

IBN HANBAL

1. INTRODUCTION

As we have seen, the study of forbidding wrong poses a problem of documentation. It is easy enough to find formal scholastic presentations of the duty, such accounts, as will appear from later chapters, are usually to be found in works on the fundamentals of the faith (*usūl al-dīn*) on the Sunni side, and in handbooks of substantive law on the Shi'ite side. At the same time it is evident from the previous chapter that it is a relatively straightforward (though considerably more time-consuming) task to collect scattered information from biographical and historical sources bearing on the practice of the duty at a variety of times and places – items of information that caught the eye of an author, and particularly incidents which in some measure made political history. None of this material is to be despised. But what cannot be reconstructed from it is a convincing picture of the day-to-day agenda of the duty in a specific historical environment.

Fortunately there is one conspicuous exception to this: the milieu in which Hanbalism first took shape. The early Hanbalites were people with a taste for the concrete and specific, and a dislike for the theoretical and abstract.¹ Much early Hanbalite literature accordingly consists of responsa (where it does not consist simply of Prophetic traditions), and the questions that these address are often presented convincingly as ones that have arisen in everyday life and are currently on people's minds. This is particularly the case with a collection of responsa bearing on the duty of forbidding wrong.

¹ In a characterization of the Hanbalite personality, the Hanbalite scholar Ibn 'Aqīl (d. 513/1119) wrote that Hanbalites accept only sciences that can be understood literally (*ma'āshāra min al-'ulūm*), leaving aside whatever lies beyond them, and in particular the 'obscure sciences' (*al-'ulūm al-ghāmiḡa*) (quoted in Ibn Rajab (d. 795/1393), *al-Dhaw' al-Tabaḡat al-Hanbalīa*, ed. H. Laoust and S. Daham, Damascus 1951–1:184–14, and translated in G. Makdisi, *Ibn 'Aqīl et la rénaissance de l'Islam traditionnaliste au XIIe siècle*, Damascus 1963, 479).

The collection in question was made by Abū Bakr al-Khallāl (d. 311/923).² Khallāl made it his life's work to collect the responsa of Ibn Ḥanbal (d. 241/855); he scarcely figures as an authority in his own right.³ The text was published in 1395/1975 in a useful but unscholarly edition.⁴ It contains some 250 traditions, though many, including the last ninety or so, are not directly concerned with forbidding wrong.⁵ Of the 150 or so traditions that do concern us,⁶ about two-thirds contain responsa (or related opinions or actions) of Ibn Ḥanbal.⁷ The variety of transmitters who appear between Ibn Ḥanbal and Khallāl is considerable.⁸ Here, as else-

² For the work, see Sezgin, *Geschichte*, 1:51. If Sezgin notes a manuscript in the Zāhiriyya, Damascus (for this manuscript see M. N. al-Abāsī, *al-Muṣṭafāh min maḥāfiṭ al-ḥadīth* (part of the *Fihriḥ maḥfiṭihī Dār al-Kutub al-Zāhiriyya*), Damascus 1970, 269 no. 956). He identifies the work as a part of Khallāl's *Kutub al-jāmi'* (though it may rather belong to his *Kutub al-sunnah*).

³ See Z. Ahmad, 'Abū Bakr al-Khallāl — the compiler of the teachings of Imān Ahmad b. Ḥanbal', *Islamic Studies*, 9 (1970), and C. Melchert, *The formation of the Sunni schools of law, 9th–10th centuries CE*, Leiden 1997, ch. 7 (with some material from our work, *ibid.*, 151).

⁴ Abū Bakr al-Khallāl (d. 311/923), *al-ʿAmr bi'l-ḥayr wa'l-nahy ʿan al-munkar*, ed. 'A. A. 'Aṭī, Cairo 1975. I owe my copy to the kindness of John Emerson. (There is also a Beirut reprint of 1986, in which the editor's introduction has been severely pruned; this was drawn to my attention by Amīkan Elad, and a copy was obtained for me in Saudi Arabia by Abraham Udovitch.) The author and title of the work are named in the *inshāʿ* (*ibid.*, 82.5). The division into chapters and the chapter headings are preserved in Khallāl's; they were taken to be so by Ibn Muḥāḥib (d. 763/1362) (see his *al-ʿAṭib al-sharʿiyya*, Cairo 1348–9, 1:180.15, 317.4, 322.3, quoting the chapter headings found at Khallāl, *ʿAmr*, 114.2, 138.2, and 127.1 respectively). The editor's introduction is long and pious, but only a few pages (*ibid.*, 72–5) are devoted to the work itself. From what he says there, 'Aṭī based his edition on a Cairo University manuscript, which he does not further identify. He knew of the existence of the Damascus manuscript, but does not seem to have used it, and I have not seen it myself. There is also a manuscript in the library of the Hebrew University of Jerusalem to which my attention was drawn by Eran Köhlberg; he was subsequently kind enough to send me a copy. This text (MS AP ARE 158) runs to twenty-one folios, and bears the date 18 Rabīʿ al-Akhir 859/1455 (f. 21a.12); it omits the last chapter of the printed text, ending with no. 236 (in 'Aṭī's numbering). This manuscript was collated with the printed text by Nurī Ṭaḥṭir in 1989, and I owe to her almost all references given below to the variants of the Jerusalem manuscript (hereafter J). At a late stage in my research, I encountered an earlier edition than 'Aṭī's, to which 'Aṭī makes no reference: this edition, by I. al-Anṣārī, was published in Cairo in 1389/1969 or soon after; it is based on the Zāhiriyya manuscript (Khallāl, *ʿAmr*, ed. Anṣārī, 46.2), and likewise omits the last chapter found in the edition of 'Aṭī. I have collated this text for all cases where differences between 'Aṭī's edition and J are added below; where it offers a reading, this usually agrees with J (so, for example, the readings noted below, nos. 11, 21, 79; an exception is the reading noted below, note 22).

⁵ A good many of these traditions would fit better into a *kitāb al-ḥudūd*, being more concerned with the legal standing of the practices to which they relate than with what, if anything, should be done about them. For this genre, see M. Ferrero, 'The treatises against innovations (*Kitāb al-bidaʿ*)', *Dar Iḥsan*, 69 (1992).

⁶ Most of nos. 1–152, together with nos. 162f., 174, 240f.

⁷ Of nos. 1–152, 104 fall into this category, and a further dozen are transmitted by Ibn Ḥanbal from earlier authorities.

⁸ Usually there are either one or two links between them (forty-one and sixty-eight instances respectively), more rarely three or four (six and one instance respectively). Khallāl transmits

where, Khallāl was clearly collecting his material from a large number of sources; in at least three cases we can still locate the traditions in question in the collections from which he must have taken them.⁹ Some relevant responsa not included by Khallāl survive here and there in other sources, and I have freely included these in my pool.¹⁰ Khallāl's work was transmitted in Baghdad into at least the mid-sixth/twelfth century.¹¹

As indicated, much of the interest of the work arises from its character. It is not a systematic account of the duty; indeed there are occasional contradictions between responsa.¹² But what it lacks in systematic coverage it

directly from some forty different authorities; only six of these are cited five times or more. The most frequently cited, Muḥammad ibn Abī Ḥarūn, appears in twenty *ḥadīths* (I have not been able to identify this transmitter; he is mentioned with the *laqab* 'al-Warrāq' in Ibn Abī Yaʿīn, *Tabaqāt*, 1:414.7).

⁹ These cases are as follows: (1) Khallāl cites authoritative sayings or doings of Ibn Ḥanbal nine times with the *isnād* Muḥammad ibn Abī Ḥarūn from Ishāq (b. Ibrahim) (nos. 4, 15, 19, 86, 94, 113, 119f., 139; in no. 113 for 'Abū Ishāq' read 'Ishāq'). All these are to be found (with textual variants) in Ishāq ibn Ibrahim ibn Ḥanī al-Nayshabūrī (d. 275/888), *Maʿāʾif al-imām Ahmad b. Ḥanbal*, ed. Z. al-Shawīsh, Beirut and Damascus 1400 (2:117–8 nos. 1949, 1948, 1956, 1950, 1970, 1947, 1951f., 1955 respectively). All, except no. 1970, form a part of the *libāʾ al-ʿamr wa'l-nahy* (173–5 nos. 1947–60). This chapter contains (alongside three irrelevant traditions) three responsa not taken up by Khallāl (nos. 1957, 1958); these will be cited in due course. (2) Khallāl cites responsa of Ibn Ḥanbal directly from Abū Dawūd al-Sijistānī (d. 275/889) on six occasions (nos. 1, 25, 47, 63, 87, 133). All are to be found (with textual variants) in Abū Dawūd's *Maʿāʾif al-imām Ahmad*, Beirut n.d. (2:78.9 with 278.13, 278.15, 278.2, 278.17, 278.6, 279.3 with 279.6 respectively). These too form part of a *libāʾ fi'l-ʿamr wa'l-nahy* (*ibid.*, 278–80). The traditions in this chapter from 279.15 on either do not relate to the topic, or are not ascribed to Ibn Ḥanbal, or both; this leaves two relevant responsa which are not taken up by Khallāl (*ibid.*, 279.8 and 279.11), and these too will be discussed in due course. (3) Much (but by no means all) of the material cited by Khallāl from Abū Bakr al-ʿAlarūdī (d. 275/888) appears in the chapter devoted to *al-ʿamr bi'l-ḥayr* in Ibn Ḥanbal, *Warq'* (d. 275/888). There are parallels here to Khallāl's nos. 26f., 21, 51, 32, 130, 114, 123 and 112. 134–6. There are parallels here to Khallāl's nos. 26f., 21, 51, 32, 130, 114, 123 and 112. In these cases, the sole responsa quoted by Khallāl through Ibn Ḥanbal's son 'Abdallāh (no. 115) does not seem to appear in 'Abdallāh ibn Ahmad ibn Ḥanbal (d. 290/903). *Maʿāʾif al-imām Ahmad b. Ḥanbal*, ed. Z. al-Shawīsh, Beirut and Damascus 1981. Likewise the only responsa that Khallāl quotes through Ibn Ḥanbal's son Sāḥib (no. 28) does not seem to appear in Sāḥib ibn Ahmad ibn Ḥanbal (d. 266/880). *Maʿāʾif al-imām Ahmad b. Ḥanbal*, ed. F. Dīn Muḥammad, Delhi 1988 (drawn to my attention by Sulṭān Bashīr) For a monographic study in this literature, see S. A. Spectorsky, *Chapters on marriage and divorce, responsa of Ibn Ḥanbal and Ibn Kāthīr*, Austin 1993.

¹⁰ Examples are given in the previous note. A good many of our responsa may also be found quoted in later Hanbali sources, such as Ibn Muḥāḥib's *ʿAṭib*. I have given references to such sources only when they have something to contribute to the text or understanding of the responsum.

¹¹ See Khallāl, *ʿAmr*, 81f. The date 501 (*ibid.*, 81.6) is better read 551, as in J (f. 1b.4).

¹² For an example see below, note 147. A brief but more systematic account of the doctrine of Ibn Ḥanbal is offered by a Hanbali scholar of a later epoch, Abū Muḥammad al-Tamīmī (d. 488/1095) (*Muqaddima*, *apud* Ibn Abī Yaʿīn, *Ṭabaqāt*, 2:279.20). However, the systematising tendency and technical terminology of this presentation render it suspect as evidence of Ibn Ḥanbal's own doctrine. I shall return to it in a later context (see below, ch. 6, notes 117, 135, 137f., 172).

gains in the richness and informality of its material, and in the directness with which this material seems to reflect the everyday concerns of the early Hanbalite community. A typical example may help to convey something of its flavour.¹³ Ibn Hanbal is told by a disciple that one of his brethren is suffering greatly on account of the objectionable activities of his neighbours. They do three things: they drink liquor; they play lutes; and they commit offences which are coyly explained as having to do with women. The syndrome, once again, is wine, women and song. The victim, so the disciple reports, proposes to denounce them to the authorities (*sulṭān*). Ibn Hanbal disagrees; he should admonish them and forbid them, but the authorities are to be left out of it.

We can best survey this material in terms of three main questions. What are the offences most often encountered? In what contexts are they encountered? And what is to be done about them?

2. VARIETIES OF OFFENCE

The most commonly encountered forms of offence, to judge by the frequency of their occurrence in the responsa, were making music and drinking liquor – in that order. These are followed at some distance by sexual misconduct and a scatter of minor offences. On the whole, the menu is simple and repetitive.

We start, then, with the widespread and ramified offence of making music. There are three offensive instruments which are frequently encountered here: the mandolin (or so I shall translate the term *ṭambūr*),¹⁴ the drum (*ṭabl*)¹⁵ and the lute (*ʿūd*).¹⁶ The flute (*mizmār*) appears occasionally,¹⁷ and a couple more instruments are mentioned once each.¹⁸ An instrument of a different order which appears quite often is the homely tambourine (*daff*),¹⁹ with or without jingles,²⁰ but attitudes to the tam-

¹³ No. 57. (References in this form in this chapter are to Khalīl, *Amr*, unless otherwise specified.)

¹⁴ Nos. 1, 16, 53, 58, *78, 102, 113–16, 119, 121, 123, 125, *126, 132f, *136, 139f. (An asterisk preceding the number of a tradition indicates that the authority quoted is not Ibn Hanbal.) In no. 123 there is also a reference to a small mandolin such as a boy might have.

My translations or explanations of terms for musical instruments are based on Lane's *Arabic-English lexicon*; those as unlettered as I am in musical matters should note that a *ṭambūr* is not a tambourine. Further information on musical instruments can be found in Eḏ, articles 'Duḥ', 'Mizmār', 'Mizmār' (all by H. G. Farmer) and 'Maḥār' (A. Shiloah).

¹⁵ Nos. 1, 53, 70–2, 75, 115, 119, 121, 129f, 139f. In no. 128 Ibn Hanbal equates the *ṭabl* with the *kūbā* (cf. *Wörterbuch der klassischen arabischen Sprache*, Wiesbaden 1970–, 1:420 b 44).

¹⁶ Nos. 57f, *76, *78, 102, 115f, 121, 124, 132f, 140.

¹⁷ Nos. 70f, 102, and cf. no. *174 (*ṣanāʿat al-ḡayb*).

¹⁸ Viz. the *barbat* or Persian lute (no. *127), and the *miṣṣafā*, perhaps a stringed instrument (no. *129).

¹⁹ Nos. 137–48. Ibn Hanbal's views are to be found in nos. 137–43.

²⁰ From no. 140 it appears that a tambourine may include a bell (*ḡannā*).

bourine varied,²¹ and Ibn Hanbal inclined to lenience.²² We naturally come up against these instruments on occasions when they are in actual use.²³ But they also invite attention when on sale,²⁴ and many traditions are concerned with the appropriate response to the mere sighting of an offensive instrument.²⁵ It was not, of course, essential to possess an instrument in order to commit a musical offence: singing (*ghinnā*?) was one in itself.²⁶ That we hear less of liquor than of music perhaps arises from the fact that it is at least possible to drink quietly – for all that drinking is likely enough to lead to rowdy behaviour,²⁷ or to be accompanied by music.²⁸ Various terms are used for liquor²⁹ and its containers,³⁰ and need not detain us here. The primary offence is of course drinking the liquor.³¹ But it is also

²¹ Extreme hostility marks the stance of the companions of Ibn Mas'ūd (d. 32/652f.), who roamed the streets of Kufa, seizing tambourines out of the hands of girls and children, and piping them up (nos. 137, 138, 139, 143; cf. above, ch. 4, note 250). But Khalīl ibn Maḥān (d. 104/722f.) allows them at weddings (no. *144; more detail is given in a line omitted by hagiography in the printed text, but preserved in J, f. 13b.17). Awzā'ir (d. 157/773) does not exclude their use at festivals (no. *145); the Kufans permit them (no. *137), and the Prophet implicitly approves of their use by girls (no. *148).

²² In one tradition Ibn Hanbal endorses the view of the companions of Ibn Mas'ūd (no. 138), and in another he is uncertain (no. 137). But in the light of a Prophetic tradition, he regards the tambourine more favourably than the drum (in the continuation of no. 138), and we learn here that he does not follow the view of the companions of Ibn Mas'ūd (no. 140). He sees no harm in the tambourine provided it is not accompanied by singing (nos. 141, 143, the latter referring to weddings – reading *al-siff* with the printed text, rather than *al-siqāq* with J, f. 13b.15). He considers it desirable that a wedding be made public through the playing of tambourines ('Abdallāh ibn Ahmad, *Maʿāʾil*, 320 no. 1183; I owe this reference to Susan Spectorsky). In general he is against the destruction of tambourines (nos. 139f.), though he approves of it in a funeral context (nos. 142f.).

²³ See, for example, nos. 53, 57f.

²⁴ No. 16 refers to a mandolin on sale in a Muslim market; no. 129 to the sale of drums, either by itinerant drum-sellers (*ṭabāʾin*) or in the markets; no. 130 again refers to the sale of drums in the market.

²⁵ See, for example, nos. 115f, 119, 124. (For the question of concealed musical instruments, see below, note 147.)

²⁶ Nos. 54, 75. Curiously enough, Ibn al-Jawzī (d. 597/1201) tells us that Khalīl himself (together with his pupil 'Abd al-'Azīz ibn Ja'far (d. 363/974), who transmits his *Amr*) considered singing to be permitted; he explains this away as referring to ascetic poetry (*Ṭalīb al-Ḥik*, Beirut n.d., 255, 15). The same information is given about the views of Khalīl (*Ṭalīb al-Ḥik*, Beirut n.d., 620/1223) (*Majma'at*, Cairo 1367, 9:174.21). Ibn 'Abd al-'Azīz by Ibn Qudāma (d. 620/1223) (*Majma'at*, Cairo 1367, 9:174.21). Ibn Qudāma in turn had a heated disagreement with a younger contemporary who favoured the permissive view. Nāṣih al-Dīn ibn al-Hanbalī (d. 634/1226) (Ibn Kaṭīb (d. 793/1393), *al-Dīnīy al-Ṭabāʾat al-Hanbalīya*, ed. M. H. al-Fiqī, Cairo 1952–3, 2:195.8).

²⁷ No. 12 (if we read *yashrib* with the printed text as against *yashrin* with J, f. 2b.9); also Ibn Maḥān, *Adab*, 1:218.3.

²⁸ No. 57. We find *naḥāb* (nos. 57, 73, 85, and cf. no. 7), *khumar* (nos. *61, 110f, 122), and *muskīn* (nos. 111–13, 117, 120, 134, 139). In some cases the reference to liquor is implicit (e.g. nos. 118, 121).

²⁹ Liquor comes in jars (nos. 85, 112, 117, 120) or skins (nos. 110, 112, 118, 121). The term I translate 'jar' is *qinnīn*. I use 'skin' for *ziqq* (no. 110) and *ginnā* (nos. 112, 118, 121). Note that one cannot know for certain that such a container contains liquor and not something permitted, such as vinegar, date-juice (*ḍibā*) or milk (nos. 120f.).

³¹ Nos. 12, 57, *61, 73 (but for no. 12, cf. above, note 27).

a target of the duty when made,³² sold,³³ stored,³⁴ and the like. There is no word of any concession to the relatively lenient delimitation of the category of forbidden drinks associated with the Hanafis, though the existence of such views is mentioned.³⁵

Turning to sexual misconduct, what we encounter in these responsa is fairly tame by modern Western standards, as no doubt by those of many of Ibn Hanbal's contemporaries.³⁶ The main problem is a domestic one: husbands divorce their wives, perhaps in a fit of temper, and then continue to cohabit with them.³⁷ Occasionally we find men and women associating a little too closely in the public domain. Thus you see a man of bad character with a woman,³⁸ a youth riding behind a woman,³⁹ or a druggist chatting to a female customer.⁴⁰ But the responsa with which we began is the only one in which there is a suggestion of something more flagrant.⁴¹

For the rest, the responsa deal with a miscellaneous collection of wrongs. Slovenliness and other shortcomings in the performance of the ritual prayer (*ṣalāt*) appear several times.⁴² Groups of chess-players may sometimes be encountered⁴³ – one may happen to pass by such a

³² In no. 7, a neighbour makes liquor (*yamḥibh*) in a cooking-pot.

³³ In no. 122 a non-Muslim is openly selling liquor in a village, and it may happen that a Muslim buys some.

³⁴ As in no. 85.

³⁵ The permissive Hanafī view of *maḥibh* is mentioned in our work in nos. *167 and *170. There is also a story recounted elsewhere in which Ibn Hanbal is brought face to face with *maḥibh* in the home of the traditionalist Khalaf ibn Hishām al-Bazzār (d. 229/844), who in this respect at least followed Hanafī doctrine (*maḥibh* al-Khifayn, cf. Khafīb, *Ta'rib al-Riḥlāh*, 8:327-3; Ibn Abī Ya'īa, *Ṭabaqāt*, 1:154-19). Ibn Hanbal turned his back on the liquor, and conducted his business with Khalaf when pressed by Khalaf to take a stand on the matter, he responded: 'That's up to you, not me' (*ibid.*, 153-21). I have seen no discussion in the early Hanbalite material of the general question that arises here, namely whether one may treat as an offence conduct which is permitted by the school to which the putative offender belongs (cf. above, ch. 4, note 127).

³⁶ Contrast, for example, Jāhiz (d. 255/868f.), *Riḥlāt al-ḡīyān*, ed. and trans. A. F. L. Beeston, Warminster 1980, §37, §52, §58.

³⁷ Nos. 80-3.

³⁸ No. *101.

³⁹ See above, note 13. The offence is referred to as *irḥīb al-muḥārimin*, glossed as *amr al-ḥudā'* (no. 57).

⁴⁰ Nos. 36, 47, 86-8; also Abū Dāwūd, *Maṣā'ir*, 2:79-11. In a long epistle on family prayer (Ibn Abī Ya'īa, *Ṭabaqāt*, 1:348-80), Ibn Hanbal stresses the obligation of the scholars (*alīh al-ṣūḥab wa'l-ḡayb*) to practise the duty in this connection (*ibid.*, 373-9, 375, 10). In another responsa, Ibn Hanbal is asked about praying behind a man who recites the Koran in the *ḡarā'a* of Hamza; he replies that, if the man is likely to listen to you, you should forbid him (Ishāq ibn Ibrahim, *Maṣā'ir*, 2:174 no. 1953; for Ibn Hanbal's negative view of the *ḡarā'a* of the Kaḥn Hamza, Ibn Ḥabīb al-Zay'āt (d. 150/772f.), later accepted as one of the Seven, see also Ibn Abī Ya'īa, *Ṭabaqāt*, 1:146-4, 146-23, 179-3, 229-1, 323-14, and cf. Nōldeke, *Geschichte des Qurān*, 3:181).

⁴¹ Nos. 133, 149-52; also Ajurrī (d. 360/970), *Ṭahrim al-ḥudā' wa'l-sharḥ wa'l-ḥudā'*, ed. M. S. 'U. Idīs, n.p. 1984, 161-3. (This responsa, in which Ishāq ibn Mansūr al-Kawṣaj (d. 251/865) quotes Ibn Hanbal and Ishāq ibn Rāḥawayh (d. 238/853) in tandem, clearly derives from the as yet largely unpublished collection of Kawṣaj noted in Sezgin, *Geschichte*, 1:509.)

group,⁴⁴ presumably in a public place. Chess-playing, though offensive, is less so than backgammon, which is scarcely met with here;⁴⁵ but with chess as with liquor, we hear nothing of any concession to those who adopt a more lenient view, in this case followers of Shāfi'ī (d. 204/820).⁴⁶ Other offences occasionally referred to are the display of images (*ṣuwar*),⁴⁷ scandalous talk and exchanges of insults,⁴⁸ fighting among boys,⁴⁹ living off (the profits of entertaining people with) a monkey,⁵⁰ depriving one's sisters of their rights of inheritance,⁵¹ engaging in a certain kind of religious singing (*taḡhīb*),⁵² waiting for the dead (*wa'īḥa*),⁵³ or using frogs and mice as bait (presumably to catch fish).⁵⁴ Ibn Hanbal responds to this last item in our catalogue of wrongs with the air of a man who has led too sheltered a life to have experienced the full wickedness of the world.

3. CONTEXTS OF OFFENCES

The contexts in which offences are encountered in the responsa can conveniently be ordered on a continuum from intimate to public.

A few offences take place within the home or family. One responsa deals with the delicate predicament of a man whose mother does not wash or pray properly.⁵⁵ Yet others deal with the performance of the duty against one's father,⁵⁷ or against both parents.⁵⁸ One should speak up if they cultivate vines to make wine; if they pay no attention, one should move out.⁵⁹ Less clearly within the home, and in any case outside the bounds of the

⁴⁴ Nos. 133, 152; Ajurrī, *Ṭahrim*, 161-3.

⁴⁵ Various authorities are adduced against chess in nos. *153-8. Backgammon (*nard*) is encountered in no. 151, and referred to in nos. 152 and *155; also Ajurrī, *Ṭahrim*, 161-3.

⁴⁶ See below, ch. 6, note 151.

⁴⁷ See the responsa quoted in Ibn Qudāma, *Mughnī*, 7:8-4, and cf. Ibn Abī Ya'īa, *Ṭabaqāt*, 1:234-7.

⁴⁸ Nos. 15 (*kaḥīm saw*), 68 (two men call each other *ihn al-ṣūn*).

⁴⁹ No. 27.

⁵⁰ No. 84.

⁵¹ No. 103; on the standing of *taḡhīb*, see the views of Ibn Hanbal and others in nos. 182-93, and for the term, see Lane, *Lexicon*, 2:223a.

⁵² No. 162. By contrast, the recitation of the Koran at funerals, initially treated by Ibn Hanbal as an offence, is permitted by him when he hears of an authoritative precedent (nos. 240f.; Ibn Abī Ya'īa, *Ṭabaqāt*, 1:221, 10).

⁵³ Ishāq ibn Ibrahim, *Maṣā'ir*, 2:175 no. 1958.

⁵⁴ No. 64.

⁵⁵ Abū Dāwūd, *Maṣā'ir*, 2:79, 11. Even though she refuses to take instruction from her son on the grounds that she is older than he is, he should not cut off relations with her or beat her, but continue to instruct and admonish her politely.

⁵⁷ Ibn Muḥall, *Adḥ*, 1:505, 4. One should speak without any rudeness, or leave off; a father is not like a stranger (*ḡayib*).

⁵⁹ *Ibid.*, 505-8, from Ishāq ibn Ibrahim, *Maṣā'ir*, 2:136 no. 1768.

immediate family; is the lodger or tenant (*sākin*); Ibn Hanbal himself explodes at one who continues to cohabit with his divorced wife.⁶⁰

A good many offences take place in the homes of others. Most of the responsa dealing with the offensive activities of one's neighbours presumably fall into this category.⁶¹ Other responsa deal with situations which arise when one has been admitted to someone else's home and comes upon something offensive there.⁶² In yet other cases the sound of music from a house assails one in the street.⁶³

Finally, offences may be encountered directly in public places. In the street (*arṭīq*), we find boys fighting⁶⁴ and brazen neighbours drinking liquor;⁶⁵ and where offences are encountered in passing (or being passed), the location is most likely to be the street.⁶⁶ In the market, people sell musical instruments,⁶⁷ and perhaps liquor.⁶⁸ In the mosque, people fail to pray properly.⁶⁹ An isolated responsum takes us out into the Sawād, the rural hinterland with its non-Muslim population.⁷⁰

What is striking is that none of these contexts, with the exception of the last, necessarily takes us outside what might be called the home range of normal Hanbalite life. This is a point to which I shall return.

4. RESPONSES TO OFFENCES

The issues we need to attend to here are who should respond, and how, together with the conditions under which the duty lapses.

As to the question who is to perform the duty, the responsa have rather little to tell us. There are some slight indications regarding the standing of slaves and women. It is implicit in one responsum of Ibn Hanbal that a slave is not excluded from the obligation to command and forbid.⁷¹

⁶⁰ No. 81. For the *shākin*, see below, note 221.

⁶¹ Nos. 7, 12, 21, 50f, 53, 57f, *61, 63, 73f, and cf. 72. In no. 7, I place the activity on the neighbour's doorstep (*‘alā bāb al-ḥiṭā*, f. 2a.14). In no. 74 the offence is explicitly located in a neighbour's home (*dar*); in no. 73, however, it is located in the street. That Hanbalites live in religiously mixed neighbourhoods is clear from a ruling of Ibn Hanbal's on the question whether one should greet (or respond to the greeting of) a Rāḥīf neighbour (Ibn Abī Ya‘īā, *Taḥqīq*, 2:14.6). ⁶² See below, notes 139f.

⁶³ Nos. 75, *76, *78. ⁶⁴ No. 27. ⁶⁵ No. 73. ⁶⁶ Nos. 68, 111, 124, 133, 152.

⁶⁷ Nos. 16, 129f. ⁶⁸ One of Khallāl's chapter-headings refers to liquor containers which one passes in the markets (Khallāl, *Amr*, 1:34.2); but this location is not explicit in the responsa that follow (nos. 110–12).

⁶⁹ No. 87. In other cases of defective prayer (see above, note 42), the location is not specified. ⁷⁰ No. 122 (see below, note 155).

⁷¹ No. 150, where Ibn Hanbal tells a slave whose master sends him on errands to a group of chess-players that it is his duty to order them to desist. The slave's question was simply

Another case put to Ibn Hanbal concerns the wife of a man who fails to pray; she orders him to do so, but without effect. Ibn Hanbal's reply is that she should seek divorce.⁷² There are no references to contemporary women performing the duty in public, but a tradition is quoted about one who did so in early Islamic times with a whip in her hand.⁷³ We may guess that every legally competent (*mukallaf*) Muslim is obligated, but this is nowhere stated.⁷⁴ We might expect that, in some matters at least, the religious scholars would be called upon to play a leading role, but again there is no indication of this in the responsa.⁷⁵

A question that receives much greater attention is how the duty is to be performed. We can conveniently approach the issue through the three modes of performance established by the Prophetic tradition: performance may be with the hand, the tongue or the heart — the last being the minimum compatible with faith.⁷⁶ Let us take them in reverse order.

Performance 'with the heart' is, as might be expected, less than ideal; Ibn Hanbal refers to it as an 'easement' (*rakhīḍ*).⁷⁷ But it has, of course, the sanction of authority — that of the Companion Ibn Mas‘ūd (d. 32/652f.),⁷⁸ as well as that of the Prophet. What Ibn Hanbal tends to say is that he hopes (*arjīd*) that such performance will pass muster,⁷⁹ but it would seem that in the absence of contraindications,⁸⁰ some kind of action would be better.⁸¹ There is nothing in the material to show that performance 'with the heart' (*bi'l-qalb*) involves anything more than an

whether he should greet them (for this issue, cf. below, note 82, and Ibn Hanbal (d. 241/855), *Zuhd*, Beirut n.d., 275.17).

⁷² Ibn Hanbal (d. 241/855), *Al-kān al-risā‘*, ed. ‘A. A. Yān, Beirut 1986, 62 no. 205.

⁷³ No. *106; the report is transmitted by Ibn Hanbal. On the woman in question, Samā‘ bint Nahlk, see above, ch. 4, 82.

⁷⁴ Sa‘ān al-Thawrī (d. 161/778) is quoted for his 'three qualities' saying (no. *32, see *above, ch. 4, note 242), but this is presumably to be taken as moralising, not as a legal doctrine restricting the performance of the duty to the civil, honest and knowledgeable.

⁷⁵ Elsewhere Ibn Hanbal lays emphasis on the responsibility of the scholars for performing the duty in relation to faulty prayer (see above, note 42).

⁷⁶ The three modes are set out in these terms by Ibn Hanbal, though without explicit reference to the tradition, in no. 26. The tradition is nowhere quoted as such by Khallāl, but its wording appears also in no. 109, and partially in no. 19; in no. 18 it is referred to as the *ḥaḍīth* of Abū Sa‘īd (Abū Sa‘īd al-Khudrī (d. 74/693) being the Companion who transmits the tradition). The frequent use of *ghayyara* as a term for the performance of the duty, irrespective of mode (see, for example, nos. 1, 5, 15) is also likely to derive from this tradition. For a discussion of the tradition, see above, ch. 3, section 1. ⁷⁷ No. 18.

⁷⁸ No. 12. Cf. above, ch. 3, note 51.

⁷⁹ Nos. 13–16, 25. (In no. 16, *bi-ghalib* has dropped out in J, f. 3a.7.) ⁸⁰ Viz. fear (nos. 12f, 16f), impotence (nos. 15, 19, 21), or the ineffectiveness of previous reproofs (no. 21). ⁸¹ No. 25.

unobservable mental act,⁸² so that 'with the heart' could just as well be rendered 'in the heart'.

Yet as the terms 'command' and 'forbid' suggest, the default mode is performance 'with the tongue'. A wide variety of locutions are used for this besides 'command' (*amara*)⁸³ and 'forbid' (*nahā*).⁸⁴ A man may speak to (*qāla li-*) the offender,⁸⁵ exhort him (*ma'ana*),⁸⁶ counsel him (*manāha*),⁸⁷ censure him (*mabnahā*),⁸⁸ shout at him (*āhā*),⁸⁹ and so forth.⁹⁰ Occasionally we are given actual words appropriate to the case, as when Ibn Hanbal tells a man who is praying sloppily: 'Hey you, straighten out your back when you bend and prostrate yourself, and pray properly!'⁹¹ Most of this linguistic variation is without doctrinal significance, but there is one principle which bears on one's choice of words: other things being equal, one should perform the duty in a civil fashion.⁹² Putting a man's back up by being rude to him is likely to be counterproductive.⁹³ But although in general one should speak politely, there are times when rudeness is in place – when the offender is a flagrant evildoer,⁹⁴ when a neighbour doesn't stop making liquor when told not to,⁹⁵ or when the neighbours are shameless enough to drink in the street.⁹⁶ According to one text of Khalīf's responsa, calling a man an evildoer (*fāsiq*) would be an example of speaking rudely.⁹⁷

The final mode, performance 'with the hand', covers a considerable range of actions.⁹⁸

⁸² Cutting off relations with offenders is sometimes suggested by Ibn Hanbal's questioners (no. 84, and Abū Dawūd, *Maṣā'il*, 279.13; cf. also no. 54); and in one response Ibn Hanbal states that players of chess and backgammon are not the sort of people to be greeted (*Ājurī, Ṭahīrī*, 161.3; Ishaq ibn Rāhawrah takes the same view, except that if one intends to explain to them the error of their ways, one starts by greeting them, *ibid.*, 161.6). But such responses are not linked to performance 'with the heart', as is the case with some Imāmī authorities (see below, ch. 11, notes 81f.).

⁸³ See, for example, nos. 16, 74, 87. In no. 16, we find the specification *ya'muru bi-l-ḥānīn*; the expression *ya'muru bi-l-ma'rif bi-ḥādīth* is also possible, see no. 29, and cf. no. 55.

⁸⁴ See, for example, nos. 7, 50, 53.

⁸⁵ See, for example, nos. 64, 85, 87. In nos. 56 and 75, *ṭaballama* is used. Occasionally the message is passed indirectly (nos. 36, 241).

⁸⁶ See, for example, nos. 57, 80, 88, and cf. *mubalakirihū yāhū* in no. 80. ⁸⁷ No. 84.

⁸⁸ No. 73. ⁸⁹ Nos. 81, 95.

⁹⁰ In no. 19 we find *ghayyara bi-l-ḥānīn*, echoing the diction of the Prophetic tradition. ⁹¹ No. 86; see also no. 240.

⁹² Tactful management (*muḍāra'ā*) and civility (*ri'āya*), as opposed to rudeness (*ghīḥā*), are normally to be used (no. 33). The tradition that the companions of Ibn Mā'ūd would approach offenders with a civil 'easy there . . .' (*maḥlan . . .*) is quoted three times (nos. *34f., *55). For civility, see also nos. 30, *32, 46, and Abū Dawūd, *Maṣā'il*, 279.14. Ibrahim ibn Adham (d. 161/777E) recommends a hint (*al-ḥīḍ*) rather than an outright rebuke (*ṭabkhā*) (no. *42, see above, ch. 4, note 244); another tradition suggests private rather than public exhortation (no. *45, see above, ch. 4, note 254).

⁹³ Nos. *38, *43, 46 (or so I understand this tradition). ⁹⁴ No. 33. ⁹⁵ No. 7.

⁹⁶ No. 73. ⁹⁷ No. 7. But I has *nabādhā* (f. 2a.15).

⁹⁸ Occasionally the nature of the action is unspecified (nos. 18, 25, 29, 109).

One of the more common is the destruction of offending objects. Thus the regular course of action against musical instruments is to break them.⁹⁹ (But breaking the instrument over the head of its owner, though sanctioned by weighty authority,¹⁰⁰ is not mentioned by Ibn Hanbal, and was not his style.) Containers of liquor get similar treatment¹⁰¹ – though occasionally the liquor may be poured out, or otherwise spoil, without damage to the container itself.¹⁰² Chess-boards may be overturned, or picked up and thrown,¹⁰³ dramatically scattering the pieces.

Another class of actions is directed against the person of the offender. This may involve separating antagonists,¹⁰⁴ as when Ibn Hanbal goes out of his way to separate boys who are fighting,¹⁰⁵ or evicting an ex-wife whose former husband is cohabiting with her.¹⁰⁶ It may extend to intimidating offenders,¹⁰⁷ or even beating them.¹⁰⁸ But the level of violence envisaged is low. There is no question of using a sword or other weapon¹⁰⁹ – not even the widely available mud brick – and the only case in which we find Ibn Hanbal approving a beating concerns youths who get out of hand.¹¹⁰ In any case, one way to resolve a confrontation with an offence is to remove oneself from the scene. Thus you might be called to a house to wash a dead body, hear a drum, and be unable to break it; so you walk out.¹¹¹

All these forms of action presuppose that the believer is acting alone. He may indeed have no choice; in one case a man hears scandalous talk, but

⁹⁹ See, for example, nos. 113, 115f., 119, 121, 123–5, 129f. (No compensation is payable for the damage, see nos. 132f., 136, 139f.) In all these cases the verb used is *kasara*. There are occasional references to splitting (*shaḡga*), used for a flure (no. *174), and to ripping (*shaḡqqa, kharraqa*) in the case of tambourines (nos. *137–9, *143), although tambourines too may be 'broken' (*kasara*, nos. 139, 142f.). Such assaults on tambourines do not in general find favour with Ibn Hanbal (see above, note 22).

¹⁰⁰ No. *126; see above, ch. 4, note 251.

¹⁰¹ They may be 'broken' (*kasara*, nos. 111–13, 121) or 'split' (*shaḡga*, no. 110). In no. 112, the verb *kasara* is used indifferently of a jar (*qinīna*) or a skin (*ḡibḡ*); in no. 121 it is used of a skin.

¹⁰² In no. 110, we learn that it is better to 'undo' (*ḡalla*) a skin (*ḡiḡ*) of wine, but if one cannot, one should split it. But 'breaking' is preferred to pouring out in no. 112, whereas pouring out is approved in no. 122 (and cf. no. 184). One can spoil *nadhīb* by throwing into it salt or the like (no. 85). ¹⁰³ Nos. 133, 152.

¹⁰⁴ No. 26. The parallel in Ibn Hanbal's *Wara'* (see above, note 9) is noted by van Ess (*Theologie*, 2:389 n. 18). ¹⁰⁵ No. 27. ¹⁰⁶ No. 82, and cf. no. 81.

¹⁰⁷ No. 74, and Ibn Mufliḥ, *Āḥbā*, 1:218.3 (in the case of a blasphemous drunk).

¹⁰⁸ No. 107.

¹⁰⁹ No. 28. Use of a whip appears only in the tradition about Samnā' bint Naḥik (no. *106, see above, note 73).

¹¹⁰ No. 107 (*al-fihrist* *ṣanā'ir* *ḡadīn* – the chapter-heading adds *bi-l-ḡa'ib*); Ibn Hanbal sees no harm in beating them. By contrast, the questioner who in no. 30 asks if a beating (or blows, *ḡadh bi-l-ḡad*) is appropriate receives the laconic answer 'civility' (*al-ri'āya*). The mother who will not listen to her son when he tells her to wash and pray properly should not be beaten by him (Abū Dawūd, *Maṣā'il*, 279.13; cf. above, note 56). For hogging that ought to be administered by the authorities, see below, note 168. ¹¹¹ No. 130.

has no helpers (*a'imān*) to assist him against the offender.¹¹² But it may be that he is able to enlist the help of a neighbour,¹¹³ or to gather the neighbours and intimidate the offender.¹¹⁴ He should seek the assistance of others against obdurate singers.¹¹⁵ Simply making a fuss may help to gather a crowd, as Ibn Hanbal points out with regard to the case of some passers-by who saw singers disporting themselves in an upper room (*'ulliyān*).¹¹⁶ This technique was also used by the ascetic Muhammad Ibn Muṣ'ab (d. 228/843). On hearing the sound of music coming from a house, he would knock at the door and demand the offending instrument in order to break it. If the inmates failed to cooperate, he would sit at the door and recite the Koran till a noisy crowd gathered round, and the inmates had second thoughts.¹¹⁷ One might have expected such commotions to lead to excesses, but there is no indication of this.¹¹⁸

We can now turn to the circumstances in which one should not proceed with the duty. There are three main sources of contraindications: fear for one's own safety; the refusal of the offender to listen; and the demands of privacy.

Fear for one's own safety voids the obligation to perform the duty, other than in the heart. Thus one should not proceed if in peril of one's life,¹¹⁹ if one fears a dangerous drunk,¹²⁰ or if one is up against a wrongdoer of whom one has reason to be afraid,¹²¹ one should take action against the sale of mandolins in the market only if one is not in fear,¹²² and so forth.¹²³ In particular, there is no obligation to proceed against an armed offender.¹²⁴ One should, of course, be prepared to put up with some degree of unpleasantness in the performance of the duty – such as being insulted.¹²⁵ But neither of the two allusions to martyrdom in Khallāl's responses¹²⁶ relates to a con-

temporary context; this kind of heroism, though recollected, is not recommended. Elsewhere we find Ibn Hanbal being asked about a man who falls into the hands of Khārijite fanatics (*shurāḥ*), who demand that he dissociate from 'Alī (r. 35–40/656–61) and 'Uthmān (r. 23–35/644–56) or die; his reply is that if they torture and beat him, he should tell them what they want to hear.¹²⁷

What happens if one tells off an offender, but he ignores it? In some cases, this triggers escalation: if he doesn't listen, speak harshly to him,¹²⁸ pour out his liquor,¹²⁹ take the chess-set and throw it,¹³⁰ gather the neighbours and intimidate him.¹³¹ But in other cases, the refusal of the offender to listen is a signal to leave off. If in the face of repeated expostulations your neighbour seems to be laughing at you, let him alone – you make one, two or three attempts, then give up. What else can you do?¹³² If you pray in the mosque and the people there are not praying properly, talk to them about it, even if they are the majority of those present; but after telling them off two or three times to no effect, you give up.¹³³ In general, if you tell a man off and he won't listen, or doesn't stop, leave off!¹³⁴

Finally, the demands of privacy may override the duty.¹³⁵ This severely limits any kind of gate-crashing of people's homes. It is Ibn Hanbal who transmits the dialogue in which Sufiān al-Thawrī (d. 161/778) expresses horror at the activities of what I understand to be the officially appointed censors (*muhāsibūn*)¹³⁶ who raid people's homes, climbing over the walls the better to surprise them.¹³⁷ It is a different matter if one finds oneself in the home of another for a legitimate reason, and there encounters something offensive.¹³⁸ Thus a man who had entered a home on some occasion was temporarily left on his own by the owner, who had gone into the

¹¹² No. 15. ¹¹³ No. 109. ¹¹⁴ No. 74. ¹¹⁵ No. 54.

¹¹⁶ No. 75; *la'alla 'l-nās kamī wajīmi'ihim*.

¹¹⁷ Nos. *76, *78; cf. above, ch. 4, notes 159, 204. For Muhammad Ibn Muṣ'ab, who was highly regarded as a Koran-reciter, see Khayṣ, *Ta'rib al-Baghānā*, 3:279–81; Ibn Abī Ya'la, *Tabaqāt*, 1:320f.

¹¹⁸ Contrast the activities of the *muhāsibūn* (see below, note 137).

¹¹⁹ No. 8 (*ihān al-kashīrā 'alā nafsih*). In 1, this is ascribed to Ishāq Ibn Rahawayh (f. 2a, 16).

¹²⁰ No. 12. ¹²¹ No. 13 (*innā minhum man yukhāf minihim*). ¹²² No. 16.

¹²³ The sense of no. 47 seems also to be that fear overrides the duty; in the light of the better text in Abū Dāwūd, *Masā'il*, 278.3, and cf. also no. *39. Cases where a man is said to be unable to take on an offender, or not strong enough to do so (see, for example, nos. 15, 63), presumably come under the same rubric.

¹²⁴ No. 4 (mentioning sword and cudgel), and no. 5 (by implication, mentioning sword and whip); cf. no. *9 (Shu'arb Ibn Harb (d. 196/811f.), mentioning sword and whip, see above, ch. 4, note 146), and no. *17 ('Alī Ibn al-Jarāh (d. 196/812), mentioning sword and whip).

¹²⁵ No. 47 (*yuhāznu*). See also no. 29, where Ibn Hanbal declares the Prophetic tradition that the believer should not court humiliation (see above, ch. 3, note 53) to have no bearing on the performance of the duty.

¹²⁶ See nos. 2 and 3. The first refers to the case of a certain Ibn Marwān (see below, note

156). In the second, Ibn Hanbal remarks of one Ibn Abī Khālid (who is not further identified) and his courageous act (which is not specified) that he deemed his life of little account (*qad kāna 'alawīhi nafsih*); the phrase is also used of Bilāl Ibn Rabāh (d. c. 20/640) in the context of his persecution at the hands of the pagans of Mecca (see Hanbal Ibn Ishāq, *Mijma'*, 70.16, 72.8). ¹²⁷ Ishāq Ibn Ibrahim, *Masā'il*, 2:175 no. 1957.

¹²⁸ No. 7. ¹²⁹ No. 122. ¹³⁰ No. 133.

¹³¹ No. 74. Cf. the practice of Muhammad Ibn Muṣ'ab (nos. *76, *78; see above, note 117).

¹³² No. 21. ¹³³ No. 87. ¹³⁴ Nos. 48, 55. Cf. also nos. 53, 56–8, *69, *89f.

¹³⁵ Of the three major relevant principles (see above, ch. 4, 80), it is only the duty not to divulge (*marf*) that is explicitly articulated here. The Prophetic tradition is quoted by 'Uqbā Ibn 'Āmir (d. 58/677f.) in no. *61 (see above, ch. 4, note 265), and the root *ʿ-ʿ-ʿ* appears also in nos. 114 and 152.

¹³⁶ For the official *muhāsibūn*, see also below, ch. 17, notes 8f.

¹³⁷ No. *32; see above, ch. 4, 81. Van Ess suggests that later Hanbalites may have found authority for entering people's homes in response of Ibn Hanbal (*Theology*, 2:389 n. 21); but those he cites would not support such conduct.

¹³⁸ But note the anecdote cited above, note 35, where Ibn Hanbal goes on to say that a man is in charge of his own home, and that it is not for a stranger to intervene (*innā lil-khalīfī ann yuḥāḍiruhū 'alā 'l-dākhilī shay'an*, Ibn Abī Ya'la, *Tabaqāt*, 1:154.6). We should perhaps see this in the context of conflicting legal views, as in the case in point.

house; he saw a jar beside him, opened it, and found it to contain liquor. Ibn Ḥanbal, far from reproving him for prying, told him that he should have thrown salt into it to spoil it.¹³⁹ A similar situation obtains if you are called to a house to wash a corpse, and encounter something offensive there.¹⁴⁰ But in general, there is a presumption against resorting to investigation (*tafṭiṣh*) to discover or confirm offences. Thus if you hear the sound of music, but do not know where it is coming from, it is not your duty to proceed: 'Do not investigate what is not out in the open (*ma ghābbā*).'¹⁴¹ The same principle applies where a man is apparently cohabiting with his ex-wife, but claims to have legally remarried her.¹⁴² Similarly, if you see a jar which you merely suspect to contain liquor, leave it alone and don't investigate.¹⁴³ An important distinction opposes an offensive object, whether musical or alcoholic, which is out in the open (*maktūbif*) to one which is under cover (*muḡhannif*), such as a lute hidden by a garment.¹⁴⁴ An object out in the open should be destroyed.¹⁴⁵ But if it is concealed, most traditions say that it should be left alone,¹⁴⁶ though a few qualify or reverse this liberal view. Thus if you should catch sight of a concealed musical instrument, and it's clear to you what it is, you should break it.¹⁴⁷ Likewise you should break a concealed liquor container if you know it to contain liquor.¹⁴⁸ On the other hand, if chess-players cover the board, or move it behind them to hide it, you should take no action.¹⁴⁹ But where a man is cohabiting with his ex-wife (other than in the case already mentioned), privacy takes second place to the enormity of the offence. Thus a man in this situation may make a point of asking you not to tell his father-in-law what is going on; but you should tell on him all the same, so that the father-in-law can separate the couple.¹⁵⁰

¹³⁹ No. 85.

¹⁴⁰ Nos. 130, 142, 163. In no. 98 the context is a visit to a sick man (reading *marīḍ* with] (f. 10a.18) for the nonsensical *ribnāḍ* of the printed text).

¹⁴¹ No. 71, and similarly no. 70.

¹⁴² No. 80, quoting also the view of Ḥasan al-Baṣrī (d. 110/728).

¹⁴³ No. 117. Contrast his pronouncement in no. 85, where the questioner has already opened the jar (see above, note 139).

¹⁴⁴ For this example, see no. 116.

¹⁴⁵ Nos. 111–13, 115, 123f.; Ibn Abi Ya'īa, *Tabaḡat*, 1:233.4. Abū Bakr al-Marrūḍī describes how he once met a woman who had a mandolin out in the open; he seized it, broke it, and stamped on it (Ibn al-Jawzī (d. 597/1201), *Manāẓih al-imām Ahmad ibn Ḥanbal*, ed. M. A. al-Khanjī, Cairo 1349, 285.5).

¹⁴⁶ Nos. 111, 113–16, 118.

¹⁴⁷ *Ḥanbal*, ed. M. A. al-Khanjī, Cairo 1349, 285.5.

¹⁴⁸ Contrast no. 116, according to which an instrument concealed behind a garment is not to be broken, even if it is clear what it is. Abū Ya'īa Ibn al-Farrā' (d. 458/1066) remarks that the traditions from Ibn Ḥanbal differ on the question whether an offensive object which is concealed is to be broken if one knows what it is: he cites some of our responses (Abū Ya'īa, *al-Ḥikām al-sifāziyya*, ed. M. Ḥ. al-Fiqū, Cairo 1966, 296.18).

¹⁴⁹ No. 120, and similarly no. 121.

¹⁵⁰ No. 152.

¹⁵¹ No. 83. One can also apparently take action oneself to expel her from the marital home (no. 82).

5. THE STATE

In this picture of the day-to-day performance of the duty among the early Ḥanbalites, two things are conspicuously absent — one implicitly, the other explicitly:

Implicitly absent is any tendency for Ḥanbalites to go looking for trouble in other parts of town. There is no indication that they were attempting to carry out the duty in quarters where the population might have been even less sympathetic to their values. They do not seek out Mu'tazilite preachers to revile and assault, or go raiding the brothels, or interfere in the pleasurable activities of the military and political elite. This is hardly surprising. Ḥanbalites as they appear in these responsa are ill-equipped to confront the immoral majority; they can hardly hope to dominate their own streets, let alone those of others.

Explicitly absent is the state: one seeks neither confrontation nor cooperation with it.

It is made very clear that one does not take the authorities as a target for the performance of the duty, for all that their misdeeds are doubtless frequent and flagrant. As Ibn Ḥanbal puts it, one should not expose oneself to the ruler (*malik*) since 'his sword is unsheathed'.¹⁵¹ He was once consulted by a fellow-Marwazi, Ahmad ibn Shabbawayh (d. 229/843), who had arrived in Baghdad with the bold intention of going in to the caliph to 'command and forbid' him; he discouraged him on the ground of the risk he would be running.¹⁵² Ibn Ḥanbal himself was urged by his uncle Iṣḥāq ibn Ḥanbal (d. 253/867) to take advantage of his involuntary presence at the court of al-Mu'tawakkil (r. 232–47/847–61) to go in to the caliph to command and forbid him; he refused.¹⁵³ Ibn Ḥanbal likewise

¹⁵¹ No. 19.

¹⁵² Ibn Abi Ya'īa, *Tabaḡat*, 1:47.21 (*imni akhīf' almalik*), quoted in H. Laoust, *La profession de foi d'Ibn Battā*, Damascus 1958, 53 n. 2 (with the misreading 'Shabbawayh' for 'Shabbawayh'). A continuation of the anecdote appears in Ibn Mu'āfiḥ, *Āḍāḥ*, 3:491.13. Here Ibn Ḥanbal rectes the zealot to Bishr al-Ḥāfi' (d. 227/841f.), who likewise discourages him: he fears that Ibn Shabbawayh would not have the requisite courage (*am tabhānaka nafsika*), and that even if he did, his getting himself killed might prove to be the cause of the caliph's going to hell. Ibn Ḥanbal strongly endorses Bishr's view. This in turn is followed by a related pronouncement of Ibn Ḥanbal (*ibid.*, 492.2); here, however, he defers to the Prophetic tradition on speaking out in the presence of an unjust ruler (see above, ch. 1, note 18) once it is quoted to him.

¹⁵³ Ibn Abi Ya'īa, *Tabaḡat*, 1:112.3 (in the parallel in Ibn Mu'āfiḥ, *Āḍāḥ*, 3:492.6, 'Ḥanbal has to be read in place of 'Ibrāhīm'). His uncle invokes the example of Iṣḥāq ibn Rihawayh (d. 238/853), whom he describes as acting in this manner at the Tāhīrid court, but Ibn Ḥanbal refuses to recognize his conduct as normative. Ibn Ḥanbal's view of Iṣḥāq ibn Rihawayh is normally presented as highly favourable (see, for example, Khalīf, *Ta'rib al-Baghādī*, 6:350.8). Iṣḥāq's relations with 'Abdallāh ibn Tāhīr are likewise presented as good, not to say 'attractive' (see, for example, *ibid.*, 348.2, 353.13.)

man who kept clear of rulers.¹⁷¹ Equally there is no indication that he had played any part in the popular movements that, back in the year 201/817, had sought to restore order on the streets of Baghdad in the chaotic conditions of the fourth civil war;¹⁷² and indeed he explicitly condemned the action of the most prominent of the popular leaders, Sahl ibn Salāma,¹⁷³ though this must also have been connected with the latter's Mu'tazilism.¹⁷⁴ At no point during the long years of the Mihna (218–34/833–48) did he feel it his duty to seek out a confrontation with the state; trouble always came knocking at his door, not the other way round.¹⁷⁵ And when

¹⁷¹ When Muhammad ibn 'Abdallāh ibn Tāhir (d. 253/867) was pressing to see him, he stated: *anī rajīl lanu nshāhīf al-shīfān* (Abū Nu'aym, *Hilya*, 9:2202, quoting the account of Ibn Hanbal's life given by his son Sāliḥ (d. 266/880); for the career of Muhammad ibn 'Abdallāh ibn Tāhir in Baghdad, see *Ep'*, art. 'Muhammad ibn 'Abd Allāh' (K. V. Zetterstéen and C. E. Bosworth)). 'Abdallāh ibn Tāhir (d. 230/844) is said to have described Ibn Hanbal in the same terms to Ishāq ibn Rāḥawayh (Sāliḥ, *Sira*, 41:9). In quoting Sāliḥ's biography of his father, I refer where possible (as in this case) to Ahmad's edition, rather than to the citations in Abū Nu'aym's *Hilya*. However, the material quoted by Abū Nu'aym from *Hilya*, 9:206.16 onwards is not found in Ahmad's edition, and for this I give references to Abū Nu'aym. A further complication is that the first edition of Sāliḥ's work, that given by Dīmī in his monograph on Ibn Hanbal (A. 'A. al-Dīmī, *Ahmad ibn Hanbal bayn minnat al-ahīn wa-minnat al-dīniyya*, Cairo 1961, 266–303), reaches somewhat further than Ahmad's: Dīmī's extra material (*ibid.*, 297.16–303.20) corresponds to Abū Nu'aym, *Hilya*, 9:206.16–210.25. For this material I give references both to the *Hilya* and to Dīmī's edition. The versions of Dīmī and Ahmad on the one hand, and of Abū Nu'aym on the other, stem from different transmitters from Sāliḥ.

¹⁷² On these movements, see Lapidus, 'The separation of state and religion', 372–4; van Ess, *Theology*, 3:173–5, 448. That they operated under the banner of *al-ʿamr bi'l-ḥaqq* is a point to which I shall return (see below, note 190).

¹⁷³ He disapproved of his enterprise, and reproved one of his followers, see Khalīl, *Musnad*, 25.15 (noted in van Ess, *Theology*, 3:174). For brief descriptions of this rich work and its contents, see, in addition to the editor's introduction, C. Reu, *Supplement to the catalogue of the Arabic manuscripts in the British Museum*, London 1894, 98–100 no. 168; H. Laoust, 'Les prémières professions de foi hanbalites', in *Mélanges Louis Massignou*, Damascus 1956–7, 3:18–22. Incidentally, Laoust's statement that the fifth *fiṣṣ* of the work includes an enumeration of traditions concerned with *al-ʿamr bi'l-ḥaqq* (*ibid.*, 21) is misleading, unless he had in mind the saying of Hudhayfa ibn al-Yaman which divides Islam into eight shares, of which the last two are *al-ʿamr bi'l-ḥaqq* and *al-nahy 'an al-munkar* respectively (quoted twice, Khalīl, *Musnad*, 396.20, 397.12; for this saying, which appears also as a Prophetic tradition, see Ibn Wāḥib, *Jāmi'*, fragment edited by M. Muranyi under the subtitle *Die Koranzensuren*, 134 line 19, and Muranyi's commentary there; Bayhaqi, *Shi'ah*, 6:94f. nos. 7, 358f.).

¹⁷⁴ See W. Madelung, 'Imam al-Qāsim ibn Ibrāhīm and Mu'tazilism', in *On both sides of al-Mandab: Ethnopolitics, South-Arabian and Islamic studies presented to Oscar LeGiffrin on his ninetieth birthday*, Swedish Research Institute in Istanbul, *Transactions* 2 (1989), 43; W. Madelung, 'The vigilante movement of Sahl b. Salāma al-Khurasānī and the origins of Hanbalism reconsidered', *Journal of Turkish Studies*, 14 (1990), 351; van Ess, *Theology*, 3:174.

¹⁷⁵ The problem of the appropriate response to the Mihna is never discussed by Ibn Hanbal in terms of *al-ʿamr bi'l-ḥaqq* (see, for example, Hanbal, *Mijma*, 40.2, 44.6, 78.9; cf. Abū Ya'la, *Amr*, f. 102b.17). Nor does Ibn Hanbal seem to feel any obligation to speak out against official heresy at the Friday prayer (cf. below, note 244).

rebellion was mooted in traditionalist circles in Baghdad against the heretical zeal of al-Wāḥiq (r. 227–32/842–7), Ibn Hanbal is described as strongly opposing this dangerous project.¹⁷⁶ Again, there is no indication of his involvement in the abortive rising that ensued under the leadership of Ahmad ibn Naṣr al-Khuzā'i in 231/846¹⁷⁷ – though he seems to have gone along with the view that Ahmad died a martyr's death.¹⁷⁸ When times changed, he sought to maintain the same distance from the orthodox caliph al-Mutawakkil as he had from his heretical predecessors. Such official orthodoxy, though a blessing to the Muslims at large,¹⁷⁹ did little for Ibn Hanbal personally except to complicate his life by rendering him the target of unwanted attention and largesse.¹⁸⁰ As he told his worldly uncle Ishāq with regard to the food and presents that al-Mutawakkil pressed on him and his family: 'If you didn't accept them, they'd leave you alone.'¹⁸¹

6. CONCLUSION

The response of Ibn Hanbal give us a remarkable picture of the duty of forbidding wrong as it was understood and practised in the early Hanbali milieu. Indeed this picture is perhaps the most lively we can hope to paint for any pre-modern Islamic society. But it is not one that we should attempt to generalise to other places and times in the traditional Islamic

¹⁷⁶ Hanbal, *Mijma*, 81.8; Ibn Abī Ya'la, *Tabaqāt*, 1:144.22; Khalīl, *Musnad*, 21.15. What particularly incensed the *fiqhān* was the proposal to indoctrinate schoolchildren with the dogma of the created Koran (as noted in van Ess, *Theology*, 3:470, where the proposal has, however, become an accomplished fact). Ibn Hanbal urged them rather to condemn the heresy in their hearts (*al-yaknu bi'l-māḥn bi-ḥuḍūḥihim*). Another account of what is probably the same incident is also given by Khalīl (*Musnad*, 21.6).

¹⁷⁷ The fate of Ahmad ibn Naṣr is mentioned in passing in Hanbal, *Mijma*, 84.3.

¹⁷⁸ Ibn Hanbal is quoted as commending Ahmad ibn Naṣr for his self-sacrifice (Khaṭīb, *Ta'rib al-Baghdād*, 5:177.15, and Ibn Abī Ya'la, *Tabaqāt*, 1:81.14, both from Abū Bakr al-Martūdhī), and cf. *ibid.*, 2:289.17; but Ibn Abī Ya'la makes no direct reference to the rising anywhere in his *tarīkh* of Ahmad ibn Naṣr, *ibid.*, 1:80–2). Ibn Hanbal likewise sees no harm in praying over the severed head of Ahmad ibn Naṣr ('Abdallāh ibn Ahmad, *Masā'il*, 141 no. 524; in no. 523, he has confirmed that one prays over the body of a martyr).

¹⁷⁹ For Ibn Hanbal's endorsement of the view that the accession of al-Mutawakkil was a great blessing for the Muslims, see his letter in Abū Nu'aym, *Hilya*, 9:216.10. The change of caliphal policy was, however, neither precipitate nor unqualified (see C. Melchert, 'Religious policies of the caliphs from al-Mutawakkil to al-Muqtadir', *Islamic Law and Society*, 3 (1996), 320–30).

¹⁸⁰ For these tribulations, see the account given by his cousin (Hanbal, *Mijma*, 84–109).
¹⁸¹ *Ibid.*, 105.9. What does not quite emerge in Hanbal's account, though amply documented in that of Ibn Hanbal's son Sāliḥ, is the extreme bitterness of the family quarrel that erupted as a result of the paralysis of the family for the blandishments of al-Mutawakkil (see the extensive citations in Abū Nu'aym, *Hilya*, 9:212–15).

world. For all that many of its themes recur elsewhere, the milieu of the early Hanbalites retains its own distinctive hues.

What stands out is the low-profile character of Ibn Hanbal's conception of the duty. As we have seen, one keeps out of the way of the state, neither confronting nor coopting the ruler. In this sense Ibn Hanbal's doctrine is a deeply apolitical one. At the same time it is a distinctly civilian one — as we saw, one neither uses weapons nor confronts them. There is also the tendency to leave off if the offender does not listen, and to take refuge in performing the duty in the heart. These features have parallels in the doctrines of other schools, but they are rarely used to such consistent effect.

More startling is the existence in Khalīf's collection of a trend of thought which casts doubt on the very idea that forbidding wrong is a duty, or even denies it this standing altogether. Such outright denial never appears in the mouth of Ibn Hanbal himself, but it is transmitted from two earlier authorities, Hasan al-Basrī (d. 110/728)¹⁸² and 'Abdallah ibn Shubruma (d. 144/761f.).¹⁸³ Both regard forbidding wrong as a supererogatory activity (*nafl*). Ibn Hanbal is less categorical. Asked whether forbidding wrong is obligatory, he replies that in these evil days it is too burdensome (*shādd*) to impose, especially in the light of the easement in the Prophetic tradition¹⁸⁴ — a clear reference to the possibility of performing the duty in the heart. On another occasion he betrays a similar sense of the corruption of the times, remarking that 'this is no time for forbidding'.¹⁸⁵ Such minor hesitations are also apparent in other things he says on the subject.¹⁸⁶

One way to interpret this early Hanbalite quietism is in terms of the adaptation of an activist heritage to a civilian society for which political quietism was an increasingly relevant option.¹⁸⁷ But even in the civil society

¹⁸² No. *11; see above, ch. 4, note 224. ¹⁸³ No. *24; see above, ch. 4, note 226.

¹⁸⁴ No. 18. ¹⁸⁵ No. 19 (*layn hadin zaman nahy*).

¹⁸⁶ In no. 1, in the printed text, Ibn Hanbal has pronounced it obligatory to proceed against a music-maker; he then adds that if a man does so, merit (*ḡadl*) accrues to him. As it stands, this is puzzling. But in J. Ibn Hanbal, on being asked whether it is obligatory to proceed, replies: 'I don't know what's obligatory; if he acts, merit accrues to him' (f. 1b.13r) and this text is supported by a parallel version of the responsum (Abū Dawūd, *Masā'il*, 278.11). In no. 14, he trusts that performance 'in the heart' will suffice (contrast no. 13, where a similar statement is immediately qualified). In no. 23, he hopes that performance 'in the heart' will be enough, but adds that it is 'more meritorious' (*ḡfīd*) to proceed 'with the hand'. In no. 29, he is asked about performance 'with the hand'; his answer is that, if a man has the strength for it, 'there is no harm in it' (*lā ḡar ḡ bah*). Of these traditions, all except no. 1 are general statements about the duty at large. All go better with the view that performance of the duty (other than in the heart) is in fact optional. Cf. also the negative attitude towards *al-amr bi'l-iḡtibā' ḡrif* ascribed in Muḡazilite sources to the Hanbalīya (see, for example, below, ch. 12, 208f.).

¹⁸⁷ Cf. M. Cook, 'Activism and quietism in Islam: the case of the early Muḡri'a', in A. S. Gaddsi and A. E. H. Dessouki (eds.), *Islam and power*, London 1981, 21f. I have not in general

of Baghdad in his own day, Ibn Hanbal's stance was far from universal. As mentioned above, the year 201/817 saw the emergence of popular movements aiming to restore public order in the absence of effective authority.¹⁸⁸ At least three leaders were active, Khalīd al-Darīyūsh, Sahl ibn Salāma, and the young Ahmad ibn Naṡr.¹⁸⁹ All three acted under the banner of forbidding wrong.¹⁹⁰ What is more, Khalīd and Sahl were separated by a significant doctrinal difference regarding the duty. Khalīd (who was clearly the less successful leader) categorically opposed performing it against the ruler, and indeed is said to have handed over some of the criminals he apprehended to the authorities¹⁹¹ (or what there was of them). Sahl, by contrast, proposed to fight anyone who opposed Koran and Sunna, irrespective of whether he was a ruler or not¹⁹² — a view which may well reflect a Muḡazilite affiliation. As we have already seen, the caliph al-Ma'mūn (r. 198–218/813–33) is said to have been moved by these worrisome events to declare a ban on forbidding wrong (sc. by private individuals).¹⁹³ Thirty years later, the duty was again prominent (according to some accounts) in the ideology of the rising planned by Ahmad ibn Naṡr.¹⁹⁴ Ibn Hanbal was not, then, solidly representative of the urban

sought to distinguish *political* quietism (i.e. quietism in relation to the state) from *social* quietism (i.e. quietism in relation to the surrounding society). The two naturally tend to go together, but they need not always do so. The distinction was pointed out to me by David Marmar, with the apt example of Khalīd al-Darīyūsh (see below, note 191).

¹⁸⁸ See above, note 172. I have also benefited from a sharp analysis of two of these movements in a graduate paper written for me by David Marmar in 1989.

¹⁸⁹ For the role of the latter, see Tabarī, *Ta'rikh*, series III, 1344.8 (under the year 231; Tabarī here gives a cross-reference to his account of the year 201 which is not honoured in the text of his work as we have it); a quotation from Ṣūfi (d. 335/947) *agud* Khāṡf, *Ta'rikh Baghdad*, 5:176.9 (both cited in van Ess, *Theological*, 3:471); Azāfi (d. r. 334/945), *Ta'rikh al-Maḡrib*, ed. A. Ḥābiḡa, Cairo 1967, 341.15 (I owe this reference to Nurit Tsafir). The quotation from Ṣūfi is a favourite of later sources (Ibn al-Jawzī, *Mināzara*, ed. 'Ara, II:165.13; Mizān, *Tahdhīb*, 1:508.6; Dhahabī, *Siyar*, II:167.7; Dhahabī, *Ta'rikh al-Islām*, years 231–40, 36.3; Ibn Ḥajar, *Tahdhīb*, 1:87.11).

¹⁹⁰ For Ahmad ibn Naṡr, who went into action on the east bank in the name of *al-amr bi'l-iḡtibā' ḡrif*, see the references given in the preceding note. For Khalīd's appeal on the same basis to his neighbours, his family and the people of his quarter (*maḡalla*), see Tabarī, *Ta'rikh*, series III, 1009.11; for Sahl's similar appeal, first to his neighbours and the people of his quarter, then to the population at large, see *Ibid.*, 1009.18, and cf. Ibn al-Faḡhā (*U*, Baghdat and Paris n.d., 80.16) referring to his cause as *inḡar al-iḡtibā'*.

¹⁹¹ Tabarī, *Ta'rikh*, series III, 1009.15, 1010.9. ¹⁹² *Ibid.*, 1010.11.

¹⁹³ See above, ch. 4, 70f.

¹⁹⁴ See the continuation of the quotation from Ṣūfi cited above, note 189; Azāfi, *Ta'rikh al-Maḡrib*, 178.3 (I owe this reference to Nurit Tsafir); 'Izz al-Dīn Ibn al-Aḡḡir (d. 630/1233), *Kāmil*, ed. C. J. Tornberg, Leiden 1851–76, 7:4.5; and Ibn Kathīr (d. 774/1373), *al-Bidāya wa'l-nihāya*, Cairo 1351–8, 10:304.1. But Tabarī in his account (*Ta'rikh*, series III, 1343–50) makes no reference to *al-amr bi'l-iḡtibā' ḡrif* in the context of the year 231. See also Lapidus, 'The separation of state and religion', 381, and van Ess, *Theological*, 2:388.

society he belonged to. There was nevertheless something in his apolitical life and doctrines that spoke to the needs of this society in its more prudent moods. What he represented, an imperfectly realised aspiration to lead a life apart from the state, can best be grasped against the background of his own immediate circumstances.

Ibn Ḥanbal is perhaps the only ordinary citizen of third/ninth-century Baghdad whose life we can place in its concrete surroundings.¹⁹⁵ He lived near the north-western limits of the city.¹⁹⁶ His street (*ṣuqāq*) was a cul-de-sac:¹⁹⁷ at the open end there was a gate (*bab al-ṣuqāq*) which could be closed to exclude outsiders,¹⁹⁸ and at the inner end there was a cluster of four homes (*manāzil*) belonging to Ibn Ḥanbal and his family.¹⁹⁹ One was the home of his uncle Ishāq ibn Ḥanbal (d. 253/867), where his cousin Ḥanbal ibn Ishāq (d. 273/886) also lived;²⁰⁰ it was separated from Ibn Ḥanbal's home by a wall.²⁰¹ Another was the home of his eldest son Saīḥ (d. 266/880),²⁰² if likewise adjoined Ibn Ḥanbal's, and there was a gate linking the two homes.²⁰³ A third belonged to Ibn Ḥanbal's second son 'Abdallāh (d. 290/903).²⁰⁴ These five were the only adult males in the

¹⁹⁵ The account of these surroundings given in this paragraph derives from sources which refer mainly to the later years of his life.

¹⁹⁶ Each unit a child was born to Ibn Ḥanbal, a family friend nicknamed 'Būnān' (or 'Fūnān' – the variants suggest an Iranian original 'Pūnān', cf. F. Justi, *Iranisches Namenbuch*, Marburg 1895, 255), who lived nearby (see below, note 227), would go out and buy a present either at the Bridge (al-Qanra) or at Bāb al-Tibn (Ibn al-Jawzī, *Manāqib*, 303.15). The Bridge was local, as we learn from another reminiscence (*ibid.*, 265.8), so presumably the Bāb al-Tibn was also close by. This gate is well known, and marked the north-western limit of the city (see G. Le Strange, *Baghdād during the Abbasid caliphate*, Oxford 1900, 115, and Map V no. 15); the Bridge is accordingly likely to be the Qanarat Rahlā Umm Ja'far (*ibid.*, 113, and Map V, no. 13). I do not know what to make of the statement that the 'one-eyed Tigris' (Dijla al-'Awrat) was behind Ibn Ḥanbal's home (Ibn al-Jawzī, *Manāqib*, 20.10); this term belongs in the neighbourhood of Basra, not Baghdad, unless it is a synonym for the 'Upper Harbour' of Le Strange's map.

¹⁹⁷ For the cul-de-sac as a feature of Arab cities in a later period (but not, surprisingly, of those of Iraq), see A. Raymond, *The great Arab cities in the 10th–15th centuries: an introduction*, New York and London 1984, 15f.

¹⁹⁸ See Ḥanbal, *Miftāḥ*, 67.20; Dhahabī (d. 748/1348), *Tarjimat al-imām Ahmad* (extracted from his *Tarīḥ al-Imām*), ed. A. M. Shākir, n.p. 1946, 76.6, 77.4; and Abū Nu'aym, *Hilya*, 9:176.11 (*bab al-dar*). Presumably such gates were widespread, but they do not seem to have ensured security at night: Ibn Ḥanbal is against going out in response to a shout after dark (no. 109).

¹⁹⁹ That Ibn Ḥanbal's home was at the far end of the street appears from an account quoted in Abū Nu'aym, *Hilya*, 9:176.13.

²⁰⁰ See for example Ḥanbal, *Miftāḥ*, 88.8. *Ibid.*, 100.13. Ḥanbal could hear Ibn Ḥanbal reciting the Koran on his roof (*ibid.*, 110.2), and he could overlook Ibn Ḥanbal's home from his own roof (*ibid.*, 87.2).

²⁰¹ See, for example, *ibid.*, 88.8, 113.5.

²⁰² Ibn Ḥanbal had the gate closed up during the family quarrel (Abū Nu'aym, *Hilya*, 9:213.23), but the children first opened a peephole (*ḥammir*) in it (*ibid.*, 214.8), and finally got it open again (*ibid.*, 215.3). See also Ibn al-Jawzī, *Manāqib*, 216.2.

²⁰⁴ See Ibn al-Jawzī, *Manāqib*, 264.7, 302.13, 403.6, and cf. Dhahabī, *Tarjimat*, 76.2.

family;²⁰⁵ with the exception of Ibn Ḥanbal's slave-girl Fūsan,²⁰⁶ women and children tend to be referred to only in general terms.²⁰⁷ Ibn Ḥanbal's home, though described as cramped,²⁰⁸ seems to have been quite a ramified affair: it contained at least three chambers (*bayūt*), upper rooms (*ghuraf*), and roofs (*sufūf*),²⁰⁹ not to mention an entrance-hall (*al-ḥalliz*)²¹⁰ and a well.²¹¹ Members of the family might sit at the gates of their homes,²¹² and would sleep on the roofs of their houses in summer.²¹³ The local mosque, where his uncle led the prayer, and he himself would teach, was at his gate;²¹⁴ but during the quarrel with his family, Ibn Ḥanbal ceased to attend it, and instead went to a mosque located outside his street.²¹⁵ Beyond the family circle were the neighbours.²¹⁶ One of them, as we have seen, was a malefactor who perished while in the hands of the authorities.²¹⁷ But several of them were connected with Ibn Ḥanbal's scholarly activities.²¹⁸ Unlike his uncle, Ibn Ḥanbal seems to have been on good terms with his neighbours,²¹⁹ and they were people with whom he felt some solidarity: at one point he dismissed the idea of going into hiding on the grounds that it would put his family and neighbours at risk.²²⁰ Among them were tenants of his (*sukkhān*).²²¹ Weavers appear as both

²⁰⁵ Ḥanbal, *Miftāḥ*, 102.3, 108.12. The death of an uncle named 'Abdallāh must have taken place at an earlier date (Saīḥ, *Sira*, 37.4).

²⁰⁶ See for example Ḥanbal, *Miftāḥ*, 100.12; Dhahabī, *Tarjimat*, 38.16, 39.3.

²⁰⁷ See for example Abū Nu'aym, *Hilya*, 9:207.9 (cf. Saīḥ *apud* Dammī, *Alimad ibn Ḥanbal*, 298.17); Ḥanbal, *Miftāḥ*, 88.8, 102.4.

²⁰⁸ Ibn al-Jawzī, *Manāqib*, 249.19.

²⁰⁹ Ḥanbal, *Miftāḥ*, 88.6 (reading *manzil* for *manzila*, as in the parallel texts in Dhahabī, *Tarjimat*, 59.10, and Dhahabī, *Siyar*, 11:267.8, but discarding the reading *sarrah* for *bayt* found there).

²¹⁰ See Ibn al-Jawzī, *Manāqib*, 209.14, 291.2; Ibn Abī Ya'īa, *Tabaqat*, 1:186.15.

²¹¹ Abū Nu'aym, *Hilya*, 9:179.17 (*bi'*); Saīḥ's house too had its well (*ibid.*, 207.9 = Saīḥ *apud* Dammī, *Alimad ibn Ḥanbal*, 298.18).

²¹² Ḥanbal, *Miftāḥ*, 99.12.

²¹³ *Ibid.*, 87.1, and cf. Abū Nu'aym, *Hilya*, 9:207.22 (= Saīḥ *apud* Dammī, *Alimad ibn Ḥanbal*, 299.12).

²¹⁴ Abū Nu'aym, *Hilya*, 9:176.15; see also Ibn al-Jawzī, *Manāqib*, 384.19, and cf. *ibid.*, 209.9. For his teaching in the mosque, see *ibid.*, 189.15.

²¹⁵ Abū Nu'aym, *Hilya*, 9:214.17; Ibn al-Jawzī, *Manāqib*, 384.18. Cf. also Saīḥ, *Sira*, 34.6.

²¹⁶ One's neighbourhood (*jum'at*) is defined by Ibn Ḥanbal as thirty houses around one's own ('Abdallāh ibn Ahmad, *Masā'il*, 384 no. 1393).

²¹⁷ See above, note 164.

²¹⁸ See Ibn Abī Ya'īa, *Tabaqat*, 1:137.12, 301.19, 334.1, 415.15. The last of these entries relates to Ibn Bukhārā, a friend of the family who had a shop (*ḥakkān*) at the Bridge

(Ibn al-Jawzī, *Manāqib*, 265.8).

²¹⁹ *Ibid.*, 218.3, 218.17.

²²⁰ Ḥanbal, *Miftāḥ*, 37.5.

²²¹ One, whom Ibn Ḥanbal ejected from his home for cohabiting with his divorced wife, has already been mentioned (see above, note 60). Another retrieved a pair of scissors which Ibn Ḥanbal had dropped into the well; in return, Ibn Ḥanbal forgave him three months rent for the shop (*ḥamīr*) (Abū Nu'aym, *Hilya*, 9:179.17). On his death-bed, Ibn Ḥanbal sent Saīḥ to one of the tenants in connection with a purchase of dates (*ibid.*, 220.10). That these tenants, or some of them, were not living in Ibn Ḥanbal's own home is clear from a reference to the 'home of the tenants' (*dar al-sukkhān*) (Ibn al-Jawzī, *Manāqib*, 274.11; Dhahabī, *Siyar*, 11:209.11).

caliph al-Manṣūr (r. 136–58/754–75).²⁴³ But there too the contract could be minimal. Even in the period when the state was actively heretical, with an adherent of its false doctrine leading the prayer, Ibn Ḥanbal would still participate in this communal ritual; but on returning home he would make good the deficiency by repeating the prayer in private.²⁴⁴

It was through no choice of Ibn Ḥanbal's that the state burst into his world and shattered its peace. First came what he called the 'religious ordeal' (*ḥimāṭ al-āḥn*), in which he was imprisoned, interrogated and flogged for refusing to pay lip-service to heresy; then, after his home and those of his family had been raided and searched in the middle of the night, came the 'worldly ordeal' (*ḥimāṭ al-ḥunyā*), a more insidious threat, because the favours lavished on him at the caliphal court corrupted his own family.²⁴⁵ In both, he said, he wished he were dead.²⁴⁶ As he lamented bitterly: 'I've been spared these people for sixty years, and now at the end of my life I'm afflicted with them.'²⁴⁷ After the caliph had allowed him to go home, he was still pestered by the comings and goings of benevolent officials.²⁴⁸ Even death did not fully release him: at his funeral, the Ṭāhirīd

²⁴³ This is shown by a report which has him attend the cathedral mosque on a Friday and pray in the 'Cupola of the Poets' (*qubbat al-shu'arā'*) (Ibn al-Jawzī, *Manāqib*, 289–8). As Sabari has shown (S. Sabari, *Monuments populaires à Bagdad à l'époque fatimide*, Paris 1981, 15), this cupola, which owned its name to the weekly gathering of poets that took place under it (Kharīb, *Ta'ribh Baḡdād*, 8:249–6), was located in the jāmi' al-Manṣūr (*ibid.*, 12:95–22).

²⁴⁴ Ḥanbal, *Miḥna*, 79, 15 (cf. Ibn al-Jawzī, *Manāqib*, 159, 10). In the days of the orthodox al-Muwawakkil, by contrast, he attended and did not repeat the prayer (Ḥanbal, *Miḥna*, 80, 6). At a late stage in the Miḥna, he did in fact cease to attend the Friday prayer, but this was because he was in hiding (*ibid.*, 80, 5), or had received official orders to stay at home (Abū Nu'aym, *Ḥiṣn*, 9:207, 1 = Ṣāliḥ *aqūd* Dūmī, *Alḥmad ibn Ḥanbal*, 298–9).

²⁴⁵ During his visit to the court he described them as 'my ruin' (*ḥimāṭ*) (Abū Nu'aym, *Ḥiṣn*, 9:212, 6). The agonising details given by Ṣāliḥ of such matters as Ishāq's deception of his nephew (*ibid.*, 214, 1), and of his own relapse after a period of probity (*ibid.*, 215, 6), remind one of stories of the destruction of families by drug addiction at the present day. There are reports to the effect that Ibn Ḥanbal explained away his unwillingness to accept the state's money (*mal al-sultān*) as arising only from personal scrupulousness (Ibn Abī Yāḥyā, *Ṭabaqāt*, 1:204–6, and Ibn al-Jawzī, *Manāqib*, 259, 6). These are hard to square with the biographical data, and one of them (the first) is transmitted, most tentatively, by al-Muwawakkil's vizier 'Ubayd Allāh ibn Yahyā ibn Khāqān (d. 263/877) (for whom see D. Sourdel, *Le vizirat 'abbāsīde*, Damascus 1959–60, 274–86).

²⁴⁶ Abū Nu'aym, *Ḥiṣn*, 9:211, 21. For the parallelism between the two ordeals, see also Ibn Abī Yāḥyā, *Ṭabaqāt*, 1:265, 8.

²⁴⁷ Abū Nu'aym, *Ḥiṣn*, 9:209, 24, and cf. *ibid.*, 207, 23 = Ṣāliḥ *aqūd* Dūmī, *Alḥmad ibn Ḥanbal*, 302, 15, 299, 15.

²⁴⁸ Thus on one occasion the caliph's emissary, Yahyā ibn Khāqān, arrives outside the street with a large retinue in the pouring rain; with a fine sense of theatre, he dismounts there and proceeds up the street on foot, wading through the puddles till he reaches Ibn Ḥanbal's gate (Abū Nu'aym, *Ḥiṣn*, 9:219, 10). This Yahyā was frequently sent by al-Muwawakkil to ask Ibn Ḥanbal about this and that (Ibn Abī Yāḥyā, *Ṭabaqāt*, 1:401, 6). He was the father of the vizier mentioned above, note 245 (see Sourdel, *Le vizirat 'abbāsīde*, 273f.).

governor of Baghdad pushed in to perform the prayer in place of Ibn Ḥanbal's own son.²⁴⁹

Ibn Ḥanbal stood for unhesitating obedience to the ruler, except in disobedience to God. Yet it was obedience without a shadow of warmth or a hint of a smile.²⁵⁰ He was neither an activist opponent of the caliphs²⁵¹ nor a loyalist pledged to their support.²⁵² He was ready to render unto Caesar the things which were Caesar's,²⁵³ beyond that, what he asked most of all was to be left alone, and in that lies a key to his doctrine of forbidding wrong.

But just as his contemporaries refused to leave him alone, so also posterity was to impose on him a role he had never sought: that of founder and leader of a well-defined and often aggressive religious community. The circumstances of this community were to vary significantly over space and time in the millennium after his death. But in one way or another, their effect was to erode the foundations of Ibn Ḥanbal's apolitical politics.

²⁴⁹ Ḥanbal, *Miḥna*, 112, 3.

²⁵⁰ Thus he caused great offence at court by greeting the caliph's son al-Mu'azz as he would have any other Muslim (Ḥanbal, *Miḥna*, 107, 7).

²⁵¹ Here I find myself in disagreement with Lapidus's view that Hanbalism was marked by militant opposition to the caliphate ('The separation of state and religion', 383; see also *ibid.*, 370).

²⁵² Madelung has a rather different view of the early Hanbalites, seeing them as committed to the 'unquestioning backing of the established caliphate', and to the revival of the spirit of the heroic age of Khurāsān *jihād* against the infidel (Madelung, *Religious trends*, 25; Madelung, 'The vigilante movement of Saḥl b. Sa'āna', 336f.).

²⁵³ Ibn Ḥanbal was once asked by a tradesman whether he should do business with the army (*jinād*). He responded by asking, with one of his rare smiles, where the *āḥimān* was struck — wasn't it in their abode (*fī āḥimān*)? (Ibn Abī Yāḥyā, *Ṭabaqāt*, 1:52, 7; cf. Matt. 22:20.)