classifications of the "*tabaqat al Mu'tazilah*" ("classes of the Mu'tazilites") were made by Shi'ites with Mu'tazilite leanings - such as Abu Sa'd al Muhassin bin Muhammad bin Karamah, known as "al Hakim al Jaisumi of Baihaq" (d. 494 AH) in *Kitab Sharh 'Uyun al Masa'il fi 'ilm al Usul* (the section on "*tabaqat al Mu'tazilah*"), and Ahmed bin Yahya bin al Murtada (d. 840 AH): *Al Munya wa'l Amal fi Sharh Kitab al Milal wa'l Nihal* (the chapter which refers to the Mu'tazilites).

creed are based solely upon the intellect and took a negative attitude towards the *Hadith*. He understood belief in the “*Ruj‘ah*” (literally “return”; in this sense it commonly means return after death but before the Resurrection) to mean the resoration of the rule of the Imams, not the return of the dead to the life of this world.¹ Al Sharif al Murtada’s Mu‘tazilite-inspired path was subsequently followed by the Sheikh of the *Ta‘ifah* (Sect), Abu Ja‘far Muhammad bin al Hasan al Tusi (d. 460 AH), who adopted the Mu‘tazilite approach to theology and style of argument, as well as their view of Allah and the world².

This Mu‘tazilite influence on Imamite thought reflects the closeness between the two movements and indicates that they were allies, in a manner of speaking. However, this does not mean that the Mu‘tazilites in general had Shi‘ite tendencies;³ in fact several of their sheikhs chose to ally themselves with the Abbasid authority, which was essentially Sunni. Al Jahiz, who was probably the most notable example of this group, was passionately loyal to the Abbasids and hostile to the Shi‘ah, and in his book – *Risalah al ‘Uthmaniyyah* – he championed the Sunni position on the Caliphate.

D – The Mu‘tazilites and their political vision

The Mu‘tazilites became intellectually engaged with politics when their movement was still in its infancy. The process began with Wasil bin ‘Ata’, ‘Amr bin ‘Ubaid, Abu’l Hudhail al ‘Allaf, al Nadhdham and other leading lights and continued through the succeeding generations, and they wrote a fair number of books on political topics. For example, one of their sheikhs – Abu ‘Ali al Jubba‘i – produced the following works: *Kitab al Ikfar wa’l Tansiq*, *Kitab al Imamah*, *Kitab al Amr bi’l Ma‘ruf*, *Kitab Man Yakfur wa Man*

¹ W. Madelung: *Imamism and Mu‘tazilite theology*, in *Religious Schools and Sects in Medieval Islam*, Variorum Reprints, London, 1985, pp. 25-26.

² See Abu Ja‘far al Tusi: *Al Iqtisad fi ma Yata‘allaq bi’l I’tiqad*, Dar al Adwa’, Beirut, 2nd impression, 1986, pp. 263-268, 305-313, 367.

³ For further information on the relationship between the Mu‘tazilites and the Shi‘ah, see ‘Afaf bin al Ghali: *Al Shi‘ah fi Mir‘aat al Mu‘tazilah*, Dar Jadawil li’l Nashr wa’l Tawzi‘, Beirut, 1st impression, 2011.

*la Yakfur, Kitab Naqd al Imamah 'Ala Ibn al Rawandi and Kitab Naqd Kitab 'Abbad fi Tafdil Abi Bakr*¹.

The Mu'tazilite political treatises cover a range of issues over which Muslims held differences of opinion. Abu'l Hasan al Ash'ari has preserved a large number of them in his own works and Qadi 'Abdul Jabbar has expanded on a not insignificant number of them and analysed them in Part 20 (printed in two volumes dedicated to the subject of the Imamate) of his encyclopaedia entitled *Al Mughni fi Abwab al Tawhid wa'l 'Adl*.

The Mu'tazilites' approach to political questions is distinctive in that they see it within a religious-metaphysical context, with the result that they analyse them in the same way that they analyse other religious issues. It also adds a moral dimension which reflects the Mu'tazilite view of the ethics of social organisation and relations between the individual members of society. This in turn is linked to their view of the Hereafter, requital and "*al Lawh al Mahfudh*" (the "Preserved Tablet" – i.e. the Decree of Allah that none may change, distort or destroy)².

The Mu'tazilites were not associated with any particular politico-sectarian tendency. Some of them were close to the Zaidis or the Kharijites, while others (perhaps the majority) were nearer to the Sunnis. On the question of *Wilayat al Sahabah* (status of the Companions of the Prophet), al Khayyat has this to say:

"There are no great differences between the Mu'tazilites, Murji'ites and *As-hab al Hadith* ("People of the *Hadith*" – i.e. early *Hadith* scholars) over the question of the *Sahabah* and their status. Were they differed was over the relative merits of some of those whom they regarded as "Just Imams" in comparison with the others. However, there were no differences between them in the status they accorded them, or the way they prayed for Allah to

1 These titles are included in a list of his writings in D. Gimaret: *Materiaux pour une Bibliographie des Gubba'i*, *Journal Asiatique*, 1976, pp. 277-332; for works by other Mu'tazilite sheikhs, see Ibn al Nadim: *Al Fihrist*, edited by Ridha, Dar al Masirah, 3rd impression, 1983.

2 See 'Amr bin 'Ubaid's approach to dealing with questions of Unbelief, faith, and penitent and non-penitent people who have committed major sins in 'Ali bin 'Umar al Daraqtuni: *Akhbar 'Amr bin 'Ubaid*, pp. 9-11.

encompass them in His Mercy and the way they sought to become closer to Allah through loving them. The only exception was in the case of those who gave allegiance to the evil group of the People of *al Sham* (Greater Syria). On this question the Mu‘tazilites strongly disagreed with them.”¹

On the question of the Imamate, most Mu‘tazilites differed fundamentally from the Imamite Shi‘ites. The Mu‘tazilites drew a clear distinction between prophethood and imamhood and based their view on the position that prophethood was necessarily linked to reason while imamhood was linked to knowledge obtained through hearsay. They strongly rejected the notion that the Imams were infallible, while the Shi‘ites – particularly the Imamite Shi‘ites – maintained the diametrical opposite².

These individual political positions were not randomly chosen. Rather, they were based upon a holistic approach comprising a vision of the natural world, which the Mu‘tazilites saw as operating on a system founded upon the values of wisdom and goodness, a vision of a “natural knowledge system” based upon the values of justice and truth, and a vision of a politico-social system founded upon the values of freedom and responsibility. This offered a solid base for civil and political organisation which combined the elements of mankind’s humanity with the objectives of the religious message as a tangible expression of the Mu‘tazilites’ profound religious and philosophical ideas – ideas which, taken together, comprised a distinctive school of thought characterised primarily by the concepts of *Tawhid* (Divine Unity), *al salah wa’l aslah* (the principle that Allah gives the “good” and “best” things to mankind), *lutf* (Divine assistance, or Grace), *hikmah* (wisdom), *haqq* (truth/right/justice) and *wajib* (duty)³.

1 Al Khayyat: *Al Intisar*, p. 139. And see the Mu‘tazilite critique of the Imamite position that was hostile to the majority of the *Sahabah*: *ibid.* pp. 137-143. For further examples of differing Mu‘tazilite positions on a range of political issues, see al Nawbakhti: *Firaq al Shi‘ah*, edited by ‘Abdel Mun‘im al Hanafi, Dar al Rashad, Cairo, pp. 23-27; al Khayyat: *Al Intisar*, pp. 60-61, 97-100 and 145; ‘Abdul Jabbar bin Ahmed: *Fadl al I’tizal*, pp. 142 and 267; al Baghdadi: *Al Farq baina’l Firaq*, edited by Mohiyeddin ‘Abdul Hamid, Dar al Ma‘rifah, Beirut, undated, pp. 120-121; and al Shahrastani: *Al Milal wa’l Nihal*, p. 57.

2 W. Madelung: *Imamism and Mu‘tazilite Theology*, pp. 28-29.

3 For an explanation of the meanings of these terms in the Mu‘tazilite (and non-Mu‘tazilite) sense, see Mohammed Bu Hilal: *Al Ghaib wa’l Shahadah fi Fikr al Ghazali*, Sousse faculty of Arts, 1st impression, 2003, pp. 192-218.

E – The decline of the Mu‘tazilites as a political force

Despite their distinctive political ideas and extensive political experience, the Mu‘tazilite presence began to fade so that by the beginning of the 7th century AH it had almost disappeared altogether. Its decline - a tragic event in Islamic history – was due to a number of factors including the fact that the Mu‘tazilites lacked a united political leadership capable of defending their interests and guaranteeing their survival. Their sheikhs were ideologically divided and held conflicting positions on the historical circumstance that had led to the emergence of the various *firqaq* (plural of *firqah*) and *ahzab* and subsequent political developments.

Other factors included the Mu‘tazilites’ unwillingness to produce their own *fiqh* system, despite the vital importance of such a system in Islamic society. This could have been due to the negative attitude of the early Mu‘tazilite sheikhs towards *Hadith*, *khobar* (authoritative reports attributed to other than the Prophet) and *ijma‘* (consensus);¹ subsequently – when the opportunity had passed – the *firqah* had no choice but to rely upon “ready-made” Sunni *Hadith* and *fiqh* collections or, on a few rare occasions, Imamite *fiqh*, and this led to claims that they were in some way dependent upon the Imamites or subordinate to them.

Another factor was the elitist, superior attitude that the Mu‘tazilite sheikhs tended to display towards the common people. There are numerous examples of this; on one occasion the Mu‘tazilite theologian Thumamah bin al Ashras expressed contempt for the view of Qadi Yahya bin Aktham, who had suggested to al Ma‘mun that Mu‘awiya should not be cursed from the pulpits for fear of arousing the populace, and insisted that little importance should be attached to the matter or reactions to it.² On another occasion Abu ‘Uthman al Jahiz responded as follows to a man who had come from Isfahan: “I am one of your Mu‘tazilite brothers...Is there anyone

1 See ‘Abdul Jabbar bin Ahmed: *Al Mughni fi Abwab al tawhid wa’l ‘Adl*, Dar al Misriyyah li’l Ta’lif wa’l Tarjumah, Part 15, pp. 26-29, 128-132; al Baghdadi: *Al Far baina’l Firqaq*, pp. 132 and 149; al Shahrastani: *Al Nihal wa’l Milal*, p. 58; Van Ess: *Premices de la Theologie Musulmane*, Albin Michel, Paris, 2002, pp. 136-145.

2 Ibn Taifur: *Kitab Baghdad*, pp. 54-55.

in Isfahan who is worthy to boast of the name of *I'tizal* (being a follower of Mu'tazilite doctrine)?”¹ Ahmed bin 'Ali al Shtawi (nicknamed “Sarfa”), who belonged to the eighth *tabaqah* (class) of the Mu'tazilites, was renowned for his contempt of the common people and for saying: “They are in thrall to the elite and Allah created them for that purpose”.² Abu 'Ali al Jubba'i used to speak at some gatherings of the Beatific Vision of Allah on the Day of Rising in terms that were dismissive of the common people and ignored their feelings. This generated active hostility towards him³.

It was these major historic errors committed by the Mu'tazilite sheikhs that were responsible for their *firqah*'s extinction and political and intellectual persecution only played a secondary role.

3 – The *faqih* and politics: the example of Ibadism

The *Khawarij* (Kharijites) were the first political group to secede from the official Islamic ruling authority and were called “*al Muhakkimah al Oola*” (“the First People Who Assert that Judgment Only Belongs to Allah” –i.e. the group that rejected the “*Tahkim*”). They soon gave birth to other fighting groups who followed similar paths and came to similar fates. However, one of the Kharijite groups – the Ibadis - followed a separate and distinctive path which led to a different outcome.

Here we shall examine the Ibadite political experience on the basis of three elements: Ibadism as sovereign status, the development of the Ibadite Shariah system and the model of the Ibadite jurist-theologian.

1 – Ibadism as sovereign status

Like Kharijites in general, Ibadites believe that their concept of “*haqq*” (truth/right/justice) is the correct one and that the way it is enshrined in the Qur'an is clear, complete and final. They also believe that establishing that “*haqq*” is an obligation binding upon the whole of mankind, and that Believers have a right and a duty to strive to achieve it through *da'wah* and

¹ Abdul Jabbar bin Ahmed: *Fadl al I'tizal*.

² Ibid. p. 300.

³ Ibid. pp. 306-307.

force of arms. According to Abu Sa'id Muhammad al Qalhati al Ibadi (11th century AH): "Muslims judge men's deeds as Allah's witnesses upon His earth. They submit mankind's deeds to the Qur'an. And they accept and work together to implement those of them that are in line with '*haqq*', while as for those that are not compatible with '*haqq*', these they reject and they distance themselves from those who engage in them and call upon them to return to the '*haqq*'. If they return, [then all well and good], and if they do not return they will fight them because of it."¹

At the same time, the Ibadis drew a distinction between *kufur al shirk* (unbelief in the form of idolatry) and *kufur al ni'mah* (unbelief – or ingratitude – for the blessings and bounties bestowed upon man by Allah) and had a separate set of rulings for each category.² *Kufur al shirk* requires total *bara'ah*, and *bara'ah* leads automatically to the excommunication of the person concerned from the community of Believers and the forfeit of his right to live with them, and it is permissible to resort to arms against him. On the other hand, *kufur al ni'mah* does not mean that the person has abandoned the Faith and it does not entail *bara'ah* or armed combat.

Because the Ibadis make this distinction, they have historically fluctuated between an actively combative approach - during those periods when they have been strong and enjoyed military superiority - and a peaceful approach when they have been weak and afraid of a more powerful enemy. In North Africa they sought alliances with the indigenous Berber inhabitants against Umayyad rule and this enabled them to assassinate the Arab *Wali* (Governor) of Tangier in 122 AH and replace him with an African *Wali* of Byzantine origin whose family had embraced Islam. They also won a series of victories over the Umayyad and Abbasid armies which culminated in the establishment of a number of Ibadi mini-states, including the Emirate of Barghwata in Morocco in 127 AH, the Emirate of

1 Al Qalhati: *Al Kashf wa'l Bayan* (the six chapters devoted to the Caliphates of 'Uthman and 'Ali), edited by Mohammed bin Abdul Jalil, Tunisian University Annals, Faculty of Arts, Sciences and Humanities, Tunis, No. 11, 1974, pp. 197-198.

2 Amrus al Nufusi: *Usul al Dainunah al Safiyah*, edited by Hajj Ahmed bin Hammu Karrum, Ministry of Heritage and Culture Publications, Muscat, Oman, 1st impression, 1999, pp. 73-76; al Shahrastani: *Al Milal wa'l Nihal*, pp. 134-135.

Bani Midrar in Sijilmasa (140-297 AH), the Imamate of Bani Rustam in Algeria's Tihert region (160-297 AH) and the Imamate of Nizwa in Oman (170-288 AH). In the 4th century AH the Ibadi leader Abu Yazid Mukhallad bin Kayrad al Yafriti al Tozeuri al Nukkari, nicknamed “*Sahib al Himar*” (“Owner of the Donkey”), attacked and besieged the city of Tripoli (in 333 AH). He then took Kairouan and in 334 AH he laid siege to al Mahdiah – the capital of the Ismaili Shi'ite Mahdi. He was finally defeated and killed in 335 AH¹.

This was the “first face” of Ibadi political action – i.e. when they Ibadis were strong and enjoyed military superiority. The “second face” – when they were weak and inward-looking – usually occurred at times when they were inclined to withdraw in on themselves and develop their own society in isolation from their non-Ibadi surroundings. It was in such circumstances that they established the “*Azzabah*” institution in Southern Tunisia².

This “defensive/constructive face” took root following the succession of defeats suffered by the Kharijites in Iraq and the fall of the emirates set up by the Ibadis in the Maghreb and Oman. Consequently, the Ibadis became a peaceable group whose focus was on missionary work and religious scholarship. This aspect of their character dates from the time that the then Kharijite leader ‘Abdullah bin Ibad adopted a policy of dialogue with the Umayyads based on debate and exchanges of letters aimed at persuading the Umayyad ruler – the Caliph ‘Abdul Malik bin Marwan – through evidence and argument as opposed to violence and the sword³.

- 1 Al Darjini: *Tabaqat al Mashaikh bi'l Maghreb*, edited and published by Ibrahim Tallai, undated, Part 1, pp. 40-41; Najiyah al Warimi: *Al Islam al Khariji, Al Islam Wahidan Muta'addidan* Series, Dar al Tali'ah, Beirut, 1st impression, 2006, pp. 135-143; Alfred Bell: *Al Firqat al Islamiyyah fi'l Shimal al Ifriqi min al fath al 'Arabi hatta'l Yawm*, trans. 'Abdul Rahman Badawi, Dar al Gharb al Islami, Beirut, 3rd impression, 1987, pp. 147-148 and 150-151; A. Laroui: *L'Historie du Maghreb*, Centre Culturel Arabe, Casablanca, 1995, pp. 90-93.
- 2 For a definition of the ‘*Azzabah*’ concept and system, see: Al Darjini: *Tabaqat al Mashaikh bi'l Maghreb*, Part 1, p. 4 and from p. 17; al Ja'biri: *Nidham al 'Azzabah 'aında'l Ibadiyyah al Wahbiyyah fi Jerbah*, Al Matba'ah al 'Asriyyah, Tunis, 1975; al Warimi: *Al Islam al Khariji*, pp. 219-228.
- 3 See Ibn Ibad ‘Abdullah (died 88 AH): *Risalat Ibn Ibad ila 'Abdul Malik bin Marwan*, study edited by Latifah al Bakkai, Dar al Tali'ah, Beirut, 1st impression, 2002.

The Imam of the Ibadi community in Basra – Abu al Sha'tha' Jabir bin Zaid al Azdi (died 93 AH) continued with the conciliatory approach towards the Umayyads initiated by Ibn Ibad. His successor – Abu 'Ubaidah bin Abi Karimah al Tamimi (he was Tamimi by adoption and died between 136 and 158 AH) - also followed the same peaceful policy when he took over the leadership of the Ibadis in Basra. This approach was known as “*Qu'ud*” or “Remaining” (as opposed to “*Khuruj*” or “Departing”) and those who followed this line were described as “*al Qa'adah*”.

The Ibadi sheikhs gave precedence to the “*Qu'ud*” over the “*Khuruj*” approach and this enabled them to form a stable Ibadi community in the city of Basra that made an intensive study of disciplines such as *fiqh* and *Hadith*. They then applied what they had learnt for the specific purpose of serving the interests of their creed before branching out and turning to other regions such as Yemen, Africa and Oman, where they propagated their *madhhab* and defended it when necessary. Consequently, unlike the other Kharijite groups they were able to survive and produce a significant body of religious knowledge.

The Ibadis considered themselves *the* Islamic community *par excellence*. They had their own view of Islamic history and their own distinctive political and social ideas. This is all reflected in the names they gave themselves – “*Jama'at al Muslimin*” (“the Community of Muslims”) and “*Ahl al Haqq*” (“the People of Right/Truth/Justice”) – and the fact that they sometimes called their Imams “*Amir al Mu'minin*” (“the Commander of the Faithful”).¹ In addition to declaring that they were the true heirs of the first Islamic community at the time of Abu Bakr and 'Umar and that they adhered faithfully to the Prophet's Book and Sunnah and the line taken by

1 See Abu Hafis 'Amrus al Nufusi: *Usul al Dainunah al Safiyah*, p. 79; al Darjini: *Tabaqat al Mashaikh bi'l Maghreb*, Part 1, pp. 47-49, 51-52, 53, 55, 60, 67, 118 and 183. Ibn Ibad assumed the title of “*Amir al Mu'minin*” when he was appointed Imam of the “*Jama'at al Muslimin*” in Basra. (This was how the Ibadi community in that city styled itself.) According to al Shammakhi, he was also given the following titles: “*Imam Ahl al Haqq*” (“Imam of the People of Right/Truth/Justice”), “*Imam al Muslimin*” (“Imam of the Muslims”) and “*Imam al Qawm*” (“Imam of the People”); see *Siyar al Shammakhi*, p. 77; al baradi: *Al Jawahir al Muntaqat fima Ahmalahu Kitab al Tabaqat*, p. 155, taken from Pierre Cuperlu: *Introduction a l'Etude de l'Ibadisme et de sa Theologie*, Office des Publications Universitaires, Algiers, 1984, p. 24, Note 48.

his Two Caliphs, they also glorified the memory of the first Kharijites and classed them as paragons of heroism.¹ They condemned *bida'* (heretical innovations) and those who engaged in it, even if those guilty of *bida'* were themselves Ibadis. Indeed, this was one of the connotations of the term '*Azzabah*' as it was understood by their later scholars.

They developed a holistic political view based which grew out of their condemnation of the "incidents, heretical innovations and errors" of which (in their view) some of the Companions and Caliphs were guilty, particularly 'Uthman bin 'Affan and 'Ali bin Abi Talib, as well as the *fiqhahs* that were in competition with them; indeed, they made this a fundamental element of the way in which they categorised history and the Faith and they regarded it as an integral part of their creed.² In this connection, the Ibadi theologian al Warjilani classified the *Muwahhidun* (those who believe in One God) as falling into seven categories. Six of them, including the "*Sunniyyah*" – i.e. the "*Ahl al Sunnah*" – were in error and destined for the Fire and the only route to Salvation was through Ibadism³.

The Ibadis judged the religious and political character of the Companions, the Four Caliphs and the Umayyads solely on the basis of their conduct.⁴ Their critiques included a letter from 'Abdullah bin Ibad to 'Abd al Malik bin Marwan in which Ibn Ibad regarded attitudes to the reign

1 For example, see al Qalhati's glorification of the martyrs of the Battle of Nahrawan and the reports highlighting the virtues of Harqus bin Zuheir in *Al Kashf wa'l Bayan*, Tunisian University Annals, pp. 236-237.

2 See how the Ibadis judged 'Uthman, Talha al Zubair with heresy and Unbelief, solely on the basis of certain of their actions. Ibn Dhakwan: *Sirat Salim bin Dhakwan*, part of which has been edited by Michael Cook and published in his book: *Early Muslim Dogma*, Cambridge University Press, London, New York, first published 1991, pp. 78 and 92. And see Ibn Dhakwan's criticisms of the Azraqites, sometimes on the grounds of their *fiqh* and at other times on creedal grounds, *ibid.* pp. 106-112.

3 Al Warjilani: *Al Dalil wa'l Burhan*, Part 1, pp. 42-49. He justified his "exclusivist" attitude on the basis of the "*Hadith al Iftiraq*" ("*Hadith of Division*"), in which the Prophet (PBUH) said: "My Nation will be divided into seventy-three sects. All of them will be in the Fire except one, which will be saved," *ibid.* pp. 49-50.

4 See the list of their behavioural shortcomings in the *khutbah* (address) given in Makkah by Mukhtar bin Nuf al Azdi, who was known as Abu Hamza al Khariji of al Shari, quoted by al Jahiz in *Al Bayan wa'l Tabyin*, edited by Abdul Salam Harun, Dar Sahnun li'l Nashr, Tunis, 5th impression, 1990, Part 2, pp. 122-124.

of ‘Uthman and his supporters as a criterion for judging a person’s faith or unbelief and, consequently, whether he was destined for the Garden or the Fire. In his letter he wrote: “As for anyone who supports ‘Uthman and those with him, we call upon Allah and His angels to witness that we are free of them and they are our enemies with our hands, our tongues and our hearts...and we shall be judged as such by Allah.”¹

2 – The Ibadi Shariah system

The Ibadis attached great importance to religious learning. Consequently they produced a large number of scholars with expertise in *Hadith*, *tafsir*, *fiqh*, *furudh* (religious obligations), *usul* (fundamentals of the Faith) and language, who produced a solid body of literature on those topics. They included Jabir bin Zaid (died 93 AH), Abu ‘Ubaidah Muslim bin Abi Karimah (died between 136 and 158 AH), Abu Sufyan Mahbub bin al Rahil al ‘Anbar bin Habir (died 170 AH?), Abu ‘Amr al Rabi‘ bin Habib al Azdi al Farahidi (died 175 AH), ‘Abdullah bin Yazid al Fazari,² Abu ‘Ammar ‘Abdul Kafi al Tanawuti (died before 570 AH), Abu Ya‘qub Yusuf bin Ibrahim al Warjilani (died 570 AH), Abu Zakariya Yahya bin al Khair bin Abi’l Khair al Ghannawuni (5th/6th century AH), Tabghurin bin Dawud bin ‘Isa al Malshuti (5th/6th century AH), Abu Tahir Isma‘il bin Musa al Jitali (died 750 AH), Abu Sakin ‘Amir bin ‘Ali al Shammakhi (died 792 AH), Abu’l Fadl Abu’l Qasim al Barradi al Dammari (died beginning of the 5th century AH), Abu Hafs ‘Umar bin Jumai‘ (died beginning of the 9th century AH), Abu’l ‘Abbas Ahmed bin Sa‘id al Shammakhi (died 93#28 AH), Abu Sa‘id Muhammad Sa‘id al Azdi al Qalhati (11th century AH) and Muhammad bin Yusuf Atfaish (known as “*al Qutb*”)³.

1 From Ibn Ibad’s letter to ‘Abdul Malik in: Latifa Bakkai: *Qira’ah fi Risalat Ibn Ibad*, pp. 84-85. And see al Wajilani’s critique of ‘Uthman, ‘Ali, Talha and Zubair and the *fiqahs* in *Al Dalil wa’l Burhan*, Part 1, pp. 27-32.

2 See their writings in Ibn Salam al Ibadi: *Bid’ al Islam wa Sharayi’ al Din*, edited by Werner Schwartz and Salim bin Ya‘qub, Franz Steiner, Wiesbaden, Germany, 1986, pp. 108-117; al Darjini: *Tabaqat al Mashaikh bi’l Maghreb*, Part 2, pp. 205-290; Al Waraimi: *Al Islam al Khariji*, pp. 182-194; P. Cuperly, Introduction; P. Crone and F. Zimmermann: *The Epistle of Salim bin Dhakwan*, Oxford University Press, 2001, pp. 301-315.

3 See their writings in Ibn Salam al Ibadi: *Bid’ al Islam wa Sharayi’ al Din*, pp. 108-117; al Darjini: *Tabaqat al Mashaikh bi’l Maghreb*, Part 2, pp. 205-290; Al Waraimi: *Al Islam al Khariji*, pp. 182-194; P. Cuperly, Introduction; P. Crone and F. Zimmermann: *The Epistle of Salim bin Dhakwan*, pp. 301-315.

Their broad-based approach to the Qur'an provided them with the means to link the different fields of knowledge that interested them. In his study of the Qur'an, one of their scholars (al Warjilani) stipulated the existence of three categories of “*muqaddimat*” (“introductory matters”) – “*sawabiq*” (“prolegomena”), “*usul*” (“basic elements”) and “*lawahiq*” (“appendages”). The “*sawabiq*” are language and grammar. The “*usul*” are the fundamentals of the Faith, Shariah discourse techniques from the “*umum*” (“general”) to the “*khusus*” (“specific”), “*amr*” (“enjoining virtue”) and “*nahiy*” (“forbidding vice”), “*mujmal*” (“totality”) and “*mufassal*” (“separate”), “*nasikh*” (“abrogating”) and “*mansukh*” (“abrogated”), and “*muhkam*” (“literal”) and “*mutashabih*” (“allegorical”). The “*lawahiq*” are proofs and their status in rational and legal contexts¹.

The Ibadis also made significant contributions in the politico-theological field. They developed a range of important political and social concepts that affected their *firqah*, including *kufr al ni'mah*, *wilayah*, *bara'ah*, *difa'* (defence), *taqiyah* (dissimulation), *kitman* (concealment), *dhuhur* (manifesting) and *shira'* (martyrdom). While they shared some of these concepts with other Islamic groups, they gave them distinct meanings of their own².

On the other hand, their contribution to metaphysical theology was limited. This was due mainly to the fact that their outlook was predominantly conservative and they had little contact with non-Islamic cultures. Al Darjini – one of the group's chroniclers – cites several examples of political and metaphysical debates in the Maghreb between *Wahbi* Ibadi scholars and their opponents, who included *Nakkari* and *Wasili* Ibadis, Jews and Shi'ites, in which they vied with each other to display their expertise in the different fields of theology.³ However, such expertise as they displayed amounted to no more than a few basic common theological

1 See al Warimi: *Al Islam al Khariji*, p. 183.

2 For definitions of these and other Ibadi concepts, see al Darjini: *Tabaqat al Mashaikh bi'l Maghreb*, Part 1, pp. 4-6; Ibn Dhakwan: *The Epistle of Salim bin Dhakwan*, pp. 102-104 and 144; Farhat al Ja'biri: *Nidham al 'Azzabah 'ainda'l Ibadiyah al Wahbiyyah fi Jerbah*, p. 23; Abu'l Qasim bin Ibrahim al Barradi: *Risalah fi'l Haqa'iq*, translated into French in P. Cuperly: *Introduction*, pp. 327-330.

3 See al Darjini: *Tabaqat al Mashaikh bi'l Maghreb*, Part 1, pp. 147-156.

ideas. This is also confirmed in their written works on theological topics such as *Usul al Dainunah al Safiyah* by Abu Hafis ‘Amrus bin Fath al Nafusi (died 283 AH),¹ *Al Mujaz* by Abu ‘Ammar ‘Abdul Kafi al Tanawuti (died before 570 AH), *Al Dalil wa’l Burhan* by Abu Ya‘qub Yusuf al Warjilani (died 570 AH), *Sharh ‘Aqidat al Tawhid* by Muhammad bin Yusuf Atfaish and *Ghayat al Ma’mul fi ‘Ilm al Furu’ wa’l Usul* by Muhammad bin Shamis al Battashi².

The Ibadis are a Shariah-oriented *firqah*, in the sense that their stances, principles and teachings are based upon sources sanctioned by the Lawgiver – that is the Qur’an and those of the Prophet’s *Hadiths* that are approved by their group, in addition to *ijma’* (consensus) and *ijtihad* (interpretative judgement). The Ibadis unreservedly endorse the Divine Scripture and believe it is obligatory to observe the words and deeds of the Prophet (PBUH), the Caliphs Abu Bakr and ‘Umar and the actions of the First Kharijites. They also unreservedly condemn ‘Uthman’s “*bida’*”, ‘Ali’s “*akhta*” (“errors”) and the Umayyads’ “*inhiraf*” (deviation) from the Laws of Islam, which they attribute to “surrender to personal whims and desires”. And along with the Sunnis, they are fully committed to the concepts of the Prophetic Traditions and the dominant role that *fiqh* should play in Islamic culture³.

1 Despite its promising title, only the first chapter of this little book is devoted to creedal issues. The remaining chapters (pp. 85-159) deal with the application of *fiqh* to acts of worship and dealings between people.

2 This book was printed in nine parts in 1984 by the Sultanate of Oman’s Ministry of National Heritage. Theological questions are only discussed in 157 pages in Part 1.

3 Before the *Ahl al Sunnah* the Kharijites were the main proponents of the Sunnah and Traditions in two senses: (1) the historico-political sense including the historical role of the Prophet, the Caliphs Abu Bakr and ‘Umar and all those Believers who followed their path in a faithful and upright manner and (2) the *usuli* (“fundamental”) sense – that is, the Qur’an and the Prophet’s Sunnah as instruments of legislation. The early Ibadi notion of the Sunnah is summed up in the words of Salim bin Dhakwan: “Today we see nothing preferable, more proper, closer to obedience to Allah, better [for man’s destiny] after death or more correct in this world than the satisfaction that comes from Allah’s guidance to those before us and following the best of their practices... Our command today follows the command of the Muslims in the days before the “*Fitnah*” (the civil war that led to the establishment of the Umayyad dynasty)...and our view today follows their view from that time, and our interpretation of the Qur’an today follows their interpretation at that time...” (*Sirat Salim bin Dhakwan*, pp. 128-130). Ibn Sallam al Ibadi (died 273 AH) stated: “Our religion is the religion of the Prophet, Abu Bakr and ‘Umar bin al Khattab” *Bid’ al Islam wa Sharayih al Din*, p. 72). On another =

3 – The Ibadi theologian/jurist model

It is universally recognized that Ibadis – and Kharijites in general – consider a person’s faith to be incomplete unless it combines knowledge with action. Unlike the Murji’ites and certain other groups, they do not accept one of these two conditions without the other. Consequently, for them it is of the utmost importance that every individual member of their community should enjoy a minimum degree of knowledge in order to ensure that his faith is not founded upon erroneous conceptions, as well as a sufficient level of action to safeguard his faith from being merely a set of empty beliefs.

To put this knowledge/action combination into practice, the Ibadi approach to religion and their social and political system is based on three principles: the acquisition of a sufficient level of knowledge to fulfil man’s obligations to Allah and his fellow man in accordance with the Shariah; active resistance to political tyranny while striving to establish a just system of government in its place; and asceticism in this world and an “exaggerated” degree of worship.¹ It is these three elements that determine the genuineness of a person’s faith and his religious status.

This approach entails a very “special” kind of understanding of religion and society. Religion consists of a series of commands and prohibitions from Allah to mankind, while society is an obligatory legal and spiritual association whose members are required to comply faithfully with Allah’s commands and prohibitions. They – i.e. the members of the community – have the right to call upon violators to comply and resort to force against them if they refuse. Thus the Ibadis

⁼ occasion he stated: “Our religion is the religion of the *jama’ah* of the Companions of the Prophet (PBUH) – the *Muhajirun* and the *Ansar* – and the religion of those who met and coalesced around it before the dispersal of the *Ummah* and its disagreements”. He also cited the Prophet’s *Hadith*: “And I command you with five that Allah commanded me: Listening and obeying, *Jihad*, *Hijrah*, and the *Jama’ah*.” He explained hearing and obeying as meaning following the Book of Allah and the Sunnah of His Prophet, the *Jama’ah* as meaning “the Traditions and Laws agreed upon by the *Muhajirun* and the *Ansar* before the *Ummah* became divided. (Ibid. pp. 79-81).

¹ See a summary of these three principles in Salim bin Dhakwan: *Sirat Salim bin Dhakwan*, pp. 50-52.

made the “Divine Discourse” a supreme social, political and other-worldly value, and obedience to the Shariah one of the highest acts of faith. So Ibadis are not just a political party seeking to take over the reins of power, but a genuine, sincere religious *jama’ah* with the sole declared aim of coming closer to Allah in order to obtain His Good Pleasure and find salvation from His punishment.

The Ibadis established their own educational and social systems with the aim of producing learned men imbued with the three principles we described above. Hence during the middle of the 5th century AH the Ibadis of the Maghreb were intensely interested in theology and *usul* and on the Tunisian island of Jerba they had two separate study groups – one devoted to the teaching of theology while the other taught *fiqh*. There was fierce competition between their students.¹ The purpose of these study groups was to provide training in a range of academic, religious and social disciplines so that their graduates could pass on the benefits of their learning to the other members of the *firqah*.

While the Ibadis always sought to attain their scholarly and moral goals through their ‘*ulama*’ (religious scholars) and leaders, this did not invariably turn out to be the case in practice. Some senior Ibadis were guilty of appalling conduct to an unprecedented degree² - an indication of the wide gulf between theory and practice that is found in all forms of religion when it becomes involved in worldly and political affairs and matters pertaining to the exercise of governmental authority.

As far as the Imam was concerned, even if he was an Ibadi, he did not enjoy any immunity or “holy status”. He was appointed to his position by the community of Believers and whether or not he remained in his position was subject to their approval. They had the right to remove him and fight him if he sinned and failed to repent.³ In the Ibadi view,

¹ See al Darjini: *Tabaqat al Mashaikh bi'l Maghreb*, Part 1, pp. 191-195; P. Cuperly: *Introduction*.

² See al Darjini’s observations on the worldly inclinations and vices indulged in by several Ibadi leaders and sheikhs, such as Abu Qudamah Yazid bin Findiq, al Yafrini, Faraj bin Nasr Nafath and Abu Yazid Mukhallad bin Kayrad: *Tabaqat al Mashaikh bi'l Maghreb*, Part 1, pp. 47-51, 63-64, 77-90, 101-113 and 124-131. And see his comments on Sheikh Abu Khazar and Abu Nuh, Part 1, pp. 187-188.

³ See Ibn Dhakwan: *Sirat Salim bin Dhakwan*, pp. 74-76 and 126.

the Imam is a servant of Allah like the rest of Allah's servants and he is raised to the highest rank of the Believers if his deeds are in compliance with the Sunnah and the Shariah. On the other hand, he loses that rank and is treated as an enemy if he fails to obey the rules ordained by the Shariah.

The Ibadis are motivated by their religious faith when they look for political, social and psychological justification for resisting tyrannical rule through religious action and force of arms. This political approach comes to the fore in times of social and political crisis. On the other hand, it becomes harder to sustain when the state is strong and stable, as happened after the Abbasids came to power and developed a new political system. As a result the Ibadi movement lost the centre while retaining a degree of influence on the fringes.

Conclusion

The Mu'tazilite political ethos was guided first and foremost by rational, intellectual and moral considerations. They were committed to a free, responsible form of religious observance, which they saw as the path to man's salvation and progress, and they endeavoured to create a cultural climate based upon free thought and an acceptance of differences. In their view, rational debate was the proper framework to arriving at the truth.

On the other hand, the Ibadis based their politics upon politico-religious and social considerations which saw governance and society as being subject to the Divine Will as embodied in Allah's Book, the Sunnah of His Prophet, His legitimate Caliphs and the provisions of the Shariah as established by their *firqah's fuqaha'*.

If the theologians and *fuqaha'* succeeded in injecting religion into their political practises, philosophical views and ventures into practical *fiqh ijihad*, this was due to the fact that they linked these matters to the Divine Will, the values of the faith, man's destiny in the Hereafter and the principles of the Shariah as explained (correctly, in their view) in the books of *tafsir*, *usul*, *mantiq* (logic) and other sources. However, the activities of most of them were dominated by political and worldly goals; they fell

prey to narrow sectarian interests and frequently found themselves mired in fruitless arguments and disputes which eventually sapped the genuinely religious and spiritual aspects of their movements. Consequently, *'ilm al kalam* (scholastic theology) became an insipid abstract intellectual exercise, while *fiqh* degenerated into a purely temporal discipline. Consequently, in Hujjat al Islam al Ghazali's view it became alienated from religion and emptied it of its substance¹.

¹ See Mohammed Bu Hilal: *Al Ghaib wa'l Shahadah fi Fikr al Ghazali*, 606-613.