



ABŪ ESHĀQ AL-ŠĪRĀZĪ

ABŪ ESHĀQ AL-ŠĪRĀZĪ, EBRĀHĪM B. 'ALĪ B. YŪSOF B. 'ABDALLĀH AL-FĪRŪZĀBĀDĪ, Shafe'ite jurist, b. 393/1003 (395 and 396 are also mentioned) in Fīrūzābād in Fārs. He began studying Shafe'ite law in his hometown under Moḥammad b. 'Omar Šīrāzī. Leaving Fīrūzābād, he studied with 'Abd-al-Raḥmān b. al-Ḥosayn Ġondejānī in Ġondejān and Šīrāz, where he arrived in 410/1019-20. In Šīrāz he also studied with Abū 'Abdallāh Jallāb and engaged in disputations on legal problems with Qāzī Abu'l-Faraġ Fāmī, the leading Zāherī scholar of his time, thus giving early evidence of his brilliant talent for disputation. He continued his studies in Baṣra under 'Abdallāh b. Rāmīn. In Baghdad, where he arrived in Šawwāl, 415/December, 1024, he heard Hadith from Abū Bakr Berqānī and Abū 'Alī b. Šaḍān and studied the legal sciences with Abū 'Abdallāh Bayzāwī, Abu'l-Qāsem Karkī, Abū Ḥātem Qazvīnī, and Abu'l-Ṭayyeb Ṭabarī. He also attended the scholarly circles of the Hanbalite scholars Abū 'Alī b. Mūsā Hāšemī and his nephew, Šarīf Abū Ja'far—relatives and intimates of the caliphs Qāder and Moqtadī respectively. According to his own testimony, he profited most from Qazvīnī and Ṭabarī among his teachers. He attended the circle of Ṭabarī for ten years and for some years was his teaching assistant (*mo'īd*).

In 430/1038-39 he accepted, at the request of Ṭabarī, the professorship in a mosque in the Bāb al-Marāteb quarter. His fame as a jurist and teacher spread rapidly; he was asked for *fatwās*, and he attracted students from all over the Muslim world. According to a report whose reliability is doubtful, the caliph Qā'em in 447/1055 vainly pressed him to accept the appointment as chief judge



in succession to Abū ‘Abdallāh b. Mākūlā. After the foundation of the great Neẓāmīya *madrasa* in Baghdad, the professorship was offered to him as the most prominent Shafe‘ite scholar. He accepted at first but did not appear at the inaugural ceremony out of scruples, because the ground and furniture of the *madrasa* were said to be partially usurped. Thus his chief rival Ebn al-Şabbāğ was given the position by the ‘*amīd*, Abū Sa‘d. Neẓām-al-molk, however, continued to press for the appointment of Abū Eşĥāq; and the latter reconsidered after twenty days, especially since his students threatened to desert him for his rival. He delivered his inaugural lecture at the Neẓāmīya on 1 Dū‘l-ĥeĵĵa 459/13 October 1067. His position as head of the most prestigious *madrasa* in Baghdad involved him in public affairs. In 464/1072 he joined with Şarīf Abū Ja‘far, chief of the Hanbalites, to press the caliph Qā‘em for action to suppress prostitution and wine drinking. In 467/1075, at the inauguration of the caliph Moqtadī, the ‘*olamā*’ chose him to be the first to give the *bay‘a* to the new head of Islam. For this role Moqtadī kept him in high esteem. In 469/1077 the Shafe‘ite Sufi preacher Abū Naşr b. al-Qoşayrī visited Baghdad; with the permission of Neẓām-al-molk, he gave sermons in the Neẓāmīya in which he espoused Ash‘arite theology and accused the Hanbalites of anthropomorphism. The Hanbalites, led by Şarīf Abū Ja‘far, reacted with rioting and, outnumbering the Shafe‘ites, gained the upper hand in the streetfighting. Taking the side of Qoşayrī, Abū Eşĥāq wrote Neẓām-al-molk for support and, as the Neẓāmīya became more and more the object of Hanbalite criticism and attack, threatened to leave Baghdad. The caliph arranged for a reconciliation between the leaders of the two factions; and Qoşayrī was permitted to give a sermon in the mosque of the caliph’s palace which was, however, interrupted by Hanbalite interjections. New Hanbalite-Shafe‘ite rioting ensued, which continued over a month. Then letters of Neẓām-al-molk arrived in answer to earlier Shafe‘ite complaints in which he sharply condemned the Hanbalites. The caliph again arranged for a meeting of Şarīf Abū Ja‘far with the Shafe‘ite leaders. Abū Eşĥāq tried to conciliate him by pointing out that, in his work on legal theory, he had contradicted the doctrine of the Ash‘arites. As the Şarīf remained intractable, the caliph ordered his detention in the palace area.

The following year Qoşayrī returned to Baghdad after a visit to Mecca, and the clashes between Hanbalites and Shafe‘ites resumed. Abū Eşĥāq, together with other Shafe‘ite scholars, sent a complaint to Neẓām-al-molk asking for his intervention. But this time he was rebuffed by the sultan, who at the caliph’s request recalled Qoşayrī from Baghdad. The Hanbalites were heartened and



attacked a jurist of the Neẓāmīya who had charged them with infidelity and, in the ensuing riot, pillaged part of the markets of the Neẓāmīya quarter. Neẓām-al-molk in retaliation ordered the *'amīd* of Iraq to interfere in the landholdings of some members of the caliph's court who were suspected of having a hand in the Hanbalite rioting. In 475/1082-83 the Neẓāmīya was again involved in Hanbalite-Ash'arite controversy, but nothing is known about Abū Eshāq's role at this time. It has been suggested that his defense of Ash'arism was forced upon him against his will by his position as head of the Neẓāmīya. He was evidently not a trained Ash'arite theologian. Yet his deviation from Ash'arite doctrine in some points of legal theory is no proof that he disagreed with basic aspects of the Ash'arite creed. A *fatwā* of his unequivocally describes the Ash'arites as outstanding supporters of the *Sunna* and orthodoxy whose detractors are to be punished.

In Du'l-ḥeġġa, 475/May, 1083 the caliph Moqtadī sent Abū Eshāq at the head of a delegation to Sultan Malekšāh and Neẓām-al-molk in Khorasan with a complaint about the *'amīd* of Iraq, Abu'l-Faṭḥ b. Abi'l-Layṭ. The trip via Sāva, Baṣṭām, and Nīšāpūr came as a climax to his career. He was everywhere given a splendid reception by scholars, Sufis, and the common people and found his former students as judges, *moftīs* and *kaṭībs*. Abū Eshāq, who had been poor in his youth, continued to lead a simple, ascetic life after his rise in rank; and this practice gained him the admiration of the Sufis. He appears to have had some ties to the Sufi shaikh of Fārs, Abū Eshāq Ebrāhīm b. Šahrīār Kāzarūnī (d. 426/1035), to whose prayer he is said to have attributed his success in scholarship. Ebn al-Jawzī counts him as a Sufi in his *Šefat al-šawfa*. In Nīšāpūr Emām-al-Ḥaramayn Jovaynī went out to welcome him and held disputations with him. Abū Eshāq returned to Baghdad on 29 Rabī' I 476/16 August 1083 with favorable replies of the sultan and Neẓām-al-molk to the caliph's request. Less than three months later, on 21 Jomādā II 476/5 November 1083, he died. As an exceptional honor, the funeral prayer for him was held at the Bāb al-Ferdaws in the caliphal palace quarter, and the caliph Moqtadī was the first to perform the prayer. He was buried in the quarter of Bāb al-Azaġ. The *mostawfi* Tāj-al-molk built a mausoleum over his grave.

Abū Eshāq's writings covered in particular all the fields of *feqh* studies: principles of jurisprudence (*oṣūl*), positive law (*forū*), conflict of legal school doctrines (*kelāf*), and disputation (*ġadal*). The following of his works have been printed. 1. *Al-Tanbīh fi'l-feqh* (ed. A. W. T. Juynboll, Leiden, 1879), a compendium of Shaf'ite *feqh* composed between Ramaẓān, 452/October, 1060



and Ša'bān, 453/August-September, 1061. According to Nawawī, it became the most current law book among the Šafe'ites. It received numerous commentaries and was repeatedly abridged and versified. 2. *Al-Mohaddab fī'l-madhab* (Cairo, 1329/1911), an extensive exposition of the law, written between 455/1063 and Jomādā II, 469/January, 1077. Several commentaries have been written on it, and it was also abridged. 3. *Al-loma' fī oşul al-feqh* (Cairo, 1347/1927), on the principles of jurisprudence. 4. *Ṭabaqāt al-foqahā'* (Baghdad, 1357/1937-38; ed. I. Abbas, Beirut, 1970), a short biographical work about the legal experts among the Companions of the Prophet, the following generation, and the scholars of the Šafe'ī, Ḥanafī, Mālekī, Ḥanbalī, and Zāherī schools down to the author's time. Other extant works are listed by Brockelmann, *GAL* I, pp. 485f., S. I, pp. 669f. The text of some of his legal disputations with the Hanafite chief judge Abū 'Abdallāh Dāmġānī and with Emām-al-Ḥaramayn Jovaynī is preserved in *Ṭabaqāt* of Sobkī.

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