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MUSLIM INSTITUTIONS OF LEARNING IN ELEVENTH-CENTURY BAGHDAD

By GEORGE MAKDISI

THE history of Baghdad in the second half of the eleventh century is dominated by the name of the great Saljūqid minister, Nizām al-Mulk, a name linked to an extensive network of institutions founded by him throughout the lands of the eastern caliphate: the Nizāmīya colleges.¹ Most widely known among them was the college in Baghdad, founded in 457/1065 and inaugurated in 459/1067. The renown of the Nizāmīya of Baghdad, both in medieval oriental sources as well as in studies undertaken by modern Oriental and Western scholars, is such that it is the first institution likely to come to the mind of a person familiar with the period's history. Whenever historians have put their efforts into the field of Muslim education in the Middle Ages, whether in a general or specialized way, they have seldom failed to mention the fame of the college. Efforts have been made to establish the list of its professors and the most famous among its students; approximations have been made as to the date of its disappearance; investigations have been pursued to determine its exact location on Baghdad's east side; causes of its decline have been proposed; a whole treatise and other learned articles have been devoted to the history of this college alone.²

This concern with the Nizāmīya was justified by the fact that its existence

¹ A summary of part of this article formed the subject of a brief paper entitled 'Remarks on Muslim institutions of learning in eleventh-century Baghdad', delivered on 10 April 1959 at the Annual Meeting of the American Oriental Society in Ann Arbor, Michigan.

² cf., *inter alia*, Sa'id Nafisi, *Medresh-i nizāmīyeh-i Baghdād* (Teheran, 1934; Arabic transl. by Ḥusain 'Alī Mahfūz, 'Al-Madrassa al-nizāmīya fī Baghdād', *Majallat al-Majma' al-'Ilmī al-'Irāqī*, III, 1954, 143-58), and the thesis of As'ad Talas, *La madrasa Nizāmīyya et son histoire* (Paris, 1939). The following abbreviations are used in this article:

'L'affaire d'Ibn 'Aqīl': George Makdisi, 'Nouveaux détails sur l'affaire d'Ibn 'Aqīl', in *Mélanges Louis Massignon. Tom. III*. Damascus, Institut Français de Damas, 1957, 91-126.

Baghdad: Guy Le Strange, *Baghdad during the 'Abbasid Caliphate*. Cambridge, University Press, 1900.

Bidāya: Ibn Kathīr, *al-Bidāya wa'l-nihāya fī'l-tārīkh*. Cairo, al-Sa'āda Press, 1358/1939.

Dhail: Ibn Rajab, *Dhail 'alā ṭabaqāt al-ḥanābila*, ed. H. Laoust-S. Dakhān, vol. I. Damascus, Institut Français de Damas, 1951.

Dhail (ed. Fiqī): Ibn Rajab, *Dhail 'alā ṭabaqāt al-ḥanābila*, ed. Muḥammad Ḥāmid al-Fiqī. Cairo, al-Sunna al-Muḥammadiya Press, 1372/1952-3.

'Diary': George Makdisi, 'Autograph diary of an eleventh-century historian of Baghdad,' 5 parts, in *Bulletin of the School of Oriental and African Studies*, xviii, 1-2, 1956, xix, 1-3, 1957 (edition of the text and English translation of the diary of Ibn al-Bannā' with introduction and notes).

Fawā'id: *al-Fawā'id al-bahīya fī tarājim al-ḥanafīya*. Cairo, al-Sa'āda Press, 1324/1906.

Funūn: Ibn 'Aqīl, *Kitāb al-funūn*, MS arabe Paris 787.

long preceded the organization of institutional learning in the Western world, the preliminary stages of which only occurred in the twelfth century, the flourishing not occurring until the thirteenth.¹ But as studies of the Nizāmiya grew in number, the historical role attributed to it grew in importance. And the splendour with which it was thus endowed continues to grow all the more impressive as the background against which it shines so brilliantly remains obscure.

Two main factors underlie what I believe to be the excessive regard paid almost exclusively to this college² among contemporary institutions; namely, the frequency with which it is referred to in the medieval Arabic sources, and the interpretation of these sources by modern scholars since the work of F. Wüstenfeld.³ But perhaps no other scholar has had as much influence in producing the image of the Nizāmiya which we now see in our manuals on Islam and Muslim education than Ignaz Goldziher. When, in the first decade of our present century, this eminent orientalist made the statement which we quote below concerning the Nizāmiya, its reputation seemed once for all established as solidly as could be expected, given the eminence of the scholar endorsing it. To Goldziher, the Nizāmiya, with its Shāfi'ite professors, represented the success of the resurgence of the dogmatic theological movement

GAL: Carl Brockelmann, *Geschichte der arabischen Litteratur*, 2 vols., 3 supplement vols., 1898 ff.

Jawāhir: Ibn Abī'l-Wafā', *al-Jawāhir al-muḍīya fī ṭabaqāt al-ḥanafīya*, 2 vols. Ḥaidarābād, Dā'irat al-Ma'ārif Press, 1332/1913.

Kāmil: Ibn al-Athīr, *al-Kāmil fī'l-tārīkh*. Cairo, Muniriya Press, 1348/1929 ff.

Madrasa Nizāmiya: As'ad Ṭālas, *La madrasa Nizāmiyya et son histoire*. Paris, P. Geuthner, 1939.

Mir'āt al-zamān: Sibṭ b. al-Jauzī, *Mir'āt al-zamān fī tārīkh al-a'yān*. MS arabe Paris, 1506.

Muntaẓam: Ibn al-Jauzī, *al-Muntaẓam fī tārīkh al-mulūk wa'l-umam*. Ḥaidarābād, Dā'irat al-Ma'ārif Press, 1357-8/1938-9.

Shadharāt: Ibn al-'Imād, *Shadharāt al-dhahab fī akhbār man dhahab*. Cairo, al-Sa'ada Press, 1358/1939.

Ṭabaqāt al-ḥanābila: Ibn Abī Ya'lā, *Ṭabaqāt al-ḥanābila*. Cairo, al-Sunna al-Muḥammadiya Press, 1952.

Ṭabaqāt al-shāfi'iya: Subkī, *Ṭabaqāt al-shāfi'iya al-kubrā*. Cairo, al-Ḥusainiyya Press, 1324/1906.

Tārīkh Baghdād: al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*. Cairo, al-Sa'ada Press, 1349/1931.

'Topography': George Makdisi, 'The topography of eleventh-century Baghdad: materials and notes', *Arabica*, vi, 2, 1959, 178-97; vi, 3, 1959, 281-309.

Zubda: Bundārī, *Zubdat al-nuṣra wa-nukhbat al-'uṣra (Histoire des Seldjucides de l'Iraq, par al-Bondarī, vol. II. Recueil de textes relatifs à l'histoire des Seldjucides)*, ed. M. Th. Houtsma. Leiden, E. J. Brill, 1889.

For a good working bibliography on the general subject of Muslim education, see A. S. Tritton, *Materials on Muslim education in the Middle Ages* (London, Luzac, 1957), pp. ix-xii.

¹ Paris, Oxford, Bologna, and others.

² The other college which receives a good amount of praise, though on a lesser scale, is the Nizāmiya of Nisābūr.

³ *Die Akademien der Araber und ihre Lehrer* (Göttingen, 1837).

associated with the Shāfi'ite school of law and known by the name of Ash'arism. Goldziher wrote ¹ :

' . . . for a long time it was not possible for [the Ash'arites] to teach theology in public. It was not until the middle of the eleventh century, when the Wazir of the Saljūqids, Nizām al-Mulk, created *public chairs* in the great schools founded by him in Nisābūr and Baghdād *for the new theological doctrine*, that Ash'arite dogmatic theology could be taught *officially* and was *admitted into the system of orthodox theology* ; its most illustrious representatives could have *chairs* in the Nizāmīya institutions. It is therefore here that *the victory of the Ash'arite school* was decided in its struggle against *Mu'tazilism* on the one hand, and *intransigent orthodoxy*,² on the other. The era in which these institutions flourished is therefore important, not only in the history of education, but also in that of Muslim dogmatic theology.'

On the strength of this statement a work was written on the Nizāmīya of Baghdad in which we find this same victory reiterated, with the addition of yet another victory scored for Ash'arism against Shi'ism and its extremist aberration, Bātinism.³ But recently, an article was written in an attempt to refute this addition to Goldziher's thesis.⁴ However, Goldziher's thesis itself still stands. We continue to rely on it in our books on Islam and the history of the Arabs. Ash'arism is invariably claimed to have won its victory in Baghdad in the middle of the eleventh century ; credit for this victory is assigned to the Nizāmīya colleges, especially that of Baghdad, and more often than not, this victory and this college are linked not only with the name of Nizām al-Mulk but also with that of the celebrated Ghazzālī whose genius, as professor of theology, made possible the acceptance by Muslim orthodoxy of not only *Ṣūfī* mysticism, but Ash'arism as well.⁵

This image of the Nizāmīya has had some unfortunate consequences on our understanding of fifth/eleventh century Islamic history, both in the field of education as well as in the development of dogmatic theology. It has encroached upon other institutions of the period, receiving credit when it should at least have been made to share it. But this is only part of the problem, the part of lesser importance. Since the Nizāmīya was claimed to be an *official* institution for the teaching of Ash'arism, it followed that Ash'arism was accepted as the *official* theology of Islam at this period. And on the assumption of the

¹ See *Le dogme et la loi de l'Islam : histoire du développement dogmatique et juridique de la religion musulmane* (Paris, P. Geuthner, 1920 ; translation reviewed by the author), p. 98 ; cf. the original work, *Vorlesungen über den Islam* (Heidelberg, 1910), p. 120, and the second edition of Fr. Babinger (Heidelberg, 1925), p. 118. The italics in the translated quotation are mine.

² i.e. Hanbalism.

³ See *Madrasa Nizāmīya*.

⁴ See Muṣṭafā Jawād, 'Al-Nizāmīya fi Baghdād', *Sumer*, ix, 1953, 317-42.

⁵ As will be seen below, the Nizāmīya did not have a chair of theology, but only a chair of law.

Nizāmīya's official character as a bastion of Ash'arism, it was easy to base this further assumption : the other theological movements inimical to Ash'arism, far from enjoying official blessing, were fought with official sanction by the official Ash'arite college.

Goldziher rightly points out the particular importance of the eleventh century in the history of both education and dogmatic theology. Of this, there can be no doubt. But the role and characteristics which he assigns to the eleventh-century Nizāmīya in this history are based on an interpretation of sources which, to my mind, must be examined more closely. This we propose to do by means of an analysis of eleventh-century institutions in Baghdad according to types and characteristics, using it as a background against which to place the Nizāmīya in order to determine its role and re-examine the major claims which have been made for it. By means of this analysis of institutions both before and after the foundation of the Nizāmīya, it is further hoped that some knowledge may be gained concerning their historical development as well as some insight into the religious, social, economic, and political factors involved.

Institutions of learning in the eleventh century may be divided into two types : unrestricted and exclusive. Our analysis will begin with the first of these two types.

UNRESTRICTED INSTITUTIONS

THE CATHEDRAL MOSQUE

Throughout the entire period under discussion, the cathedral mosque (*jāmi'*) retains its importance in the field of education. In the fifth/eleventh century, as before and after it, scholars in the religious sciences continue to teach there. The professorial chair is referred to by the term *ḥalqa* 'study circle'.

The important *jāmi'*s of this period in Baghdad were the following three : Jāmi' al-Manṣūr, known also as Jāmi' al-Madīna, Mosque of the Round City of the Caliph al-Manṣūr ; Jāmi' al-Mahdī, known also as Jāmi' al-Ruṣāfa, named after the Caliph al-Mahdī or the quarter of the city wherein it was located ; and Jāmi' al-Qaṣr, known also as Jāmi' al-Khalīfa, Mosque of the Caliphal Palace. The first *jāmi'* was located on the west side of the city, and the other two on the east side.¹ Each *jāmi'* thus had two names, of which the first mentioned in each case was the most frequently used in the contemporary sources.

Appointments. The Caliph himself made appointments to a professorial chair in a *jāmi'*.² He could, however, be prevailed upon by men of influence in favour of a particular person. Such was the case of Ibn 'Aqīl (died 513/1119)

¹ For these cathedral mosques and others see *Baghdad*, index.

² cf. *Ṭabaqāt al-shāfi'īya*, in the case of Abū Mansūr al-Jīlī (d. 452/1060) where the Caliph was asked : *kaifa tu'fī 'l-ḥalqata mani 'smuhu ḥādihā ?*

who, through the influence of the wealthy Ḥanbalite merchant Abū Maṣṣūr b. Yūsuf (d. 460/1067), was appointed to a well-known chair in Jāmi' al-Manṣūr.¹ As will be seen below, a chair in a *jāmi'* could be held simultaneously with a chair in another *jāmi'* or in one of the exclusive institutions.

Multiplicity of chairs. These *ḥalqas*, or professorial chairs, were located in various parts of the *jāmi'*. Ibn al-Bannā' (d. 471/1079) had a chair in Jāmi' al-Manṣūr, located in the centre of the *riwāq*; he had another in Jāmi' al-Qaṣr, around the *maqṣūra*.² Some chairs were known by the discipline they represented; as, for instance, the chair or study-circle of the traditionists (*ḥalqa ahl al-ḥadīth*), and that of the grammarians (*ḥalqa al-naḥwīyīn*). Others were known by the name of the family whose members occupied it in succession; as, for instance, the chair of the Barmakids (*ḥalqa al-Barāmika*).³

Tenure. Once a professor was appointed by the Caliph to a chair in one of the cathedral mosques, he ordinarily held it for the remainder of his lifetime. Cases of lengthy tenure are often reported by biographers. Abū 'Alī al-Kattānī (d. 453/1061), who was in his eighties when he died, had occupied his chair for 50 years.⁴ The eldest son of the above-mentioned Ibn al-Bannā', Abū Naṣr b. al-Bannā' (d. 510/1116) held two chairs, one in Jāmi' al-Qaṣr and another in Jāmi' al-Manṣūr, for 39 years.⁵

Sometimes professors moved from one cathedral mosque to another. Such, for example, was the case with the Sharīf Abū Ja'far (d. 470/1077), who first held a chair in Jāmi' al-Manṣūr, on the west side of Baghdad, then moved to the east side where he taught in an exclusive institution near the Caliphal Palace, and moved once again further north, because of the flood of 466/1074, where he was appointed to a new chair in Jāmi' al-Qaṣr.⁶ Such was also the case with Abū Muḥammad al-Tamīmī (d. 488/1095) who held a chair in Jāmi' al-Manṣūr until 450, at which date he moved to the east side to live in the wealthy quarter of Bāb al-Marātib,⁷ leaving his former chair and taking up a new one in Jāmi' al-Qaṣr.⁸

The general rule appears to have been: only one chair to a given professor

¹ The chair was *Ḥalqa al-Barāmika* and the appointment of Ibn 'Aqil was made over the head of his senior, the Sharīf Abū Ja'far; see 'L'affaire d'Ibn 'Aqil', 121 f.

² For Ibn al-Bannā' see 'Diary—I'.

³ This *ḥalqa* was most probably named after the family at the head of which stood Abū Ḥafṣ 'Umar b. Aḥmad al-Barmakī (d. 387/997, see *Ṭabaqāt al-ḥanābila*, II, 153-5), who had three sons: Abū'l-'Abbās Aḥmad (d. 401/1010; see *ibid.*, 191), Abū Ishāq Ibrāhīm (d. 445/1053; see *ibid.*, 190-1) and Abū'l-Ḥasan 'Alī (d. 450/1058; see *Muntazam*, VIII, 191). Abū Ya'lā may have been appointed after this last representative of the family, in 450. The son of Abū Ya'lā gives special attention in his history (*Ṭabaqāt al-ḥanābila*, II, 200-1) to a session which he attended where his father dictated traditions to a considerable audience, on 29 Dhū'l-Qa'da 450 (Sunday, 17 January 1059), probably his father's inaugural lesson in this particular Barmakid *ḥalqa*. Abū Ya'lā kept it until his death (cf. *ibid.*, 231-2, where Ṣihr Hibat Allāh al-Muqri' [d. 461/1068] attended Abū Ya'lā's sessions there regularly until the latter died). With Ibn 'Aqil, the *ḥalqa* enters into a period of trouble (cf. 'L'affaire d'Ibn 'Aqil').

⁴ See *Ṭabaqāt al-ḥanābila*, II, 193.

⁵ See 'Diary—I', 19, n. 7.

⁶ *Dhail*, I, 21.

⁷ For various quarters on both sides of Baghdad and other topographical materials, see 'Topography', index.

⁸ *Ṭabaqāt al-ḥanābila*, II, 250-1.

at any one of the cathedral mosques ; but a professor could be appointed to more than one chair, each being in a different mosque. Ibn al-Sammāk (d. 424/1033) held two appointments, one in Jāmi' al-Manṣūr and another in Jāmi' al-Mahdī.¹ Abū Ṭāhir al-Ghubārī (d. 432/1041) had one in Jāmi' al-Manṣūr and another in Jāmi' al-Qaṣr² ; such was also the case with Ibn al-Bannā'.³ Al-Anbārī (d. 507/1113) had three chairs, one in each of the two cathedral mosques just mentioned, and a third in Jāmi' al-Mahdī.⁴

Succession. In making an appointment to the chair or chairs vacated by the death of the incumbent, the Caliph ordinarily chose from among the latter's sons, or disciples, who had studied under his direction. He was guided by the principle of seniority as well as by the competence of the appointee, in cases where the preference of the deceased master was not made known before death. The chair of Ibn Ḥāmid (d. 403/1013) passed on to one of his disciples, al-Āmidī (d. 467 or 468/1075 or 1076).⁵ The two chairs of the above-mentioned Abū Ṭāhir al-Ghubārī passed on to his son Abū'l-Ghanā'im b. al-Ghubārī (d. 439/1048).⁶ Likewise, Abū Naṣr b. al-Bannā' succeeded to both chairs of his father ; and al-Tamīmī's chair had passed on to him after his father. When Abū'l-Khaṭṭāb al-Kalwadhānī died in 510/1116, the Caliph appointed as successor his disciple Abū Bakr al-Dīnawarī (d. 532/1138).⁷ Al-Kalwadhānī's sons were too young to be considered.

Curriculum and procedure. The Qur'ān and all the sciences related in one way or another to the study of this sacred book of Islam found a place in the teaching carried on in the cathedral mosques : traditions (*ḥadīth*), exegesis (*tafsīr*), law and legal theory (*fiqh*, *uṣūl al-fiqh*), grammar (*naḥw*), *adab* literature. There, also, professors gave legal opinions (*fatwā*) and sermons (*wa'z*), and held disputations on matters of law (*munāzara*). Such was the variety of subjects taught regularly, though others occasionally found their way into this type of institution. However, a subject considered heretical, such as Greek philosophy—a 'foreign' science outside the pale of religious orthodoxy, was kept out of the cathedral mosques.

Some study-circles were much larger than others, the popularity of the professor having its influence on the number of students attending. But, generally speaking, a class on traditions was larger than one on law. Qāḍī Abū Ya'lā was assisted in his study-circle by three assistants, called *mustamlīs* or *muballighs*, whose main function it was to relay the words of their master to those among the audience who were too far off to hear them clearly. His son, biographer of the Ḥanbalites, Ibn Abī Ya'lā, cites one of these sessions which took place on Friday 29 Dhū'l-Qa'da 456 (12 November 1064) in Jāmi' al-Manṣūr.⁸ The size of such a class on traditions was large.

¹ *Muntazam*, VIII, 76.

² *Ṭabaqāt al-ḥanābila*, II, 188.

³ 'Diary—I', 18.

⁴ *Muntazam*, IX, 176.

⁵ *Ṭabaqāt al-ḥanābila*, II, 234.

⁶ op. cit., II, 189 (read : *fī ḥalqataih*, instead of : *fī ḥalqatih*, cf. the preceding page).

⁷ See *Funūn*, fol. 247b.

⁸ *Ṭabaqāt al-ḥanābila*, II, 201. The Zāhiriya Library in Damascus preserves some of these *amālī* (dictations of traditions) of Abū Ya'lā.

On the other hand, a class on law was smaller. For law was a more specialized religious science attracting principally those who were preparing for a professional career. In a study-circle for law, the professor would receive questions not only from his attending students, but also from visitors, written on bits of paper, to which he would give answers in the form of legal opinions. These notes, generally seeking legal advice, could at times draw on other aspects of the professor's talents which were not primarily legal. The jurisconsult Ibn al-Bannā', who was apparently popular as an oneirocritic, speaks of notes in his contemporary 'Diary' which drew upon his special talents.

It also happened that some professors conducted classes on law mainly for the benefit of the masses. Two Ḥanbalite jurisconsults, Ibn Zibibyā (d. 460/1068) and his contemporary Ibn al-Bāzkurdī, conducted such classes in their respective study-circles in Jāmi' al-Ruṣāfa.¹

In contrast, legal disputation (*munāzara*) was conducted on the highest level among jurisconsults of all schools of law. Professors and advanced students took an active part in these disputations, while the audience listened. Several professors had study-circles for this purpose. Al-Āmidī's, in Jāmi' al-Manṣūr, was especially designated as being for disputation and legal decisions, though it is also where he held his regular law classes.² That of Ṭalha al-Āqūlī (d. 512/1118), in Jāmi' al-Qaṣr, was designated as being for disputation.³ In Ibn al-Zāghūnī's (d. 527/1132) study-circle, disputations were reserved for the period preceding the congregational service on Fridays (the period following the service being devoted to sermons) and for Saturdays.⁴ Ibn 'Aqil, in his monumental *Kitāb al-funūn*, which has reached us only partially, has recorded many of these legal disputations in which he himself took an active part, or merely attended, in the cathedral mosques of the 'Abbāsīd capital.

THE CENTRES FOR STUDY AND DISCUSSION

DĀR AL-'ILM

In 451/1059, at the height of the Basāsīrian period of trouble, Dār al-'Ilm ('house of learning') was destroyed. It had been founded on the west side of Baghdad by the Buwaihīd Wazīr Abū Naṣr Sābūr b. Ardashīr in 383/993.⁵

¹ i.e., Jāmi' al-Mahdī; *Dhail*, I, 10.

² *Ṭabaqāt al-ḥanābila*, II, 234: *halqat al-naẓar wa'l-fatwā*, where he used to *yudarris, yuḥī wa-yunāẓir*. ³ *Dhail*, I, 168: *li'l-munāzara*. ⁴ *ibid.*, 217.

⁵ *Muntaẓam*, VII, 172; *Kāmil*, VII, 162 (*sub anno* 383); *Bidāya*, XI, 312; *Shadharāt*, III, 104. Dār al-'Ilm was located, according to the account in Ibn al-Jauzī's *Muntaẓam*, VII, 172, 'in the Karkh (area) between the two walls'. This location is not very clear. Le Strange, *Baghdad*, does not give any information on the Karkh quarter having 'two walls'. But I think that what Ibn al-Jauzī refers to in this passage is the double wall which surrounded the Round City of Manṣūr (op. cit., index, s.v. 'Round City'). Le Strange (op. cit., 320) tells how, in the early history of this part of the city, the name of Karkh was used to designate the whole of the west side of Baghdad, just as that of Ruṣāfa was used for the whole of the east side. In this acceptance of the term, it is quite possible that Dār al-'Ilm was located somewhere between the two walls, just as the Maṭbaq prison appears on Le Strange's map (op. cit., Map No. II, reference no. 4).

He purchased a building, reconstructed it, furnished it, established in it a library for which he had a special catalogue prepared, and endowed it in the name of his family. He entrusted its care and management to two 'Alid *sharīfs* and a *qādī*, and put the directorship of its studies in the hands of a Ḥanafite shaikh.¹

It is thus plain that this centre of learning was not intended for Shī'ites alone, since its personnel were not all Shī'ites. Its endowment was sufficient to keep it in operation for the 70 years which preceded its destruction by fire.² The sources at our disposal give us information on its foundation, destruction, and replacement, and an additional detail on its personnel after the death of the Ḥanafite shaikh in 403/1012³; namely, a librarian⁴ who died in 418/1027.⁵

For our present purposes it will suffice to note that this Dār al-'Ilm was an unrestricted institution. So also was its successor, Dār al-Kutub.

DĀR AL-KUTUB

In Rajab 452 (August 1060), the historian Abū'l-Ḥasan Muḥammad b. Hilāl al-Ṣābī founded a centre for study and discussion on the west side of the city, on Shāri' Ibn Abī 'Auf.⁶ He instituted an endowment for it and furnished it with books of his own. Ibn al-Jauzī states that al-Ṣābī was moved to do this because the institution endowed by the Wazīr Sābūr b. Ardashīr, Dār al-'Ilm, had burned 'and most of what was in it had been carried away'; and, in his fear that learning might suffer thereby, he founded the new institution.⁷ Hence it might be gathered that whatever was salvaged from the old centre was put into this one, and that Ṣābī's books were bequeathed to replace what had been burned or otherwise lost.

This institution, like its predecessor, presents the aspect of having been unrestricted. No information is given, in the passages mentioned, concerning its staff or any of the terms of its endowment charter. We do have one additional

¹ Shaikh Abū Bakr Muḥammad b. Mūsā al-Khawārizmī; see *Muntazam*, VII, 172.

² The responsibility for its destruction is attributed by Ibn al-Jauzī (*Muntazam*, VIII, 205) to the Sunnites who burned this and other buildings in the Shī'ite quarter following the departure of the Turkish general al-Basāsīrī who had championed the Shī'ites.

³ *Muntazam*, VII, 266; among his students of law were two famous men of the period, the Shī'ite al-Raḍī (d. 406) and the Ḥanafite al-Ṣaimarī (d. 428).

⁴ *Khāzin Dār al-'Ilm*; see Sam'ānī, *Ansāb*, fol. 185a.

⁵ See also *Muntazam*, IX, 189-90, for a notice on an Imāmite Shī'ite juriconsult who died in 510/1116 and was said to have been known as 'librarian of the old Dār al-Kutub' (*Khāzin Dār al-Kutub al-qadīma*). It is very probable that this 'old' Dār al-Kutub was in reality Dār al-'Ilm, since we know from the *Funūn* of Ibn 'Aqīl that Dār al-Kutub itself was still in existence and would therefore not be referred to in this manner; also, since both institutions had similar characteristics, it is likely that the original Dār al-'Ilm came to be known in the period of the new Dār al-Kutub as the 'old Dār al-Kutub'.

⁶ This street is not found in Le Strange's *Baghdad*, which does, however, cite a 'Road of Ibn Abī 'Aun' on the west side. But the orthography of 'Auf' is clear in *Muntazam*, VIII, 216 and IX, 42, and in the manuscript of Ibn 'Aqīl's *Funūn*, fol. 195a.

⁷ *Muntazam*, VIII, 216.

piece of information which gives us an accurate idea on at least one of the uses made of this institution, besides the obvious one of serving as a library. Ibn 'Aqil gives us the record of a theological discussion held there in which one of the principal discussants was an Ash'arite.¹

Gifts of books were later made to the library from other sources. The Mu'tazilite Abū Yūsuf al-Qazwīnī (d. 488/1095), on his return from Egypt, brought with him many books and made gifts of some of them to the Wazīr Nizām al-Mulk. One of these, *Gharīb al-ḥadīth* by Ibrāhīm al-Ḥarbī (d. 198/899)² in the autograph of Abū 'Umar b. Ḥaiyawaih (d. 382/992),³ in 10 volumes, was given by Nizām al-Mulk to this centre as a *waqf* bequest.⁴

MAJLIS AL-NAẒAR (MAJLIS AL-'ILM)

This term has several technical meanings, even when considered in the field of education and learning alone. R. Dozy⁵ gives the important ones : 'class-room in which a professor gives his lessons', 'lesson of a professor', 'what he dictates during a lesson'; also *majlis al-'ilm*, in the latter sense, and *majlis al-naẓar* as meaning 'meeting of scholars who discuss'.

Majlis al-naẓar (sometimes the sources use the term *majlis al-'ilm* in the same sense) is used here in essentially the same sense as that given by Dozy. It denotes the meeting, sitting together, of scholars disputing certain points of law or dogmatic theology.

There was no restriction as to the place in which this type of session could be held. It could be held in the home of a scholar, or in one of the unrestricted institutions mentioned above, or in one of the exclusive institutions treated below. We have already mentioned some *ḥalqas* used for this purpose in the cathedral mosques and have seen that Dār al-Kutub also served for this purpose.

Nor was there any restriction as to membership in these sessions, except in accordance with the wishes of the initiating scholar who held such a session in his home or in an institution of which he was in charge. The contemporary Ibn 'Aqil is an excellent guide and source of information on such meetings which were attended by members of all the schools of law and of dogmatic theology, as well as by the traditionists. Depending on the membership of the particular session, different points of either law or theology formed the subject of discussions of varying length. Not all jurists or theologians held such

¹ *Funūn*, fol. 195a.

² For author and work, see *GAL*, I, 124, Suppl., I, 188.

³ *Tārīkh Baghdād*, III, 121-2; *Muntazam*, VII, 170-1.

⁴ See *Ṭabaqāt al-shāfi'iya*, III, 230 : *fa-waqafahu Nizām al-Mulk bi-Dār al-Kutub bi-Baghdād* 'Nizām al-Mulk constituted it a *waqf* bequest in the Dār al-Kutub of Baghdad'. As'ad Ṭalas mistook this to be the library (*dār al-kutub*) of the Nizāmiya (see *Madrasa Nizāmiya*, 41, n. 1 : 'Nizām fit don à l'école de Bagdad de ses précieux manuscrits'). Notice also that Qazwīnī's Mu'tazilism is not insisted upon by Ṭalas whose thesis is that Nizām built his college to fight Mu'tazilism, among other religious movements.

⁵ *Supplément aux dictionnaires arabes* (Leiden-Paris, 1927), s.v. *jls*.

sessions ; biographers considered it a matter of interest to make particular mention of those who did. For this form of learning was the prerogative of the élite among the scholars, requiring, as it did, a high level of erudition.

EXCLUSIVE INSTITUTIONS

SOME TECHNICAL TERMS

Before entering upon discussion of the characteristics of the exclusive institutions, it would be well to discuss some of the technical terminology regarding them, as it is used in the sources. Much of what is said in this study depends on the insight afforded us by key words of medieval academic terminology. For it is generally agreed among historical methodologists that a correct interpretation of a document is dependent upon the familiarity of the historian not only with its language in general, but also with the language of the particular period in which it was written. It is necessary to distinguish between the ordinary meaning and the technical meaning of a term according to the context in which it is used. Grave misunderstandings may arise from the failure to recognize terms to all appearances ordinary, but charged with technical meaning, whence the necessity of the following brief list based on documents themselves contemporary or dependent on contemporary sources (chiefly biographical literature, especially the *ṭabaqāt* works of the various schools of law).¹ The author's use of the terms was, in each case, studied within the framework of that author's own language usage.

INSTITUTIONS

Madrasa. The justification for rendering this term as 'college of law' can be found in the technical meaning of derivatives from the root-term *drs.* The term for law was *fiqh*. A *fiqh* lesson was referred to by the term *dars* ; the professor of *fiqh* was a *mudarris* ; and *darrasa*, used in the absolute, meant to teach *fiqh*. This terminology differs from that used for the prophetic traditions, *ḥadīth*. From this term, the denominative Form II *ḥaddatha* was used, meaning 'to teach traditions', with its verbal noun, *taḥdīth*, meaning the teaching of traditions, or such a teaching position. But the term used for law, *fiqh*, was not used in this way ; the counterparts of *ḥaddatha* and *taḥdīth* were not *faqqaha* and *tafqīh* (from *fiqh*), but rather *darrasa* and *tadrīs*, meaning, respectively, to teach law, and the teaching of law or the legal teaching position. *Tadrīs*, meaning the method of teaching law, is opposed to *riwāya*, recitation, and *imlā'*, dictation, as methods of teaching associated with traditions. In reference to a student learning law and traditions, various terms are used, the most significant in the present instance being the noun used with the verb

¹ Especially Subkī (in his *Ṭabaqāt al-shāfi'īya*), an author of a later period (he died in 771/1370), but whose work has preserved many of the earlier sources and who was conscious of the development of technical terminology in the field of education ; see, for example, op. cit., II, 314 (lines 11-12).

sami'a 'to hear'; the phrase *sami'a 'l-hadīth* 'he heard (learned) traditions' is familiar enough, but not as familiar is its counterpart *sami'a 'l-dars* 'he heard (learned) the law lesson', which is synonymous with the denominative Form V, *tafaqqaha*.

And finally, the term *madrasa* is the name of a place (*ism makān*) wherein a *dars*, that is, a *fiqh* lesson, was the main activity of teacher and student. We will presently see that each *madrasa* had only one chair and that its chair was always a chair of legal studies. In contrast to a *masjid*, no *madrasa* was used for any other chief purpose; the teaching of such subjects as Qur'anic science, traditions, grammar, etc., being merely subsidiary.

Masjid. This term is rendered as 'mosque-college'. As such it refers to *masjids* whose chief function was the teaching of law. There were many of these institutions, as we shall see presently. Indeed, they preceded and far outnumbered the *madrāsas* in Baghdad during the period under consideration. But there were also *masjids* which were not used for the teaching of law. Such, for example, was the *masjid* of Abū Bakr al-Khaiyāṭ al-Muqri', who taught Qur'anic science and traditions there as well as in his home and in the *jāmi'*,¹ and the *masjid* of Ibn Jarada, named after the merchant who founded it, in which Abū Mansūr al-Khaiyāṭ al-Muqri' taught Qur'anic science to the blind.² The *masjid* of Ibn Shāhīn (d. 385/995) was for the art of preaching (*wa'z*), Ibn Shāhīn himself having no knowledge of *fiqh*.³ Another holder of the chair of *wa'z* in this *masjid*, which was located on the east side, was the preacher Abū 'Alī al-Tamīmī (d. 444/1052).⁴

Our present concern is with those *masjids* wherein law was taught. With reference to these institutions, all of the technical terms associated with the *madrasa* are likewise associated with the *masjid*. The distinction between the two is that the latter was also a place of worship, where daily canonical prayers were performed with an *imām*, leader of the prayer. An *imām* was an essential member of a *masjid*; so also was the *mihrab* near which the *imām* took his position to lead the prayer and which indicated the direction thereof. The *minbar* (pulpit), however, was common to both *masjids* and *madrāsas* and was used in both instances by the preacher (*wa'iz*); but this does not make a *madrasa* a mosque or cathedral mosque, for there is a difference between a sermon called *wa'z*, delivered by a *wā'iz* in all institutions, and a sermon called *khutba* delivered by a *khaṭīb* in a cathedral mosque (*jāmi'*).⁵ The professor of law in a *masjid* could also be its *imām*, but this does not follow for the *madrasa*, where the *imām* is not a necessary member of the staff.

Mashhad. This term is ordinarily used to designate an edifice wherein the tomb of a venerated person is located. Many *mashhads* existed at the time of the Nizāmiya College, this being their principal function. A *mashhad* was

¹ *Dhail*, I, 13-14.

² *ibid.*, 118-19.

³ See *Tārīkh Baghdād*, XI, 267 (lines 13-14). On Ibn Shāhīn, see also *GAL*, I, 165, Suppl. I, 276.

⁴ Abū 'Alī al-Ḥasan b. 'Alī al-Tamīmī al-Wā'iz, known as Ibn al-Madhhab; see *Tārīkh Baghdād*, VII, 390-2, and *Muntaẓam*, VIII, 155-6.

⁵ cf. below, under 'Historical development', p. 48.

a shrine, and *as such*, a place of pilgrimage.¹ But there were *mashhads* with adjoining buildings used for teaching. Such was the Shrine College of Abū Ḥanīfa in Baghdad. Historians have referred to it as *qabr* 'cemetery', *mashhad* 'shrine', *masjid* 'mosque, mosque-college', and finally, *madrasa* 'college'. It was in fact a *madrasa*, built next to the *mashhad* and *masjid* of Abū Ḥanīfa, the *mashhad* being referred to also as *qabr*.

TEACHING PERSONNEL

Mudarris. A *mudarris* was a professor of law occupying the only chair of a *masjid* or *madrasa*. There was no difference in this regard between the smallest mosque-college and the largest college: each had one single chair, occupied by one professor of law, the *mudarris*.

Nā'ib. A *nā'ib*² was a substitute-professor of law. His function was to alternate with the *mudarris* in the teaching function. When the latter was the professor-administrator of his institution, he himself would hire a *nā'ib* to relieve him from his teaching on certain days of the week. Usually the professor had other functions to perform, such as that of *qāḍī*. In the Nizāmiya College, the *nā'ib* was usually a substitute-professor hired to do the professor's work during the *interregnum* between the appointment of one professor and another.³

Mu'īd. A *mu'īd*⁴ was a 'répétiteur', a drill-master, who assisted the professor by *repeating* the lesson, already delivered by the professor, to the students. A professor could have several drill-masters as opposed to only one substitute-professor. Some drill-masters were more resourceful and 'original' than others; indeed, a drill-master could at the same time hold a professorship in a smaller college. In any case, his main function was to drill the student in the lesson already delivered by the professor.

STUDENTS

Mutafaqqih. A *mutafaqqih* (pl. *mutafaqqiha*) was a student of *fiqh*, who could also be referred to as *faqih* (pl. *fuqahā'*) 'jurisconsult', as may be seen in some contexts. Another term was *tālib* (pl. *ṭalaba*, *ṭullāb*).

Ṣāhib. A *ṣāhib* (pl. *aṣhāb*) was a partisan, or follower, of a professor. He could be compared to a 'graduate student', or a disciple who completed the

¹ cf. Dozy, op. cit., s.v. *mashhad* and *zāwiya*.

² From the Form I *nāba*, *yanūbu*, with the preposition 'an; and the verbal noun, *niyāba*, as a technical term, meant the teaching position of substitute-professor, as opposed to *tadris*. When he is referred to as teaching, the verb *darrasa* is used together with the former verbal noun: *darrasa niyābatan* ('an . . .).

³ cf. Subki, *Ṭabaqāt al-shāfi'iya*, IV, 86: *darrasa bi'l-Nizāmiya niyābatan 'inda mauṭi Yūsuf al-Dimasqī* 'he taught *fiqh* in the Nizāmiya as a substitute-professor at the death of Yūsuf al-Dimasqī'. Since this was the case, it is not necessary to see in the hiring of Ghazzālī's brother to replace him when he left Baghdad the proof of his intention or of the understanding of the authorities that he was coming back. His brother was relieved the following year, and when Ghazzālī finally returned to Baghdad, he taught in the monastery-college (*ribāṭ*) of Abū Sa'd.

⁴ From the Form IV *a'āda*; and the verbal noun, *i'āda*, as a technical term, denoted the position of drill-master, as opposed to *tadris* and *niyāba*.

normal course (see *ta'liqa*, below) of a professor, and stayed with him in order to perfect his knowledge, prior to becoming a professor himself. Depending on his seniority and knowledge, he often served as a *mu'īd* for his professor. In the case of Abū Ishāq al-Shīrāzī, it happened that his professor asked him to take his own chair, at his mosque-college. It is clear that Shīrāzī was not a *mu'īd*, but either a *nā'ib* or a permanent professor. His professor was 80 years of age at the time, and lived for another 20 years.¹

LAW COURSE

Ta'liqa. This is the term used to denote the course taught by a professor of *fiqh*. It was in the form of lectures, or lecture notes, to which the professor made additions from time to time. *Ta'liqas* therefore differed as to the state of their completeness. Some were published and may be found listed among the works of the particular law professor.² Others remained unpublished.

From the same radical letters (*'lq*), a verb in the Form II was also used as a technical term: *'allaqa*. It meant to copy the *ta'liqa* of a law professor. Students were said to have 'copied'—meaning an unspecified amount of the *ta'liqa*. A *ṣāhib* or graduate student was one who copied the whole course through under the supervision of the author professor. He was then said to have copied (*'allaqa*), or acquired (*ḥaṣṣala*), the latter's particular method (*tarīqa*) of treating of the subject. Some students learned the *ta'liqa* of their teacher by heart. Upon finishing his course of study, the graduate student thus had lecture notes from which to teach.³

This being the case, some *ta'liqas* were more original than others, according as their materials differed from those of preceding ones in form, in content, or in both. Some were abridgements of others. They were also of varying lengths, some comprising numerous volumes.

The subject of a *ta'liqa* may be *fiqh* according to one school of law (*madhhab*); or it may be on *khilāf*, that is, a kind of comparative law, a text which presents the points of view of other schools of law opposing them to those of one particular school. It may also be on *uṣūl al-fiqh*, the sources or principles upon which the law is based.

A student could study and copy the *ta'liqa* of more than one professor. He could copy the *ta'liqa* of a professor without becoming his disciple, but rather moving on to do advanced work under another professor's direction.⁴ A professor could be the author of more than one *ta'liqa*.⁵

¹ When Ibn 'Aqīl came to study under the direction of Shīrāzī's professor, Abū'l-Ṭaiyib al-Ṭabarī, he said that the latter had retired from his regular teaching.

² cf. Subkī, iv, 198, where a *ta'liqa* on *khilāf* is given the title of *al-Mu'tarad*; cf. also *Dhail* (ed. Fiqī), i, 418, 420, where Ibn al-Jauzī's list of works includes three *ta'liqas*, each with a title.

³ A graduate law student is someone who has finished the *ta'liqa* of his professor, cf. *Dhail* (ed. Fiqī), i, 176: *kammala 'l-ta'liqa*.

⁴ Herein lies the significance of Fāriqī's (d. 528/1133) boast concerning his teacher Abū Ishāq al-Shīrāzī that once the latter's *ta'liqa* was mastered, a student had no need for further study under another professor; see below, end of article.

⁵ Three *ta'liqas* of varying length are attributed to Ibn al-Jauzī, see this page, n. 2.

SPECIALIZATIONS IN THE LEGAL FIELD

Faqīh. This term denoted a person who was learned in the law (*fiqh*). It did not necessarily mean that he taught it. His knowledge of law was a prerequisite for becoming a *qādī*, a *muftī*, a *mudarris*, a *munāzīr*. A *faqīh* could be versed in one or all of the fields represented by these terms :

qādī : a *faqīh* who held a position in the administration of justice ;

muftī : a *faqīh* who issued a legal opinion on a point of law in answer to a request ;

mudarris : a *faqīh* who occupied a chair of law in one of the institutions of learning ;

munāzīr : a *faqīh* who excelled in the art of legal disputation (*munāzara*) ; one who, in addition to knowing the legal principles of his own school of law (*madhhab*), was especially versed in those of one or more of the other schools (*khilāf*).

In addition to these specializations, for which the prior study of *fiqh* was a *sine qua non*, a *faqīh* could excel in one of the following specialities which represented fields of study independent of *fiqh*. He could be a :

muhaddith : one who was versed in traditions and who taught them ; his method was that of dictation (*imlā'*) ;

wā'iz : one who was versed in the art of preaching (*wa'z*) and delivered sermons (*wa'z*) in any one of the institutions of learning (*jāmi'*, *masjid*, *madrasa*) ;

khaṭīb : one who delivered the Friday sermon (*khutba*) in a *jāmi'*¹ ;

mutakallim : one versed in dogmatic theology (*kalām*) ; in eleventh-century Baghdad, generally Ash'arite or Mu'tazilite theology, the Ḥanbalites being anti-*mutakallim* ; the vehicle of his subject could be sermons (*wa'z*) ;

ṣūfī : a mystic ; he could be a simple follower or active teacher or writer in this field ; he could teach in a *ribāt*, monastery-college, where traditions were also taught, as well as the art of preaching.

CHARACTERISTICS OF COLLEGES

The term ' college ', from the Latin *collegium* ' society ', represents an institution of learning which developed in Western education, and as such, is inadequate in describing institutions of learning in medieval Islam. Its use may perhaps be excused when it is confined to its meaning of ' an institution for special or professional instruction ', such as a medical college, or a college of law. It is in this sense alone that we apply the term ' college ' to such Arabic terms as *masjid*, *madrasa*, and in one case, *mashhad* ; for all three specialized in the teaching of law (*fiqh*).

Besides their specialization in the teaching of Islamic law, these colleges

¹ There is therefore a distinct difference between a *wa'z* sermon and a *khutba* sermon, the former unrestricted as to place of delivery, the latter delivered exclusively in cathedral mosques. See below, p. 48, where the identification of the one with the other of these two types of sermon led to the identification of the *madrasa* with the mosque.

had several essential characteristics in common : their foundation and maintenance ; the appointment, tenure, and succession of their professors ; their general curricula (law and subsidiary subjects) ; procedure in class, and other activities.

All three were likewise *exclusive* institutions. To follow its courses in law, a student had to belong to the particular 'school', or system (*madhhab*) of law which the institution professed to teach. Therefore, a Shāfi'ite student attended a Shāfi'ite college ; a Ḥanbalite student, a Ḥanbalite college, and so on. The student was, of course, free to make his own choice of the system or school of law to which he belonged, independently even of his own parents ; and after having made his choice, he could change his mind and become a partisan of another school of law at any point of his career.

Foundation. The colleges had their origin in an endowment (*waqf*), the prominent motive of which was a charitable act on the part of a person possessed of wealth, usually a merchant, or a *wazīr* or other highly placed government functionary. In return for the material benefits which God had bestowed upon him, and in expiation of sins often attendant upon the practice of commerce and the possession of power and influence, such a person gave freely of his wealth for pious purposes instituting a foundation in perpetuity, dedicating it in the name of the school of law to which he professed to belong, choosing for its first professor a prominent juriconsult to whom he offered its *one and only* chair. Professors with private means founded a college of their own. The foundation of an institution dedicated to the teaching of the divine law was such a praiseworthy cause that biographers seldom fail to mention it, in evidence of service to religion, as well as generosity, a quality highly important in the Arab's system of values.

Purpose of endowment. The purpose of the institution's endowment (*waqf*) was to provide the necessary funds for its operation and maintenance, so as to keep it in existence long after the founder had died. What he had freely instituted during his lifetime in charitable deeds would, so to speak, continue to earn divine grace for him after his death.¹ Thus the *waqf* would consist of wealth-producing property, much the same as a memorial foundation does in our times, subsisting beyond the lifetime of its founder, and continuing to fulfil the main function for which it came into being.

Objectives. The main objective of the college was to teach the law of the particular 'school' for whose benefit it was founded, thus supplying the community with doctors of the law to assume specific functions within it, such as professors of the law, *muftīs*, *qāḍīs*. A graduate of the college could combine together all of these qualifications : he could assume the post of

¹ cf. the tradition in Ibn Qaiyim al-Jauziya, *Kitāb al-rūḥ* (Ḥaidarābād, 1357/1958), 158 (ll. 10-12), wherein it is said that the dissemination of knowledge, the performance of good works, and a pious son praying for him are regarded as instrumental in earning for a man this divine grace after his death. Cf. Ibn Ḥanbal, *Musnad*, v, 269 (ll. 21-22), for an elaborated form of this tradition.

qādī, deliver legal decisions (*fatwā*) as *muftī*, and hold a chair in one of the community's colleges. But law, *fiqh*, was the basic subject in the education of a student, its culminating point. To be an educated member of one of the 'schools' of law, for example the Ḥanbalite or Ḥanafite school, one had to study Ḥanbalite or Ḥanafite law. But not all students who followed the course of a professor of law became specialized lawyers. A student's ultimate interest could be bent in the direction of Qur'anic science, traditions, grammar, *adab* literature, dogmatic theology, sermons, etc. ; he could devote himself to a life of asceticism and could study in a monastery-college (*ribāṭ*) as a Ṣūfī, learning, teaching, and writing in the field of mystical theology. Though many of these subjects were taught in the colleges, their main purpose remained the teaching of law, each college being endowed with only one chair which could be held by only one professor at a time.¹

Administration of the endowment. The founder entrusted the management and care of the institution and its sources of income to one or more persons. It often happened that the professor occupying the chair of *fiqh* was also the institution's administrator, and this dual function of professor-administrator was usually passed on to his successors. After the death of the founder, provisions for the proper functioning of the college fell into the hands of the state. In the case of the Nizāmiya, so long as Nizām lived, he himself held ultimate authority for designating professors and administrators. After his death, this authority passed on to the state, that is, to the holder of power in the state. We have had occasion elsewhere to refer to the struggle for power in Baghdad between the Saljūqid Sultans and the Caliphs. This struggle became accentuated in the period following Nizām's death which brought in its wake the decline of Saljūqid power. Below, we will have occasion to see some examples of the play of forces in the Nizāmiya's administration, the history of which could supply us with an index for the *de facto* holder of power in Baghdad.

Appointment and succession. The normal procedure for appointment was for the donor to designate a prominent scholar for the one chair he established by founding the institution. His choice was guided by the particular school of law for whose benefit he had dedicated the institution. The normal procedure thenceforward was that the incumbent professor would make known his choice from among his disciples to succeed him after his death. The most promising among his disciples would, generally speaking, be in line for the succession. This disciple would ordinarily have served under his teacher as a drill-master (*mu'īd*). In many cases, the successor would be the professor's son who had studied under his father's direction. The successor could also be a former class-mate of repute, such succession ordinarily occurring in the case of a professor whose disciples were too young to succeed him. In the absence of the express designation of the incumbent professor as to his successor, the succession presumably went to the senior juriconsult of the

¹ One of the abuses of the Nizāmiya, as will be seen below, was to split the professorial chair into two half-time appointments given to two different professors.

school community—by the consensus of that community, such seniority being according to the scholarly ‘line of descent’ as already stated: that is, the disciple-son if old enough to teach, the most promising disciple, the incumbent’s fellow-student who had studied with him under a common master.

Tenure. The normal procedure concerning tenure, as can be gathered from what has already been said, was that the incumbent of a professorial chair held his position during the remainder of his lifetime. Where this did not occur, as in the case of the Nizāmiya College, forces had come into play other than those which ordinarily regulated institutions of learning in general.

Here lay the central point of difference between the Nizāmiya and the other institutions of learning in Baghdad. Appointment and succession to the chair of this institution, controlled as they were by political factors, differed from the procedure followed by the other contemporary institutions; one can hardly speak of tenure in its case as in that of the others.

A LIST OF COLLEGES

ḤANAFITE INSTITUTIONS

The great Ḥanafite names which dominate the fifth/eleventh century in Baghdad are those of al-Qudūrī,¹ al-Ṣaimarī,² and Abū ‘Abd Allāh al-Dāmaghānī.³ Immediately before these three, two others had dominated the scene: Abū ‘Abd Allāh al-Jurjānī⁴ and Abū Bakr al-Khawārizmī,⁵ both of whom had been students of the great Abū Bakr al-Rāzī al-Jaṣṣāṣ⁶; and contemporary with them, and following them, were others of lesser stature, Ilyās al-Dailamī,⁷ Nūr al-Hudā al-Zainabī,⁸ Abū’l-Ḥasan al-Dāmaghānī,⁹ and others. After the great names mentioned, the Ḥanafites of Baghdad lost their leadership once again to those of the east, especially Khurāsān and Transoxania. The foundation of the Shrine College of Abū Ḥanīfa in 459/1067 did nothing to keep this leadership in Baghdad; indeed, the most celebrated Ḥanafite

¹ Abū’l-Ḥusain Aḥmad b. Muḥammad al-Qudūrī al-Baghdādī (d. 428/1037); see *GAL*, I, 174–5, Suppl., I, 295–6.

² Abū ‘Abd Allāh al-Ḥusain b. ‘Alī al-Ṣaimarī (d. 436/1045); see *GAL*, Suppl., I, 636.

³ Abū ‘Abd Allāh Muḥammad b. ‘Alī al-Dāmaghānī (d. 478/1085); see *GAL*, I, 373, Suppl., I, 637.

⁴ Abū ‘Abd Allāh Muḥammad b. Yaḥyā al-Jurjānī (d. 398/1008); see *Tārīkh Baghdād* III, 433; *Muntaẓam*, VII, 243; *Fawā’id*, 202.

⁵ Abū Bakr Muḥammad b. Mūsā al-Khawārizmī (d. 403/1012); see *Tārīkh Baghdād*, III, 447; *Muntaẓam*, VII, 266; *Fawā’id*, 201–2.

⁶ Abū Bakr Aḥmad b. ‘Alī al-Rāzī al-Jaṣṣāṣ (d. 370/981); see *Tārīkh Baghdād*, IV, 314–15; *Muntaẓam*, VII, 105–6; *Fawā’id*, 27–8.

⁷ Abū Ṭāhir Ilyās b. Nāṣir al-Dailamī (d. 461/1069); see ‘Diary—IV’, 299, n. 5, to which add the source *Jawāhir*, I, 163.

⁸ Nūr al-Hudā Abū Ṭālib al-Ḥusain b. Muḥammad al-Zainabī (d. 512/1118); see ‘Diary—IV’, 300, n. 4; *Muntaẓam*, IX, 201; *Jawāhir*, I, 219–20.

⁹ Abū’l-Ḥasan ‘Alī b. Muḥammad al-Dāmaghānī (d. 513/1119); *Muntaẓam*, IX, 208–12; Ibn al-Najjār, *Dhail Tārīkh Baghdād*, MS arabe Paris 2131, fol. 2a–2b.

professor of law in Baghdad at the time, Abū ‘Abd Allāh al-Dāmaghānī, did not hold the chair of law there.¹

The following exclusive institutions belonged to the Ḥanafite school of law.

The mosque-college of Abū ‘Abd Allāh al-Jurjānī. Contemporary of Abū Bakr al-Khawārizmī (see below) and, like him, student of Abū Bakr al-Rāzī, Abū ‘Abd Allāh al-Jurjānī held the chair of law in this *masjid* which continued to be known by his name in the fifth/eleventh century. It was located on the west side of Baghdad. His most important student was al-Qudūrī, who probably taught there after him, but this is not certain. It is, however, certain that Qudūrī’s famous student, Abū ‘Abd Allāh al-Dāmaghānī, held the chair at this mosque-college, that Dāmaghānī’s student, Mas‘ūd al-Rāzī, was appointed by him as substitute (*nā’ib*) to assist him in teaching, and that Dāmaghānī’s son, Abū’l-Ḥasan al-Dāmaghānī, also held the chair of this institution.

The college of al-Sarakhsī. Abū Sa’d al-Sarakhsī had a *madrasa* located in the Karkh quarter on the west side of the city, in which he was killed during a riot which took place between Ḥanafites and Ḥanbalites in 402/1012.²

This Ḥanafite institution is called a *madrasa*, according to a quotation taken from the contemporary historian Hamadhānī. The author of *Jawāhir*, our best source on the Ḥanafites of the period, does not mention, to our knowledge, any other *madrasa* located in the Karkh quarter. However, in a biographical notice devoted to a Ḥanafite professor of the seventh/thirteenth century, he does mention ‘the old *madrasa* in the Karkh quarter’, quite likely referring to this particular one. The professor occupying the chair of *fiqh* at this later date was Muḥammad b. ‘Alī b. Naṣr al-Ibrī (d. 629/1232) and the information is based on the contemporary historian Ibn al-Najjār (d. 643/1245).³

The mosque-college of Abū Bakr al-Khawārizmī. The biographers locate this *masjid* on a certain road called Darb ‘Abda, perhaps on the west side of the city, as in the case of other contemporary Ḥanafite institutions. After al-Khawārizmī, who also lived in this institution which went by his name, another Ḥanafite jurist is known to have held its chair of law, Muḥammad al-Iṣbahānī.⁴

The mosque-college of al-Ṣaimarī. This famous student of al-Khawārizmī had a *masjid* of his own, located on Darb al-Zarrādīn, perhaps on the west side of Baghdad where he was *qāḍī*. A student of his, Ilyās al-Dailamī, who later became the first professor of the Shrine College of Abū Ḥanīfa, had a *ḥalqa* in Jāmi‘ al-Manṣūr and held the chair of *fiqh* in this mosque-college of his teacher.⁵

¹ A more exhaustive treatment of these and other jurisconsults of Baghdad is given in a forthcoming publication on this period of Baghdad’s history.

² See the biographical notice in *Jawāhir*, II, 274, under the *kunyas*, based on Ibn al-Najjār (d. 643/1245), and Ibn al-Hamadhānī (d. 513 or 521/1119 or 1127; cf. Louis Massignon, *Bibliographie hallâjienne*, No. 282); it is likely that this latter contemporary historian was accessible to the author of *Jawāhir* not directly, but only through, Ibn al-Najjār.

³ *Jawāhir*, II, 99.

⁴ See the biographical notice on him in *Jawāhir*, II, 141.

⁵ *Jawāhir*, I, 163.

The Shrine College of Abū Ḥanīfa. This institution was founded in 457/1065 and inaugurated in 459/1067, almost simultaneously with the Nizāmiya College. Like all other institutions of learning, it owed its existence to a charitable act of a man of means. In this case, it was the financial agent of the Saljūqid Sultan Alp Arslān, a man named Abū Sa'd al-Mustaufī. Thus the two largest institutions of the period known, the Shrine College and the Nizāmiya, were founded for the Ḥanafite and Shāfi'ite schools of law respectively, by two officials of the Saljūqid government acting as private individuals, the former the financial agent of the Sultan, and the latter, his Wazīr; the one belonging to the Ḥanafite school of law, the other to the Shāfi'ite school.

In view of the importance attributed to the Nizāmiya College alone, during this period, by Western historians, it would be well for us to reproduce *in extenso* the important texts concerning this neglected Ḥanafite institution the characteristics of which were in no manner inferior to those of its famed Shāfi'ite counterpart. Ibn al-Jauzī, author of one of the classic histories of Baghdad announces its inauguration in the year 459/1067, as follows :

‘ In 459, Abū Sa'd *al-Mustaufī* (i.e. the financial agent), whose honorific title is Sharaf al-Mulk (i.e. honour of the kingdom), founded the Shrine of Abū Ḥanīfa, built a tombstone (*malban*) for his tomb, and constructed the dome. Next to the (Shrine), he built the *madrasa*, lodged students of *fiqh* in it, and appointed a salaried professor for them.’¹

Ibn al-Jauzī does not give the source of this statement. It is quite probable that he took it from the contemporary ‘Diary’ of Ibn al-Bannā’, on whose authority he gives us some of the local events in Baghdad in the following year, 460/1068. Ibn al-Bannā’ is also one of the rare sources on the professors of this Shrine College during the fifth/eleventh century and, to my knowledge, the only source on the end of the tenure of its first professor, and the appointment of the second, with the exact dates.

If we are to judge by the position of this event in the chronological reporting of events by Ibn al-Jauzī, the inauguration of the Shrine College must have taken place sometime between the month of Jumādā I, date of the preceding event, and that of Sha'bān, date of the following event; in other words, sometime between the fifth and eighth month of the year 459. This would mean that it was inaugurated about four to seven months before the well-known Nizāmiya College.

Work on the construction of the Nizāmiya College was begun in 457, in the month of Dhū'l-Ḥijja, two years to the month before its inauguration.² On the other hand, we have as yet no sources on the exact date of the inauguration of the Ḥanafite Shrine College. But we do know that work on its construction was begun after that of the Nizāmiya. For this information we have the

¹ See *Muntazam*, VIII, 245 : *wa-fi hādhihi 'l-aiyāmi banā Abū Sa'd al-Mustaufi al-mulaqqabu Sharaf al-Mulk mashhada Abi Ḥanifa wa-'amila li-qabrihi malbanan wa-'aqada 'l-qubbata wa-'amila 'l-madrasata bi-izā'ihī wa-anzalaha 'l-fuqahā'a wa-rattaba la-hum mudarrisan.*

² *Muntazam*, VIII, 238.

classic history on the Saljūqids of 'Irāq, Bundārī's *Zubdat al-nuṣra*. Here is the pertinent part of the text :

' (Sharaf al-Mulk Abū Sa'd) found that the lieutenants of the Wazīr Nizām al-Mulk had already begun building the (Nizāmīya) *madrasa* ; so, taking advantage of his ability to duplicate (it), he built a shrine and a *madrasa* for the members of his (Ḥanafite) school, on the (location of the) tomb of Abū Ḥanīfa—may God have mercy on him !—in the quarter of Bāb al-Ṭāq, thus giving evidence of the recompense he will receive (from God) for its (quality as a) place of pilgrimage.'¹

Thus the work on the Shrine College of Abū Ḥanīfa was begun after that of the Nizāmīya. If we are right in that its inauguration took place before that of the Nizāmīya, it then took less time to build than was necessary for the latter institution. This should not necessarily mean that the Nizāmīya was larger than the Shrine College. We have no descriptions of either institution which would lead us to believe this. If one is to judge by the *waqf* revenue of the Shrine College, it would appear that it was, if anything, more important than that of the Nizāmīya (see below).²

The shrine of Abū Ḥanīfa was important both as a place of pilgrimage³ and in the size of its dome which towered above the sepulchre of Abū Ḥanīfa, a burial-place of many important Ḥanafite doctors.

Other than the contents of the texts cited above, we have no information yielding a more detailed description of the shrine or the adjacent college. Nor do we have a description of the Nizāmīya.⁴ Ālūsī's information, if true for the Nizāmīya, may also be true for the Shrine College. The *masjid* of Marjān had a *madfan* (burial-place) of the founder. The Shrine College with the shrine of Abū Ḥanīfa, had a burial-place for the founder of the juridical

¹ *Zubda*, 32 : *wa-wajada (Sharaf al-Mulk . . .) nūwāba Nizām al-Mulk al-Wazīr qad shara'ū fi binā'i 'l-madrasati fa-'ghthanama 'qtidārahu 'alā 'l-iqtidā'i wa-banā 'alā qarībi Abī Ḥanīfa—raḥīmahu 'llāh !—bi-Bāb al-Ṭāq mashhadan wa-madrasatan li-aṣḥābīhi wa-a'lama bi-ma'lamihā thauba thawābīhi.*

² Ibn al-Jauzī reports that after its completion, the contemporary poet Abū Ja'far b. al-Baiyāḍī, on the occasion of a devotional visit to the Shrine of the Imām Abū Ḥanīfa, recited extemporaneously two verses alluding to both the Shrine and the *madrasa* that henceforth carried the name of the founder of the Ḥanafite school. See *Muntaẓam*, VII, 245 :

' Do you not see that (religious) learning was lost until it was gathered by him who in this tomb reposes unseen ?

Likewise this piece of land lay dead (i.e. fallow) until by the generosity of the 'Amīd Abū Sa'd it was revived.'

³ In Harawī's *Kitāb al-ishārāt ilā ma'rifat al-ziyārāt*, ed. J. Sourdel-Thomine, Damascus, Institut Français de Damas, 1953 (French translation, *Guide des lieux de pèlerinage*, also by J. Sourdel-Thomine, Damascus, IFD, 1957), p. 74 (p. 165 of transl.), this place of pilgrimage is referred to as the Cemetery of al-Khaizurān ; the terms *mashhad* ' shrine ' and *qabr* or *maqbara* ' cemetery ' often being interchangeable in the sources ; cf. *Muntaẓam*, IX, 201.

⁴ cf., however, *Madrasa Nizāmīya*, 27–8, where the information is based on Ālūsī who does not give his source.

school of thought for which the College was built. On the other hand, the Nizāmīya had no such place.¹

The location of the Shrine College was, like that of the Nizāmīya, on the east side of Baghdad, north from the centre of the city, whereas the Nizāmīya was directly east, both being approximately equidistant from the centre.² It is difficult to locate the Nizāmīya, but the Shrine College can be located as having been next to the shrine which still stands in what is now a suburb of Baghdad, al-Mu‘azzam.

As in the case of the Nizāmīya, the Shrine College was endowed by its founder. The exact amount of the endowment in either case is not known. The cost of running the Nizāmīya has been guessed in modern times, by the Salafī Shaikh Muḥammad ‘Abduh (d. 1905) as having been 15,000 dīnārs annually.³ On the other hand, there is an estimate as to both the annual revenue of the Shrine College and the annual expense it incurred, in the *Muntaẓam* of Ibn al-Jauzī, among the events of the year 523, only about 63 years after its foundation :

‘ In the month of Ṣafar, the Sultan gave orders to seal the properties belonging to the *madrasa* of Abū Ḥanīfa and to require its administrators to give an accounting, for which purpose the Qāḍī’l-Quḍāh al-Zainabī was placed under guard. He had been told that the revenue of the place was approximately 80,000 dīnārs, but that not even 10,000 was being spent on it.’⁴

The Chief Qāḍī al-Zainabī, besides being in charge of the college’s administration, also held the chair of *fiqh*. From this text, it is plain that the normal expenses of the college—the premises, the professor, the students, and the other personnel—were expected to be higher than 10,000 dīnārs annually.

When Nizām al-Mulk endowed his Nizāmīya he retained control of the administration of the college. On the other hand, the professors occupying the chair of the Shrine College, were at the same time its administrators.

The Shrine College had, like the Nizāmīya, a library of its own. The Christian physician, Ibn Jazla,⁵ who under the direction of Abū ‘Alī b. al-Walīd had been converted to Islam, made a *waqf* bequest of his own library to the Shrine College. We also have some information on one of its librarians : ‘Abd al-‘Azīz b. ‘Alī b. Abī Sa‘īd al-Khawārizmī, who resided in the college and who is

¹ See Louis Massignon, ‘ La cité des morts au Caire : Qarāfa—Darb al-Aḥmar ’, *Bulletin de l’Institut Français d’Archéologie Orientale* (Cairo, Institut Français d’Archéologie Orientale du Caire), LVII (pp. 25–79, with 9 plates), 58, where the author speaks of a desire on the part of Nizām al-Mulk to transport the remains of Shāfi‘ī, founder of the Shāfi‘ite school of law, from their burial-place in the Qarāfa Cemetery of Cairo, to Baghdad.

² The exact location of the Nizāmīya is treated in a number of studies ; see p. 31, n. 8.

³ cf. *Madrasa Nizāmīya*, 13, n. 7.

⁴ *Muntaẓam*, x, 11.

⁵ Abū ‘Alī Yahyā b. ‘Isā b. Jazla al-Ṭabīb (d. 493/1100), see *Muntaẓam*, x, 119, also *GAL*, I, 485, Suppl., I, 887–8.

stated to have taught traditions (*ḥadīth*) there in 568, was in charge of the library (*khizānat al-kutub*).¹

The Shrine College also had an *imām*, leader of the canonical prayers, for its mosque. The personnel of the institution consisted of the professor who held the chair of *fiqh* and who was the chief administrator of its endowment; under him were assistant professors, and assistant administrators; further, there was an *imām* for leading the prayers, and a librarian in charge of its books. In short, the college had the type of personnel which has been described for the Nizāmiya,² except that the latter had no *imām* under the administration of Nizām; we do not hear of the *imām* until much later.³

The very first professor to hold the chair of *fiqh* in the Ḥanafite Shrine College was Abū Ṭāhir Ilyās b. Nāṣir b. Ibrāhīm al-Dailamī. He was a student of two famous Ḥanafite jurists of the century, Ṣaimarī and Abū ‘Abd Allāh al-Dāmaghānī. Before his appointment at the Shrine College, he had taught *fiqh* in Wāsiṭ, and held a chair at Jāmi‘ al-Manṣūr and the professorship of the mosque-college of his teacher Ṣaimarī.

The ‘Diary’ of Ibn al-Bannā’ gives us very valuable information on both the death of the first professor and the succession to the chair of *fiqh* at the Shrine College. The death of Abū Ṭāhir Ilyās is reported under the *nisba* of ‘al-Dailamī’ alone.⁴ Significantly, Ibn al-Bannā’ says that he was buried ‘where he used to teach’, since the Shrine College was adjacent to the shrine of Abū Ḥanīfa located in the Khaizurāniya Cemetery.⁵ A few items later, on the reverse side of the same folio, Ibn al-Bannā’ reports the appointment of the second professor to the Shrine College.⁶ Here, the *ism* ‘Ilyās’ alone is mentioned. Both ‘Ilyās’ and ‘al-Dailamī’ refer to the same person.⁷

Ilyās al-Dailamī was succeeded, on 4 Rajab 461, two weeks after his death, by Nūr al-Hudā Abū Ṭālib al-Husain b. Muḥammad b. ‘Alī al-Zainabī, who was a brother of Ṭirād al-Zainabī, the Hāshimite Syndic (*Naqīb al-Nuqabā’*)⁸ and held the chair of *fiqh* from Wednesday, 4 Rajab 461 (29 April 1069) until

¹ *Jawāhir*, I, 320.

² cf. *Madrassa Nizāmīya*, 42; the term *nā’ib* does not mean a high official (*haut fonctionnaire*); it merely denotes an assistant or substitute, either in teaching, or in administration. More on this term above.

³ cf. Ibn al-Sā’ī, *al-Jāmi‘ al-Mukhtaṣar* (ed. M. Jawād-Anastase-Marie, Baghdad, Syrian Catholic Press, 1934), 44–5, where Ibn Bakrūn is stated to have been appointed librarian of the Caliphal Diwān and leader of the prayers (*muṣallī*) in the Nizāmīya, in the year 597/1201; cited in *Madrassa Nizāmīya*, 42.

⁴ See ‘Diary—IV’, 299 (translation), where n. 5 shows that no other information had been found on him.

⁵ On this cemetery, the shrine, and the college, see *Baghdad*, 191–3.

⁶ ‘Diary—IV’, p. 300 (translation).

⁷ With this new light on the two items in the ‘Diary’, paragraphs 131 and 136 in part IV may be better understood. In § 136, the words ‘they settled’ (*ajlasū*) should now be rendered more specifically as ‘they appointed’; the ‘tomb’ of Abū Ḥanīfa is none other than the Shrine College which is identified with the tomb. The last sentence reports a new burial on 4 Rajab, two weeks after his death.

⁸ cf. list of Louis Massignon, ‘Cadis et naqībs baghdadiens’, *WZKM*, LI, 1–2, 1948, 112.

his death, Monday, 11 Şafar 512 (3 June 1118), roughly five months short of 52 years.¹

After him there were other professors at the Shrine College, but because of the scantiness of the sources, and the absence of any as detailed as the 'Diary' of Ibn al-Bannā' (the only available fragment of which fortunately covers the period of the first succession of professors), it is not possible to determine at the present time the exact succession of the later professors. But the chief object of our present concern is the fifth/eleventh century.²

SHĀFI'ITE INSTITUTIONS

The great Shāfi'ite names connected with institutions of learning in the fifth/eleventh century in Baghdad belong to a mainstream of Shāfi'ite scholarship at the head of which stood Abū Ḥamid al-Isfarā'īnī.³ This Shāfi'ite juriconsult had many disciples, among whom were Abū 'Abd Allāh al-Kashfulī⁴ and Abū'l-Faṭḥ al-Rāzī⁵ who succeeded to his chair of *fiqh*, and Ibn al-Labbān⁶ who taught in a mosque-college of his own. But the most successful disciple of all, the one whose name dominates fifth/eleventh century Shāfi'ism in Baghdad, and in turn is found at the head of a long line of famous scholars, was Abū'l-Ṭaiyib al-Ṭabarī.⁷ Ṭabarī in turn had numerous disciples among whom the following distinguished themselves: Abū Ishāq al-Shīrāzī⁸ and Ibn al-Ṣabbāgh,⁹ rivals for the first appointment in the new Nizāmīya of Baghdad; Abū Bakr al-Shāmī¹⁰ who came from Syria to finish his studies under Ṭabarī and settled in Baghdad; and finally, Abū Bakr al-Shāshī¹¹ who studied under the direction of both Shīrāzī and Ibn al-Ṣabbāgh.

¹ cf. *Jawāhir*, loc. cit., where a round figure of 50 years is mentioned; cf. also *Muntaẓam*, loc. cit., affirming that his tenure was uninterrupted.

² For a list of the professors of the Shrine College, the reader is referred to Muṣṭafā Jawād, 'Mudarrisū Madrasat Abī Ḥanīfa baina sanati 459 wa-sanati 771 H.', *al-Mu'allim al-Jadīd* (Baghdad), VII, 1941-2, 4-15, 111-19, 200-9 (as cited in Kūrīs 'Auwād, 'Mā ṭubī'a 'an buldāni 'l-'Irāq bi'l-lughati 'l-'Arabīya', *Sumer*, IX, 1953, s.v. 'Muṣṭafā Jawād'). I have not as yet seen this article, the journal not being available to me.

³ Abū Ḥamid Aḥmad b. Muḥammad al-Isfarā'īnī (d. 406/1016); see *Muntaẓam*, VII, 277; *Ṭabaqāt al-shāfi'iya*, III, 24-31; not to be confused with Abū Ishāq al-Isfarā'īnī (d. 418/1027; *GAL*, Suppl., I, 667).

⁴ Abū 'Abd Allāh al-Ḥusain b. Muḥammad al-Ṭabarī al-Kashfulī (d. 414/1023); see *Muntaẓam*, VIII, 13; *Ṭabaqāt al-shāfi'iya*, III, 163.

⁵ Abū'l-Faṭḥ Sulaim b. Aiyūb b. Sulaim al-Rāzī (d. 447/1055); see *GAL*, Suppl., I, 730.

⁶ Abū Muḥammad 'Abd Allāh b. Muḥammad al-Iṣfahānī, known as Ibn al-Labbān (d. 446/1054); see *Muntaẓam*, VIII, 162; *Ṭabaqāt al-shāfi'iya*, III, 207-8.

⁷ Abū'l-Ṭaiyib Ṭāhir b. 'Abd Allāh al-Ṭabarī (d. 450/1058); see *Muntaẓam*, VIII, 198; *Ṭabaqāt al-shāfi'iya*, III, 176-97.

⁸ Abū Ishāq Ibrāhīm b. 'Alī al-Fīrūzābādī al-Shīrāzī (d. 476/1083); see *GAL*, I, 387-8, Suppl., I, 669-70.

⁹ Abū Naṣr 'Abd al-Saiyid b. Muḥammad b. al-Ṣabbāgh (d. 477/1084); see *GAL*, I, 388, Suppl., I, 671.

¹⁰ Abū Bakr Muḥammad b. al-Muẓaffar al-Ḥamawī al-Shāmī (d. 488/1095); see *Muntaẓam*, IX, 94; *Ṭabaqāt al-shāfi'iya*, III, 83-4.

¹¹ Abū Bakr Muḥammad b. Aḥmad al-Qaffāl al-Shāshī (d. 507/1114); see *GAL*, I, 390-1, Suppl., I, 674.

The following exclusive institutions belonged to the Shāfi'ite school of law.

*The mosque-college of 'Abd Allāh b. al-Mubāarak.*¹ This institution was located in the west side quarter called 'The Fief of Rabi'. It was named after 'Abd Allāh b. al-Mubāarak who, in addition to being a well-known traditionist, was one of the early jurisconsults of Islam, a student of Sufyān al-Thaurī and Mālik b. Anas. He was also a wealthy merchant, and was known for his generosity in giving alms to the needy. This mosque-college is therefore of early origin. In the early part of the fifth/eleventh century, its chair of *fiqh* was held by Abū Ḥāmid al-Isfarā'inī. Among his successors to the chair were two of his disciples, Abū 'Abd Allāh al-Kashfulī and Abū'l-Faṭḥ al-Rāzī, though it is not certain which of the two was first to succeed the master. Rāzī, after teaching there for an unknown period of time, emigrated to Syria. In both cases, their biographer, Subkī, says that both taught in their teacher's place after the latter's death.

The mosque-college of Ibn al-Labbān. This disciple of Isfarā'inī had a mosque-college of his own, located in the quarter called Darb al-Ājur, in the larger quarter of Nahr Ṭābiq, on the city's west side.

The mosque-college of Abū'l-Ṭaiyib al-Ṭabarī. Ṭabarī, originally from Āmul in Ṭabaristān, whence his ethnic name (*nisba*), and a student of Isfarā'inī, lived to the ripe old age of 102, dying in the middle of the fifth/eleventh century. He had succeeded to the *qāḍī*-ship of the west side quarter of Karkh after the death of the Ḥanafite jurisconsult, Ṣaimarī (d. 436). It was probably in this quarter that Ṭabarī's mosque-college was located. His assistant or drill-master (*mu'id*) was his favourite disciple, Abū Ishāq al-Shīrāzī, who had excelled in the study of *fiqh* under the master's direction.

The mosque-college of Abū Ishāq al-Shīrāzī. After a long period of apprenticeship under the direction of Ṭabarī, Shīrāzī acquired his own mosque-college which was located on the east side of the city, in the fashionable quarter of Bāb al-Marātīb. Facing his mosque-college was an inn (*khān*) in which resided his out-of-town students who came to study under his direction from other parts of the Muslim world. These students, whose numbers varied between ten and twenty approximately, fell into two categories which could be termed 'graduate' and 'undergraduate'. Shīrāzī's course of *fiqh*, his *ta'tīqa*, required a period of four years for completion. Lessons were given twice a day, one in the morning, another in the afternoon. Upon mastering the *ta'tīqa*, the student graduated from 'student of *fiqh*' (*mutafaqqih*) to 'follower, disciple or partisan' (*sāhib*, pl. *aṣḥāb*). Some of these disciples stayed on with their master until he died in 476.²

His teaching assistant was his student, Abū Bakr al-Shāshī (see below)

¹ Abū 'Abd al-Raḥmān 'Abd Allāh b. al-Mubāarak al-Ḥanzalī (d. 181/797), see *Shadharāt*, I, 295-7, where it is said that his tomb was in Hit; see also Harawī, *Ziyārāt* (ed. J. Sourdel-Thomine), 66 (p. 149 of transl. by J. Sourdel-Thomine, *Guide des lieux de pèlerinage*), where his tomb is located in Raḥba.

² See the account given by a student of Shīrāzī, in *Muntazam*, x, 37, ll. 10-16, translated below, p. 54.

who had come to Baghdad after having studied *fiqh* under the direction of al-Kāzarūnī, a classmate of Shīrāzī,¹ and before the former's death in 455.² In Baghdad, Shāshī studied also under the direction of Ibn al-Ṣabbāgh, later acquiring a college of his own (see below); and like his teachers Shīrāzī and Ibn al-Ṣabbāgh, he occupied the chair of the Nizāmiya of Baghdad.

The mosque-college of Abū Bakr al-Shāmī. Shāmī, who began his studies of *fiqh* in his native Syrian town of Ḥamāh, hence his other ethnic name, al-Ḥamawī, came to Baghdad where he continued them under the direction of Ṭabarī. His mosque-college was located in the west side quarter of the Fief of Umm Rabī', and he occupied its chair for more than 50 years, also holding the post of Chief Qādī during the last ten years of his life.

The college of Abū Bakr al-Shāshī. This institution was located in the east side quarter of Qarāḥ Zafar,³ just outside the quarter deriving its name from the same Zafar, the Zafariya quarter.⁴ Subkī speaks of it, not as a *masjid*, but as a small *madrasa* (*madrasa la'īfa*).⁵ It was here that Shāshī taught before the inauguration of the Tājiya College.

The Tājiya College. This institution was named after its founder, Tāj al-Mulk⁶ who was the financial agent (*mustawfi*)⁷ of the Saljūqid Sultan Malik-shāh and whom the latter had intended to raise to the position of Wazīr, in the place of Nizām al-Mulk. Tāj al-Mulk who, like Nizām, was a Shāfi'ite, founded his college for the Shāfi'ites in the quarter of Bāb Abraz on the east side, not far from the small college of Shāshī, mentioned above. Its construction was begun in the year 480.⁸ In 482, Abū Bakr al-Shāshī, who had been appointed to its chair of *fiqh* by its founder Tāj al-Mulk, delivered his inaugural lesson on 19 Muḥarram. Like the Nizāmiya, it was endowed by its founder.⁹

In the biographical notice devoted by Ibn al-Jauzī to Tāj al-Mulk,¹⁰ the

¹ cf. Harawī, *Kitāb al-ziyārāt* (ed. J. Sourdcl-Thomine), 65, l. 1.

² For al-Kāzarūnī, see the biographical notice in *Ṭabaqāt al-shāfi'iya*, III, 50-1; for Abū Bakr al-Shāshī, see p. 23, n. 11.

³ Meaning 'the garden of Zafar'; cf. *GAL*, Suppl., I, 674, where *Buqrāj* should be amended to read *bi-qarāḥ*; the mistake is based on a misprint in *Ṭabaqāt al-shāfi'iya*, IV, 58, l. 8, where the passage should be understood that Shāshī built for himself a *madrasa* in *Qarāḥ Zafar*, rather than having it built for him, by a certain *Buqrāj Zafar* ('... lehrte in Bagdād zuerst an einer von Buqrāj Zafar für erbauten Medrese . . .'). For Zafar, see 'Topography', index.

⁴ For Zafariya, see 'Topography', index.

⁵ *Ṭabaqāt al-shāfi'iya*, IV, 58.

⁶ Abū'l-Ghanā'im al-Marzubān b. Khusrau Firūz, known by his honorific title (*laqab*) o. Tāj al-Mulk (d. 485/1093); see the biographical notice on him in *Muntazam*, IX, 74.

⁷ cf. *Kāmil*, VIII, 152 (*sub anno* 482).

⁸ *Muntazam*, IX, 38; the exact date within that year is not given.

⁹ *ibid.*, IX, 46; *Ṭabaqāt al-shāfi'iya*, IV, 58. Cf. *Baghdad*, 287-8, where Le Strange puts the location of this institution near Bāb Abraz and says that it was built about the year 482, his sources being Ibn al-Athīr and Yāqūt. Ibn al-Athīr's *Kāmil* (*sub anno*), silent on the beginning of the construction in 480, merely reports its inauguration in 482. The Tājiya, like the Nizāmiya and the Shrine College of Abū Ḥanīfa, took approximately two years to build.

¹⁰ *Muntazam*, IX, 74. Subkī (*Ṭabaqāt al-shāfi'iya*, IV, 19), biographer of the Shāfi'ites, devotes less than one line to Tāj al-Mulk, giving his name and his title as *wazīr*. It is quite possible that this omission may be due to a lacuna in the manuscript tradition of the Cairo edition; but it may also be due to Subkī's own bias against this rival of Nizām al-Mulk.

good works attributed to this high official include the Tājīya College and the construction of the mausoleum (*turba*) of Shāshī's teacher Abū Ishāq al-Shīrāzī, and the building of a tombstone (*malban*) for his tomb, which was located, like the Tājīya, in the quarter of Bāb Abraz.¹ Shāshī, who died in 507, was buried with his teacher Shīrāzī. It is possible that the Tājīya College and the Mausoleum of Shīrāzī were adjacent to each other, Tāj al-Mulk having chosen the location of his college near the resting place of the great Shāfi'ite teacher.

Shāshī taught in the Tājīya College from 19 Muḥarram 482 (3 April 1089) until he was appointed to succeed al-Kiyā al-Harrāsī at the Nizāmiya in the year 504. When he died in 507, he was buried in the mausoleum of Abū Ishāq al-Shīrāzī.

Shāshī's drill-master (*mu'īd*)² had also studied *fiqh* under the direction of Abū Ishāq al-Shīrāzī; he was Abū'l-Qāsim 'Alī b. Muḥammad al-Maḥāmīlī, from a well-known Shāfi'ite family.³

Shāshī's son, Abū Muḥammad 'Abd Allāh b. Muḥammad,⁴ studied *fiqh* under his father's direction and became known both for his *fiqh* and for his sermons. He is mentioned in the sources as having given sermons in the Tājīya College, at the end of the day. It is possible that the mornings were reserved for the study of *fiqh*, and that he held the chair there sometime after his father. When he died in 528, he too was buried in the mausoleum of Abū Ishāq al-Shīrāzī, next to his father.

Before Shāshī's son did so, Abū'l-Futūḥ al-Ghazzālī,⁵ brother of the celebrated jurisconsult and theologian al-Ghazzālī, had also given sermons at the Tājīya College. Though also a jurisconsult and known to have taught *fiqh* in the Nizāmiya College when his more famous brother, Abū Ḥāmid al-Ghazzālī left it asking him to be his substitute, he is known only to have given sermons at the Tājīya College, as Shāshī's son had done.

This is all we have found in our readings concerning the Tājīya College and those who taught in it. From its inauguration in 482 to the death of Shāshī's son in 528 there is a span of almost half a century.

HANBALITE INSTITUTIONS

At the head of the mainstream of fifth/eleventh century Ḥanbalite scholar-

¹ cf. biographical notice on Shīrāzī, in *Muntazam*, ix, 8, where Ibn al-Jauzī (d. 597/1200) says that the tomb could still be seen.

² cf. *Ṭabaqāt al-shāfi'iya*, III, 303: *wa-a'āda 'inda Fakhr al-Islām al-Shāshī*.

³ His biographer, Subkī (op. cit., loc. cit.), devotes a small notice to him, without specifying the institution at which he assisted Shāshī. The latter as we have seen, taught first in a small college of his own, until 482, then in the Tājīya until 504, and finally in the Nizāmiya until his death in 507. Since Maḥāmīlī died in Dhū'l-Ḥijja of the year 493, he could not have assisted him in the Nizāmiya; but it would appear that he did so at least at the Tājīya College.

⁴ Abū Muḥammad 'Abd Allāh b. Muḥammad al-Shāshī (d. 528/1133); see *Muntazam*, x, 37-8; *Ṭabaqāt al-shāfi'iya*, iv, 235.

⁵ Abū'l-Futūḥ Ahmad b. Muḥammad al-Ghazzālī al-Ṭūsī (d. 520/1126); see *Muntazam*, ix, 260-2; *Ṭabaqāt al-shāfi'iya*, iv, 54.

ship stood Ibn Ḥāmid,¹ who died when the century was only a few years old. Two of his many disciples had their names connected with institutions, Ibn al-Baqqāl² and Abū Ya'lā.³ But it was the latter, Abū Ya'lā, who inherited the popularity of the master and dominated the first part of the century as professor of *fiqh*, his disciples carrying on after him. Among the more famous of his disciples whose names were connected with exclusive institutions of learning were Sharīf Abū Ja'far,⁴ Ibn al-Qauwās,⁵ and Abū Sa'd al-Mukharrimī⁶; less known among them was Ibn Zibibyā.⁷ Sharīf Abū Ja'far in turn had three important disciples: Shāfi',⁸ Ibn Abī Ya'lā,⁹ and Ḥulwānī.¹⁰ Other Ḥanbalites known to have held chairs in exclusive institutions are the celebrated Ibn 'Aqīl¹¹ and two of his students: Ibn al-Abrādī¹² and Ibn Shāfi'.¹³

The following exclusive institutions belonged to the Ḥanbalite school of law.

The mosque-college of Ibn al-Baqqāl. A student of Ibn Ḥāmid, Ibn al-Baqqāl lived in the west side quarter of Bāb al-Baṣra, and held a chair in Jāmi' al-Manṣūr, in addition to the professorship of his mosque-college located in the east side quarter of Bāb al-Ṭāq.¹⁴

The mosque-college of Qādī Abū Ya'lā. The most successful student of Ibn Ḥāmid, Qādī Abū Ya'lā had, in addition to the chair he held in Jāmi' al-Manṣūr, a mosque-college located in the east side quarter of Nahr Mu'allā. He was also leader of the canonical prayers (*imām*) in this institution.¹⁵

¹ Abū 'Abd Allāh al-Ḥasan b. Ḥāmid al-Ḥanbalī (d. 403/1013); see *Tārīkh Baghdād*, VII, 303; *Ṭabaqāt al-ḥanābila*, II, 171-7.

² Abū Ṭālib Aḥmad b. 'Abd Allāh, known as Ibn al-Baqqāl (d. 440/1048); see *Ṭabaqāt al-ḥanābila*, II, 189-90.

³ Abū Ya'lā Muhammad b. al-Ḥusain b. al-Farrā' (d. 458/1066); see *GAL*, I, 398, Suppl., I, 686, and *Ṭabaqāt al-ḥanābila*, II, 193-230.

⁴ Abū Ja'far 'Abd al-Khāliq b. 'Isā b. Abi Mūsā al-Hāshimī (d. 470/1077); *GAL*, Suppl., I, 687; *Ṭabaqāt al-ḥanābila*, II, 237-41; see also 'Diary—II', 253, n. 1, and 'L'affaire d'Ibn 'Aqīl', *passim*.

⁵ Abū'l-Wafā Ṭāhir b. al-Ḥusain b. al-Qauwās (d. 476/1083); see 'Diary—II', 253, n. 2, and 'L'affaire d'Ibn 'Aqīl', 110.

⁶ Abū Sa'd al-Mubārak b. 'Alī al-Mukharrimī (d. 513/1119); see *Dhail*, I, 199-205.

⁷ Abū'l-Ghanā'im 'Alī b. Ṭālib b. Zibibyā (Zibībā?) al-Baghdādī (d. 460/1068); see *Ṭabaqāt al-ḥanābila*, II, 231; *Dhail*, I, 9-10.

⁸ Abū Muḥammad Shāfi' b. Šāliḥ al-Jilī (d. 480/1087); see *Dhail*, I, 63.

⁹ Abū'l-Ḥusain Muḥammad b. Muḥammad, known as Ibn Abī Ya'lā, son of the aforementioned Abū Ya'lā and biographer of the Ḥanbalites, died in 526/1131; see *Dhail*, I, 212-14.

¹⁰ Abū'l-Faṭḥ Muḥammad b. 'Alī al-Ḥulwānī (d. 505/1112); see *Dhail*, I, 131-2; 'L'affaire d'Ibn 'Aqīl', 119, where he is involved on the side of his teacher Sharīf Abū Ja'far.

¹¹ Abū'l-Wafā 'Alī b. 'Aqīl (d. 513/1119); see *GAL*, I, 398, Suppl., I, 687; see also 'Diary—II', 252, n. 6, and 'L'affaire d'Ibn 'Aqīl'.

¹² Abū'l-Barakāt Aḥmad b. 'Alī b. al-Abrādī (d. 531/1137); see *Muntazam*, x, 70; *Dhail*, I, 226.

¹³ Abū'l-Ma'ālī Šāliḥ b. Shāfi' al-Jilī (d. 543/1148); see *Dhail* (ed. Fiḡī), I, 213-14. Al-Kalwadhānī (d. 510/1116; see *GAL*, I, 398, Suppl., I, 687; *Dhail*, I, 143-54) does not seem to have had a chair in an exclusive institution; he did have one in Jāmi' al-Qaṣr where he was succeeded by his student Abū Bakr al-Dīnawarī (d. 532/1138); see *Funūn*, fol. 247b.

¹⁴ cf. *Ṭabaqāt al-ḥanābila*, II, 189-90, 'Bāt al-Ṭāqāt', a plural variant of this east side quarter.

¹⁵ *Ṭabaqāt al-ḥanābila*, II, 245, 254.

The mosque-college of Ibn Zibibiyā. This institution was located in the Caliphal Precincts (Ḥarīm) on the east side, facing Bāb Badr.¹ Ibn Zibibiyā, in addition to the chair of this mosque-college, held a chair in Jāmi' al-Mahdī.²

The mosque-college of Sikkat al-Khiraqī. Al-Khiraqī was a famous juris-consult of the fourth/tenth century whose compendium on Ḥanbalite *fiqh* was so popular that by the beginning of the tenth/sixteenth century it was said to have had 300 commentaries.³ This street which was named after him, Sikkat al-Khiraqī, was on Baghdad's west side. Sharīf Abū Ja'far occupied the chair of *fiqh* in this institution simultaneously with another chair in Jāmi' al-Manṣūr.⁴

The mosque-college of Abū Ja'far. This institution was located on the east side Darb al-Maṭbakh facing the Caliphal Palace.⁵ Sharīf Abū Ja'far taught in three different mosque-colleges during his lifetime; the one named after Sikkat al-Khiraqī (see above), this one named after himself, and still another named after Darb al-Dīwān (see below).

Two of his disciples occupied the chair of this institution after him: Shāfi', who was also the leader of canonical prayers there, and Abū'l-Faṭḥ al-Ḥulwānī. Then the descendants of Shāfi' succeeded to the chair so that this institution was named after them in the following century: the mosque-college of Ibn Shāfi'.

The mosque-college of Darb al-Dīwān. Darb al-Dīwān was one of the roads of the east side quarter of Ruṣāfa, and this mosque-college was one of the three in which Sharīf Abū Ja'far held the chair of *fiqh* in succession. While here, he also held a chair in Jāmi' al-Mahdī, located in the same quarter.⁶

The mosque-college of Ibn al-Qauwās. At first Shāfi'ite, then Ḥanbalite, Ibn al-Qauwās taught the Qur'ān as well as *fiqh* in this institution located in the west side quarter of Bāb al-Baṣra. He also held a chair in Jāmi' al-Manṣūr where he conducted sessions of disputation (*munāzara*) and gave legal opinions (*fatwā*). He taught in his mosque-college for a period of 50 years.⁷

The mosque-college of Ibn 'Aqīl. This institution was located in the Ḥafṣiyya quarter on Baghdad's east side. A reference to it is made by the traditionalist Shāfi'ite al-Dhahabī in his *Tārīkh al-Islām*.⁸ This is undoubtedly the same institution which Ibn 'Aqīl himself refers to in his *Kitāb al-Funūn* as his *majlis*.⁹

The mosque-college of Ibn Abī Ya'lā. Abū'l-Ḥusain Ibn Abī Ya'lā is the most well-known of three sons of Qāḍī Abū Ya'lā. His mosque-college, like his residence, was located in the east side quarter of Bāb al-Marātib.¹⁰

¹ cf. *Baghdad*, index.

² cf. *Ṭabaqāt al-ḥanābila*, II, 231; *Dhail*, I, 9.

³ cf. 'Diary—I', 20, n. 3; for al-Khiraqī, see *GAL*, I, 183, Suppl., I, 311.

⁴ *Ṭabaqāt al-ḥanābila*, II, 238; *Dhail*, I, 21.

⁵ *Ṭabaqāt al-ḥanābila*, II, 238; *Dhail*, I, 63, 131.

⁶ *Ṭabaqāt al-ḥanābila*, II, 238; *Dhail*, I, 21.

⁷ *Ṭabaqāt al-ḥanābila*, II, 244; *Muntazam*, x, 8; *Dhail*, I, 50, 51.

⁸ MS Ayasophia 3010, fol. 102a: *kāna yaskunu 'l-Ḥafṣiyya wa-masjiduhu bihā ma'rūf 'he used to reside in the Ḥafṣiyya quarter and his masjid there is well-known'.*

⁹ *Funūn*, fol. 32a, 131a, 150a, 158a.

¹⁰ *Dhail*, I, 131, l. 9.

The college of Abū Sa'd al-Mukharrimī. Mukharrimī studied *fiqh* first under the direction of Abū Ya'lā, then under that of his two disciples Sharif Abū Ja'far and Abū 'Alī al-'Ukbarī al-Barzabīnī, and like the latter, held the post of *qāḍī* in the east side quarter of Bāb al-Azaj where he also founded a college at the end of the fifth/eleventh century or the beginning of the following century.¹ Later, this institution came to be known by the name of one of his students who enlarged it and took up his residence in it, 'Abd al-Qādir al-Jilī (al-Jilānī), the celebrated Ḥanbalite Ṣūfī mystic, founder of the Ṣūfī order, al-Qādirīya.²

The college of Ibn al-Abrādī. This student of Ibn 'Aqīl bequeathed a house of his located in the east side quarter of al-Badriya as a college endowed for the benefit of the Ḥanbalites.³ Like the previously named institution, it was founded either at the end of the fifth/eleventh century or the beginning of the following century.

The Ḥanbalite colleges which were sponsored by the local government did not come into being until later in the sixth/twelfth century; as, for example, the palatial residence of the Wazīr Abū Naṣr b. Jahīr who was removed from office in 542 and whose residence later became the property of the wife of the Caliph al-Mustaḍī'. In 570, this residence was made into a college and endowed for the benefit of the Ḥanbalites with the celebrated Ibn al-Jauzī as its professor.⁴

PATRONS OF LEARNING

A word may be said here about patrons of learning. All three schools of law, the Ḥanafite, the Shāfi'ite, and the Ḥanbalite, had their patrons. Abū Sa'd al-Mustaufī⁵ and Abū'l-Qāsim al-Ḥalabī⁶ were both patrons of the Ḥanafites. The former was, as we have already seen, the financial minister of Alp Arslān and the latter, a wealthy merchant. The Wazīr Niẓām al-Mulk⁷ and the wealthy

¹ Mukharrimī was accepted as *shāhid*-notary in 488, appointed substitute (*nā'ib*) *qāḍī* in 495 and removed from office in 511; cf. *Muntaẓam*, ix, 120, 216; *Dhail*, i, 200.

² *Dhail*, i, 200-1.

³ *Muntaẓam*, x, 70; *Dhail*, i, 226.

⁴ *Muntaẓam*, x, 124-5, 252-3; see also *ibid.*, 258, for the text of the endowment charter placing it in the hands of Ibn al-Jauzī.

⁵ Sharaf al-Mulk Abū Sa'd Muḥammad b. Maṣūf al-Mustaufī (d. 494/1101); see biographical notice in *Muntaẓam*, ix, 128; financial agent of the Saljūqid Sultan Alp Arslān.

⁶ Ḥalabī was a merchant who, originally from Aleppo (whence his ethnic name), died in Baghdad at the age of 77 (*Jawāhir*, i, 259). The foundation of a mosque-college is attributed to him.

⁷ The most well-known patron of this period. In Baghdad he founded a monastery in addition to the Niẓāmiya College. Eight other known Niẓāmiya Colleges were built by him, and the saying goes that he had one in every sizeable town in the provinces of Khurāsān and 'Irāq. Niẓām did more than anyone else before him with regard to learning. His contribution differs from his predecessors not so much in kind as in degree. See esp. *Ṭabaqāt al-shāfi'iyya*, iii, 136-7 140, for the laudatory quotation from Ibn 'Aqīl.

merchant Abū 'Alī al-Manī'ī¹ were patrons of the Shāfi'ites. Abū Maṣṣūr b. Yūsuf² and Abū 'Abd Allāh b. Jarada,³ both wealthy merchants of Baghdad, were patrons of the Ḥanbalites. The sources speak of the generosity of these patrons in the founding of mosque-colleges, colleges, Ṣūfī monasteries, libraries, hospitals, as well as in outfitting the pilgrims to Mecca and guaranteeing their safe passage by 'greasing the palms' of the raiding Bedouins en route.

Niẓām al-Mulk was one patron among others—some of whom are known to us because they are mentioned in the sources, while others remain unknown either because they were of lesser public importance or because they preferred to remain anonymous. For instance, even the well-known Abū Maṣṣūr b. Yūsuf preferred anonymity in many of his deeds of charity, according to biographers; many Ḥanbalite institutions conceivably owed their existence to him. At any rate, all patrons acted as private individuals, whether they were merchants or public officials. The Niẓāmiya College was as private an institution as any of the other exclusive institutions mentioned.

There has been a tendency to lay too much stress on Niẓām al-Mulk's patronage of learning to the neglect of others, mainly because of his status as a great public figure. The tendency is understandable, of course, but as a result, Niẓām has appeared to us under an aspect which ill becomes him as an astute politician, a man of power and of wealth derived from that power. Thus he has been described as a very religious man, studying the prophetic traditions and taking an active interest in teaching them in his own Niẓāmiya of Baghdad; he is presented as a very pious man, upholding 'orthodox' Ash'arism against the 'heterodoxy' of Mu'tazilism. It is wellnigh impossible to get a true glimpse of the great Niẓām from biographical literature, much less from the studies which treat of his religious qualities in the superlative. But concentration on the peculiarities of biographers yields at times important results. Subkī, for example, biographer of the Shāfi'ites, and great admirer of Niẓām, understandably has no derogatory remarks to offer in the notice he devotes to him. But Subkī harboured no misconceptions concerning Niẓām's qualities and his place in medieval Islamic society, any more than did the Ḥanbalite doctor Ibn 'Aqīl who can praise Niẓām in one context and condemn him in another. Not once does Subkī refer to Niẓām as pious or ascetic, for that is not what he was, nor would it be in keeping with his position. Piety and asceticism belonged to Niẓām's brother, and it is in Subkī's notice on the brother that Niẓām suffers in the comparison. Subkī says of this brother

¹ Al-Ra'īs Abū 'Alī Hassān b. Sa'd al-Manī'ī al-Ḥājjī (d. 463/1071), founded many mosque-colleges and Ṣūfī monasteries, none of which is mentioned as founded in Baghdad. He is an example of the many others besides Niẓām al-Mulk who were patrons of the Shāfi'ites. Tāj al-Mulk, Niẓām's rival, may be mentioned as a Shāfi'ite patron for Baghdad where he founded the Madrasa Tājiya inaugurated in 482/1089.

² Al-Shaikh al-Ajall Abū Maṣṣūr 'Abd al-Malik b. Muḥammad b. Yūsuf (d. 460/1067); see 'Diary—II', 254, n. 8; wealthy merchant of great influence under the caliphate of al-Qā'im.

³ Al-Shaikh al-Ajall Abū 'Abd Allāh Muḥammad b. Jarada (d. 476/1084); wealthy merchant, son-in-law of Abū Maṣṣūr and successor to his influence with the Caliph; see 'Diary—II', 248, n. 6.

that 'he was pious, continent, frequently performing good works, assiduously reciting the Qur'ān, having nothing to do with his brother (i.e. Nizām) in matters of government'.¹ On another occasion, Subkī speaks of al-Qādī al-Ra'īs (d. 478/1085) refusing to follow orders from Nizām al-Mulk and advising the Caliph against the wishes of Nizām. When asked by the latter to explain his conduct, he said: 'I would not sell (my) religion for worldly possessions'.² Below, we will have the opportunity to get a further glimpse into Nizām's methods.

THE SHĀFI'ITE NIZĀMIYA

Foundation. Ibn al-Jauzī, who announced the foundation of the Ḥanafite Shrine College, also announced that of the Shāfi'ite Nizāmīya in Baghdad. He did so among the events of the year 457/1065, as follows:

'In the month of Dhū'l-Ḥijja [of the year 457], work was begun on (the construction of) the Nizāmīya College in Baghdad. The remainder of the riverside palaces located on Mashra'at al-Zawāyā,³ on the Furḍa (Lower Harbour),⁴ at Bāb al-Sha'ir⁵ and on Darb al-Za'farān,⁶ were torn down (and their materials were used) for its construction.'⁷

All of these quarters from which the materials were taken for the Nizāmīya were located on the west side of the city. The Nizāmīya was being built on the east side.⁸

Inauguration. Almost exactly two years later, in the year 459/1067, the construction of the Nizāmīya was completed. Sibṭ Ibn al-Jauzī reports its inauguration more clearly and fully than any other historian known to us so far. Here is his report, the social and political importance of which justifies its being quoted in full⁹:

¹ This brother of Nizām was Abū'l-Qāsim 'Abd Allāh b. 'Alī al-Tūsī (d. 499/1106); *Ṭabaqāt al-shāfi'iya*, III, 206-7.

² *ibid.*, 74-5.

³ Wharf of the Monasteries; see 'Topography' (index) on the variant, Mashra'at al-Rawāya, Wharf of the Water-jars.

⁴ cf. *Baghdad*, index, s.v.

⁵ The Barley Gate, cf. *Baghdad*, index, s.v.; 'Topography', index.

⁶ Saffron Road; cf. *ibid.*, index.

⁷ See *Muntaẓam*, VIII, 238. In his own relation of the foundation of this Shāfi'ite college, Ibn al-Athīr mentions nothing about the origin of the materials used (*Kāmil*, VIII, 103 [*sub anno* 457]); but Ibn Kathīr (*Bidāya*, XII, 92), coming after him, brings out this information once again. Part of the materials of the Shrine College of Abū Ḥanīfa had also been misappropriated from synagogues in Sāmarrā, a fact deplored by Ibn 'Aqīl; see *Muntaẓam*, VIII, 245-6.

⁸ Several studies have been written in order to establish the exact location of this college; see Le Strange, *Baghdad*, 297; L. Massignon, *Mission en Mésopotamie*, II, 92; same author, 'Les medresehs de Bagdad', in *BIFAO*, VII, 1909 (pp. 77-86), 79; H. Bowen, 'The Nizāmīya and Baghdad topography', *JRAS*, 1928; R. Levy, 'The Nizāmīya Madrasa at Baghdad', *JRAS*, 1928; A. Ṭalas, *Madrasa Nizāmīya*, 28 ff. Also Muṣṭafā Jawād, 'al-Madrasa al-Nizāmīya bi-Baghdād: mauqī'uhā', *al-Mu'allim al-Jadīd* (Baghdad), VI, 1940, 33-44 (as cited in the bibliographical list of K. 'Awād, in *Sumer*, IX, 1953, s.v. Muṣṭafā Jawād), as yet unavailable to me.

⁹ See *Mir'āt al-zamān*, fol. 110b-111a; all additions in square brackets are from *Muntaẓam*, VIII, 246-7; both texts are derived from a common contemporary but unidentified source, no doubt the contemporary Ibn Hilāl al-Šābi (d. 480/1087) quoted on this same subject by Ibn Khallikān, *Wafayāt al-a'yān* (Cairo, 1948), II, 386 (No. 372).

‘ On Saturday, 10th Dhū’l-Ḥijja (459/22 September 1067), the ‘Amīd Abū Sa‘īd¹ al-Qāshī invited the people, according to their various classes, to meet in the Nizāmīya College. Nizām al-Mulk had founded it [in Baghdad for the Shāfi‘ites], placing it in the charge of Abū Ishāq al-Shīrāzī [after having obtained his consent in the matter].

On the day in which the people had gathered at the Nizāmīya, [waiting in anticipation of the arrival of Abū Ishāq,] he failed to come. They sent after him, but no trace of him was to be found.

[The reason for this was that a young man, meeting him (on the way), had asked him : “ O Master ! is it your intention to teach (*fiqh*) in the (Nizāmīya) College ? ” And (when Abū Ishāq) said “ Yes ”, he pursued : “ But how can you teach (*fiqh*) in a place unjustly appropriated ? ”² This decided (Abū Ishāq al-Shīrāzī) to change his mind, and he did not make an appearance.]

The choice then fell upon Abū Naṣr b. al-Ṣabbāgh, the *shāhid*-notary [who was given his place]. Abū Maṣūb b. Yūsuf assured him that he would not allow him to be superseded [and that it would not be possible for Abū Ishāq to cause him damage]. (Ibn al-Ṣabbāgh) relied on his assurances [and occupied the chair (of *fiqh*). A session of disputation (in *fiqh*) took place], (after which) the people dispersed.

Ibn al-Ṣabbāgh was troubled by Abū Ishāq’s absence. He allotted to each of the *fiqh* students a daily ration of four *riṭls* of bread.

Abū Ishāq appeared in his mosque-college in the quarter of Bāb al-Marātib, and carried on his teaching (of *fiqh*) there as usual. The people joined him (there), invoked the blessings of God upon him, and praised him. They had already received word that he had made the following statement : “ I could not bring myself to assume the chair (of *fiqh*) in this college,³ because of what I had heard concerning its furnishings, and that Abū Sa‘īd al-Qāshī unjustly appropriated most of it, tearing down a part of the town (in order to provide the materials) for its construction ”.

However, the followers of Abū Ishāq began to show signs of disrespect and discouragement. They sent him a message in which they intimated that they would leave him in order to join Ibn al-Ṣabbāgh “ if you do not comply and give up your rude manners ”. So he satisfied them by complying with their desire in order to appease them and put an end to their estrangement, and in anger against Ibn al-Ṣabbāgh for having taken his place. And they plied their efforts in regard to this affair, he too joining them in so doing, until Ibn al-Ṣabbāgh was dismissed.

Nizām al-Mulk, upon receiving the news of Abū Ishāq’s refusal to

¹ ‘ Abū Sa‘īd ’ in *Muntaẓam, Kāmil, Bidāya*. But cf. ‘ Diary—II ’, 249, n. 1, where ‘ Abū Sa‘īd ’.

² Alluding to the building materials, from the city’s west side, which went into its construction.

³ *Madrassa*, meaning the Nizāmīya.

teach in the Nizāmīya, reacted with a strong indignation against the 'Amīd al-Qāshī. He wrote him a letter in which he blamed, reprimanded, and threatened him, saying (among other things): "For whom did I found this college if not for Abū Ishāq?" Whereupon (the 'Amīd) Abū Sa'īd went to Abū Ishāq and showed him the letter. But Abū Ishāq did not comply. So (the 'Amīd) went to Bait al-Nauba (in the Precincts of the Caliphal Palace) and sent a message to the Caliph (informing him about the matter). The Caliph then sent a message to Abū Ishāq saying: "You are fully aware of our situation with the foreigners". So Abū Ishāq (complying) went (to the college) carrying a large-sized brick which he used as a chair when he held his sessions at the college.¹

Abū Ishāq assumed the chair (of *fiqh*) at the college on Saturday, 1 Dhū'l-Hijja (459/13 October 1067). At the appointed times of the canonical prayers, he was in the habit of leaving the college and going to one of the mosques to perform them there.²

The tenure of Ibn al-Ṣabbāgh at the Nizāmīya had lasted for a period of twenty days.

Abū 'Alī al-Maḥdisī said: "I saw Abū Ishāq al-Shīrāzī in a dream after he had died and I asked him: 'What did God do with you?' He replied: 'I was told to give an accounting concerning this building'—that is, the Nizāmīya College—and, had I not refrained from performing the required (prayers) there, I would have been among those who perish'."

We dwell on this phase of the history of the Nizāmīya because of what facts the sources contain which might bring into focus some of the unclear parts of the beginnings of this college. It has been claimed that the Nizāmīya was an official institution, having the official sanction of the Caliph, that it was founded to oppose the nascent Ismā'īlite Bāṭinism of the period. As'ad Ṭālas, who made the most lengthy study of the Nizāmīya, did not ignore the circumstance of Abū Ishāq's refusal to assume the chair of *fiqh* at the new college. He did, however, ignore the rivalry between the two Shāfi'ite doctors and their respective supporters and he concentrated on what he referred to as a 'boy' who informed Shīrāzī of the misappropriated character of the materials which went into the making of the college. He saw in it a stratagem on the part of the extremist Bāṭinites who foresaw all the harm which the Nizāmīya was going to inflict on them and who knew that this college was established for no other reason than to destroy their doctrines and to raise the prestige of the Ash'arites and propagate their opinions. In support of this opinion, he recalls that Nizām was after all assassinated by a boy in the service of the Bāṭinites.³

We see no reason to think that the young man who spoke to Shīrāzī about

¹ In so doing, Abū Ishāq was no doubt expressing his personal disapproval of the manner in which the materials for the Nizāmīya were obtained, including its furnishings.

² A further sign of disapproval by the Shaikh; cf. below, Abū 'Alī's dream.

³ *Madrasa Nizāmīya*, 27.

the misappropriated character of the materials should have been sent by the Bāṭinites who feared the destructive influence of the Nizāmīya upon their doctrines. It would have been more to the point to destroy the college itself, since another professor could take Shīrāzī's place, and one did in fact do so. Nor do we see any reason to believe that Shīrāzī himself had no knowledge of the misappropriated character of the materials of a college which was two long years in the making ; it is more reasonable to think that the whole town was teeming with gossip about the affair which, incidentally, was not an unfamiliar custom of late in Baghdad.¹ Shīrāzī was already a public figure, established as a professor of law in his mosque-college in the fashionable quarter of Bāb al-Marātib. It is not likely that he should be dependent on a boy or a young man to inform him of so glaring an occurrence as the destruction of buildings and the unjust appropriation of their materials. Moreover, there would be no point to the statement in the above quotation that Shīrāzī was in the habit of performing the canonical prayers outside the Nizāmīya in one of the mosques. The prescribed prayers need not have been performed in a mosque, but they were not permitted in a place whose materials had been unjustly appropriated (*maghṣūb*). It is true that some doctors allowed this,² but not so Shīrāzī who states specifically in his *Tanbīh* that prayer in such a place is not permitted.³

On the other hand, there is no reason to deny that the encounter did take place between the young man and Shīrāzī ; but it is necessary to interpret it in another light. If we assume, as I think we are justified in doing, that Shīrāzī was thoroughly aware of the occurrence, the young man's question can no longer be understood as *informing* Shīrāzī of what must have been a matter of general knowledge, in the hope of influencing him against assuming the chair at the Nizāmīya ; it is more reasonable to see that the young man hoped to accomplish the same purpose by *questioning* Shīrāzī's intention to do so. And the latter, reconsidering, decided against Nizām's offer which he had previously accepted.

This lack of firm decision on the part of Shīrāzī was a known trait in his psychological make-up. We have references to it by men of opposing camps, Nizām al-Mulk himself and Sharīf Abū Ja'far. Nizām, in describing Shīrāzī as ' simple-hearted and easily influenced ', did so on the basis of correspondence exchanged between them, concerning perhaps the negotiations for the appointment to the Nizāmīya's chair of *fiqh*.⁴ Sharīf Abū Ja'far accused

¹ cf. ' Topography ', where misappropriation of materials of other buildings to build new ones was almost a standard procedure in a city where building materials were not plentiful.

² Bāqillānī, for example, who claimed that prayers in such a place were, by consensus, sufficient, but who was refuted on this point by Ibn Taimīya ; see the latter's *Kitāb al-Nubūwāt* (Cairo, Muniriya Press, 1346/1928), 100.

³ *Al-Tanbīh fī'l-fiqh 'alā madhhab al-Imām al-Shāfi'i* (Cairo, Dār al-Kutub al-'Arabiya al-Kubrā Press, 1329/1911), p. 13 (French transl. by G.-H. Bousquet, *Kitāb et-Tanbīh* (Alger, La Maison des Livres, 1949), II, 33) : ' Prayer on unjustly appropriated grounds is not permitted ' (*lā taḥillu 'l-ṣalātu fī arḍin maghṣūba*).

⁴ See letter of Nizām quoted in *Muntazam*, VIII, 312, esp. ll. 13-15, where Shīrāzī is described as *salīmu 'l-ṣadri salīsu 'li 'nqiya'd*.

Shīrāzī of ambivalence between the two opposing camps of Traditionalism and Ash'arism.¹

Shīrāzī was once more to change his mind, for he finally did take Nizām's open offer, though not without some difficulty in displacing his rival who had in the meantime been appointed. But his hand had apparently been forced by the threat of his disciples to forsake him in favour of his rival Ibn al-Ṣabbāgh, according to the text quoted above. For with the creation of the Nizāmiya, with its student facilities for free room, board, and tuition, the prestige of professors was undermined by that of the college. The student's choice was henceforth to be influenced by economic necessity. Whereas previously he chose the professor on the basis of the latter's scholarship and renown, now he concentrated on achieving economic independence while pursuing his studies under the direction of the professor who happened to be appointed by Nizām al-Mulk.

Once Shīrāzī decided to come back, Nizām al-Mulk was ready to accept him by removing Ibn al-Ṣabbāgh, to whose professorship at the Nizāmiya he had acquiesced only as a matter of expediency.²

In the present state of the sources we cannot hope to uncover all the ramifications of this complicated but important affair. There are, however, certain indications which call for attention, all of which seem to point in one direction. Let us consider the persons involved in this affair. Besides Nizām al-Mulk and the two Shāfi'ite professors, Shīrāzī and Ibn al-Ṣabbāgh, there are the following three: the Caliph al-Qā'im; Abū Manṣūr b. Yūsuf, a wealthy Ḥanbalite merchant, a man of power and influence in Baghdad and an intimate of the Caliph; and the 'Amīd Abū Sa'id, civil official in Baghdad under contract with Nizām al-Mulk to whom he was responsible.

Ibn al-Ṣabbāgh, evidently sensing that his appointment in place of Shīrāzī, who suddenly disappeared from the scene on the day of the inauguration of the Nizāmiya, was subject to Nizām's final approval, insisted on assurances of security of tenure. Tenure was guaranteed him by Abū Manṣūr b. Yūsuf against the return of Shīrāzī. The fact of Abū Manṣūr's involvement raises the possibility of that of the Caliph himself; and, indeed, it was the Caliph who was urging Shīrāzī to accept the position lest there be some trouble with the 'foreigners'. As for the 'Amīd Abū Sa'id, his involvement is quite clear and understandable. It was he who was responsible for providing the materials for the Nizāmiya, acting as agent of Nizām, and it was he whom Nizām 'blamed, reprimanded, and threatened'. But unlike the 'Amīd, the Caliph and Abū Manṣūr had no administrative reason to be connected with the Nizāmiya; yet the fact of their involvement in the affair is quite clear. Therefore certain

¹ See *Muntaẓam*, VIII, 306, ll. 10-14.

² Subkī (*Ṭabaqāt al-shāfi'iya*, III, 231, ll. 18-20) writes that Nizām repeatedly asked Shīrāzī to accept the chair after the latter had once more decided to refuse it. Only then did Nizām permit Ibn al-Ṣabbāgh to teach there but his tenure was short-lived, continues Subkī, because Nizām began once more to ask Shīrāzī to accept, which the latter did ultimately.

questions arise though they cannot as yet be answered. What motive did Abū Manṣūr have for guaranteeing Ibn al-Ṣabbāgh's tenure? Why did the Caliph fear he would be suspected as standing in the way of Shīrāzī's return? What interest did these two persons have in the affair? As for the 'Amīd, he appears to have acted for personal gain derived from the wealthy Abū Manṣūr, feeling that Nizām was too far removed from the scene to be a serious threat.

Other facts connected with these three persons seem to tie in with this case. The contemporary Ibn al-Bannā', writing in his 'Diary' in the first part of the month of Shauwāl 460 (August 1068), that is, about ten months after the inauguration of the Nizāmīya, makes an interesting entry about the 'Amīd Abū Sa'īd, in which Abū Sa'īd was in danger of his life and his wife was appealing to the Caliph for help. The Caliph gave orders to the Ḥājib to take charge of the 'Amīd whom he did not want to be executed, and the Ḥājib acted accordingly.¹ As for Abū Manṣūr, who had 'guaranteed' the tenure of Ibn al-Ṣabbāgh against the return of Shīrāzī, his death within a month after the latter's appointment precluded any possibility of his keeping his word with Ibn al-Ṣabbāgh. The question remains whether his death was a normal one, or whether he met his death as a result of a clash of interests with Nizām. This question, far from being idle, imposes itself with increased insistence as we read the following reference to Abū Manṣūr b. Yūsuf in Ibn al-Bannā''s 'Diary': 'May God have mercy on the *blood* of (Abū Manṣūr) Ibn Yūsuf!' ² Here, the word *blood* carries with it the implication of bloodshed, of blood calling for revenge, for justice. In another passage, Ibn al-Bannā' reports a dream in which he describes Abū Manṣūr b. Yūsuf as walking barefoot on his way to the Caliph, followed by a multitudinous crowd, and, in answer to the question as to why he was barefoot, replying that this was the way to walk for *those who complain of wrongdoing*.³ In the many other references to Abū Manṣūr in the 'Diary',⁴ the picture which emerges is one of acute loss to the Traditionalist cause in the loss of this person.

This clash of interests is further supported by the case of Abū Ja'far Muḥammad b. Aḥmad al-Bukhārī (d. 482/1089). This theologian and jurisconsult was refused residence in Baghdad, on account of his Mu'tazilism, by the influential Abū Manṣūr, defender of the Traditionalist cause.⁵ But after Abū

¹ 'Diary—II', 239, 249.

² 'Diary—III', 26, 47.

³ 'Diary—IV', 285, 296-7: *hādhā . . . mashyu 'l-mutaḥallimīn*. In the obituary notice devoted by Ibn al-Jauzī to Abū Manṣūr b. Yūsuf, it is stated that the latter was the only person of his time to be called by the honorific title of *al-Shaikh al-Ajall*, 'the most eminent Shaikh' (*Muntazam*, VIII, 250). After his death, no one succeeded to this unique honour, for the title was assumed by more than one person, thus losing its original significance. We find it assumed by Abū Manṣūr's two sons-in-law, Ibn Jarada and Ibn Ridwān (see 'Diary', index), as well as by the person whom we suspect to have had a hand in removing him from the Baghdad scene, Nizām al-Mulk (see inscriptions of the Umayyad Mosque in Damascus, in E. Combe, J. Sauvaget, G. Wiet, *Répertoire chronologique d'épigraphie arabe*, VII (IFAO, 1936), Nos. 2734, 2736, 2737).

⁴ cf. paragraph numbers cited in 'Diary—II', 254, n. 8.

⁵ See *Muntazam*, IX, 52.

Manṣūr's death, Abū Ja'far al-Bukhārī and his son Abū'l-Yumn Mas'ūd, known for his Mu'tazilism like his father, gained entry into the city and set up a centre for study and discussion (*majlis naẓar*) in the east side quarter of Bāb al-Azaj, with the blessing of Nizām al-Mulk. They had both paid him a visit, and he had received them graciously, bestowing upon them a generous emolument to provide for their maintenance¹; this, incidentally, from the man whose purpose is supposed to have been the support of Ash'arism against Mu'tazilism, and sundry other movements.

Terms of the endowment charter. On 26 Jumādā II 462 (14 April 1070), a different 'Amīd, Abū Naṣr, invited the important persons of Baghdad and summoned Abū'l-Qāsim b. Jahīr, son of the Caliph's Wazīr Fakhr al-Daula, the two syndics of the Hāshimites and 'Alīds, the nobles, the Chief Qāḍī, and the *shuhūd*-notaries, to the Nizāmīya, now in its third year of operation, wherein the reading of the endowment charter, as drawn up by Nizām al-Mulk, took place. He endowed his college with books, cultivable land, and other property, and a market (*sūq*) was set up in front of it. Its administration was kept in the hands of Nizām himself and in those of his sons according to conditions made explicit in the charter.²

The complete formal text of the endowment charter has not yet been found, but important clauses thereof have been preserved by Ibn al-Jauzī.³ Here they are, in substance :

- (1) the Nizāmīya constitutes an endowment for the benefit of members of the Shāfi'ite school who are Shāfi'ite in both *fiqh* (positive law) and *uṣūl al-fiqh* (legal theory) ;
- (2) the possessions with which the Nizāmīya is endowed are also for the benefit of those who are Shāfi'ite in both *fiqh* and *uṣūl al-fiqh* ;
- (3) the following members of the staff must be Shāfi'ite in both *fiqh* and *uṣūl al-fiqh* :
 - (a) the professor (incumbent of the chair of *fiqh*)
 - (b) the preacher⁴
 - (c) the librarian ;
- (4) the Nizāmīya must also have a teacher of Qur'anic science to teach the Qur'ān ;
- (5) it must also have a grammarian to teach the Arabic language ;
- (6) each member of the staff receives a definite portion of the endowment revenue.

The Nizāmīya, whose administration was to remain in the hands of its

¹ See op. cit., loc. cit., and *Jawāhir*, II, 16–17 (read *jirāya*, instead of *jizāya*, p. 17).

² *Muntazam*, VIII, 256 ; neither *Kāmil* nor *Bidāya* have this information (*sub anno* 462) ; *Mir'āt al-zamān*, fol. 121b–122a, has it in less detail.

³ *Muntazam*, IX, 66 ; not mentioned in *Kāmil*, *Mir'āt al-zamān*, *Bidāya*.

⁴ *Wā'iẓ* : one versed in the art of preaching ; not to be confused with the *imām*, leader of the canonical prayers. Notice that the staff as described here does not provide for such a position, the Nizāmīya being strictly a *madrassa* with no adjoining shrine (*mashhad*) or mosque (*masjid*).

founder, was therefore to be restricted to Shāfi'ites in *fiqh* and *uṣūl al-fiqh*. In this period, it was possible for a jurisconsult to follow one school, or juridical system (*madhhab*), in *fiqh* and another in *uṣūl al-fiqh*. There does not seem to have been any stipulation about the teacher of Qur'anic science or the grammarian, the assumption being that they could be other than Shāfi'ites. But this is not certain; since they received part of the endowment revenue (see 6), it would seem that they had to be Shāfi'ites (cf. 2). There is the case of Jawāliqī, the celebrated grammarian who taught in the Nizāmīya, though a member of the Ḥanbalite school. But this was after Nizām's day, when the Nizāmīya had undergone some changes.

Chronological list of professorial tenures. We already have a number of lists of professors who taught at the Nizāmīya.¹ The present list differs from them in two respects; it concentrates on the professors of law who alone held the one professorial chair of the institution, and it inquires into the status of these professors as compared with those of the other institutions discussed above. An attempt is therefore made to establish, in so far as the available sources make this possible, the chronological order of appointments, the periods of tenure, and the manner of succession, together with the attending circumstances. Thus it will be noticed that a professor's name may appear on the list more than once, because he was appointed on more than one occasion, having been dismissed in the meantime.

Abū Naṣr b. al-Ṣabbāgh. As we have already seen, Ibn al-Ṣabbāgh's appointment was made in Baghdad, and seems to have been influenced, if not ordered, by the Caliph, through Abū Maṣṣūr b. Yūsuf, with the consent of the 'Amīd, agent of Nizām al-Mulk. Since it did not have the whole-hearted approval of Nizām himself, this appointment only lasted for a period of 20 days, from 10 Dhū'l-Qa'da, date of the college's inauguration, until 1 Dhū'l-Ḥijja 459.²

Abū Ishāq al-Shīrāzī. Nizām al-Mulk appointed Shīrāzī on 1 Dhū'l-Ḥijja 459. His appointment lasted over 16 years, until 21 Jumādā II 476, when Shīrāzī died.³ This was the most lengthy tenure of the period under consideration. But after Shīrāzī, who was intended as the first professor of this college, the procedure in appointments underwent a change.

Abū Sa'd al-Mutawallī. After Shīrāzī's death, Mutawallī was appointed as successor to the chair. The exact date of this appointment is not given by our sources; but it must have been shortly after the death of Shīrāzī.⁴ The appointment was made by Nizām's son, Mu'aiyid al-Mulk, who was in Baghdad, but it did not meet with Nizām's approval. After being informed of the appointment, he sent a message to his son saying that the doors of the

¹ cf., *inter alia*, *Madrasa Nizāmīya*, 56 ff.

² *Muntazam*, IX, 12; *Ṭabaqāt al-shāfi'iya*, III, 231.

³ See above, pp. 31 ff.; *Ṭabaqāt al-shāfi'iya*, III, 90.

⁴ The *Bidāya* (XII, 124) cites the date of Jumādā II, but this appears to be an assumption on the *Bidāya's* part, for its source, the *Muntazam* (IX, 6), gives this same date as that of the death of Shīrāzī. On this appointment, see also *Kāmil*, VIII, 134 (*anno* 476); *Ṭabaqāt al-shāfi'iya*, III, 224.

Nizāmiya should have been closed after the death of Shīrāzī for one year ; presumably, as a sign of mourning for the institution's first professor. A very elaborate funeral service was given to Shīrāzī, attended by the high government officials, the funeral prayers being performed by the Caliph himself and an important Ḥanbalite doctor, Abū'l-Wafā' b. 'Aqil, a former student of the deceased, performing the ritual ablution of his teacher's remains.

Abū Naṣr b. al-Ṣabbāgh. Mutawallī was soon dismissed and replaced by Ibn al-Ṣabbāgh who had already been dismissed to make place for Shīrāzī. No precise dates are given for this appointment, but it must have been in 476 or 477, the latter year being that in which Ibn al-Ṣabbāgh died. His appointment was again short-lived, for he was once more dismissed before his death.¹

Abū Sa'd al-Mutawallī. Reappointed for a second time, apparently in 477, he kept his chair until his death in the following year, on Friday, 18 Shawwāl 478.

Abū'l-Qāsim al-Dabūsī. Between the death of Mutawallī and the appointment of Dabūsī, there is a lapse of about eight months. It is possible that during this lapse of time, someone was teaching *fiqh* on a temporary basis as *nā'ib* (substitute).

Dabūsī was appointed in the month of Jumādā I (perhaps at the end of the month) and gave his inaugural lesson on Sunday, 1 Jumādā II 479. He held his position for three years until his death on 20 Jumādā II 482.²

*Abū 'Abd Allāh al-Ṭabarī.*³ There is a lapse of six months, a period not accounted for in our sources, between Dabūsī's death and Ṭabarī's appointment. Ṭabarī was appointed by Nizām al-Mulk in Muḥarram of 483. His tenure lasted until the arrival of Ghazzālī the following year ; that is, for a period of about one year and four months ; then he was dismissed, to make way for Ghazzālī. But before this happened, an unusual event took place with the arrival of the following professor.

Abū Muḥammad al-Fāmī al-Shīrāzī. In the month of Rabī' II 483, about four months after the appointment of Ṭabarī, Fāmī arrived in Baghdad with orders, like Ṭabarī, to occupy the chair at the Nizāmiya. A decision was made, apparently by the local agent of Nizām al-Mulk, to have both professors share the one chair, according to an alternating schedule, one of them teaching on one day, the other on the following day. Fāmī's appointment, such as it was, ended, like that of Ṭabarī's, with the arrival of the following professor. It had lasted about one year and one month.

Abū Ḥāmid al-Ghazzālī. The appointment of the celebrated Ghazzālī,

¹ The sources point to a pronounced rivalry between Shīrāzī and Ibn al-Ṣabbāgh, as already indicated in the first appointment made at the Nizāmiya. Subkī, historian of the Shāfi'ites, also cites Shīrāzī as implicating Ibn al-Ṣabbāgh in plagiarizing his lecture notes ; see *Ṭabaqāt al-shāfi'iya*, IV, 202.

² *ibid.*, 6 ; also *Muntazam*, IX, 27 ; *Kāmil*, VIII, 144 (anno 479) ; *Bidāya*, XII, 131.

³ On this professor and the following one, see *Muntazam*, IX, 53 ; *Kāmil*, VIII, 153 (anno 483) ; *Bidāya*, XII, 136 ; *Ṭabaqāt al-shāfi'iya*, IV, 269.

known among Western scholars as theologian, philosopher, and mystic, was an appointment to the chair of *fiqh*, not dogmatic theology, there having been no chair for this subject. Ghazzālī's position was essentially that of a *faqīh* (jurisconsult). His professional training had prepared him for this field.

Ghazzālī arrived in Baghdad in the month of Jumādā I 484, coming from Iṣbahān. Nizām al-Mulk had bestowed upon him the honorific title of Ornament of Religion, Pride of the Imāms,¹ and sent him to Baghdad to grace the chair of *fiqh*. The two professors who had been sharing it were dismissed together to make way for the newest favourite of Nizām al-Mulk.

Ghazzālī, taking their place, taught *fiqh*² at the Nizāmiya for a period slightly over four and a half years, until the month of Dhū'l-Qa'da 488. At this time, he is known to have left his teaching position at the Nizāmiya, and to have gone on a pilgrimage. The story of Ghazzālī after this point is no doubt very interesting, but it is not to our purpose here, especially as it has traditionally been reiterated. To do it justice would require a full-length study, a good many pages of print. But perhaps a question may be raised here about his relinquishing the chair to become an ascetic and mystic. If this is what really took place, he must then have changed his mind once more. For we later see him going back to his home town in Ṭūs after teaching *fiqh* once again in the Nizāmiya of Nisābūr, and setting up, in addition to a *ribāt* (monastery-college) for his Ṣūfī followers, a *madrasa* (college of *fiqh*) for his disciples in *fiqh*, a house and a garden in the grand Persian manner.³

Abū 'Abd Allāh al-Ṭabarī. When Abū Ḥāmid al-Ghazzālī left in 488, his brother Abū'l-Futūḥ al-Ghazzālī was appointed as substitute (*nā'ib*) in his place.⁴ Abū'l-Futūḥ, essentially a jurisconsult (*faqīh*) who, like his brother, went over to a specialization in mysticism, kept the temporary position of teaching *fiqh* until some time in the following year, 489.

Ṭabarī was then reappointed in 489. The dates are not precisely given in the sources, and we therefore do not know if there was a lapse of time between the temporary Abū'l-Futūḥ and Ṭabarī as second-time incumbent of the chair.

The sources are not clear on the period of Ṭabarī's tenure. Nor is the date of his death precisely known. Subkī says that the closest date is 495. But this date does not help to determine his tenure since it is not clear whether he held

¹ *Zain al-Dīn Sharaf al-A'imma*. On this professorship, see *Muntaẓam*, IX, 55; *Bidāya*, XII, 137; *Ṭabaqāt al-shāfi'iya*, IV, 103-4.

² cf. *Ṭabaqāt al-shāfi'iya*, IV, 278, where a jurisconsult is said to have been a graduate student of *fiqh* under the direction of Ghazzālī in Baghdad ('*allaqa 'l-ta'līqata 'an Abī Ḥamid al-Ghazzālī*'); and op. cit., IV, 319, where another jurisconsult is said to have studied *fiqh* under his direction in Baghdad.

³ cf., in contrast to Ghazzālī's case, that of 'Abd al-Malik al-Ṭabarī who left his *fiqh* studies (at the Nizāmiya, if Subkī's conjecture is correct) and went on pilgrimage to Mecca with a desire similar to that attributed to Ghazzālī, to leave the riches of the world and become an ascetic. 'Abd al-Malik remained in Mecca about forty years, until he died, after leading a long life of self-denial. Such cases were not uncommon in Ghazzālī's time.

⁴ *Muntaẓam*, IX, 87; *Kāmil*, VIII, 178 (anno 488); *Bidāya*, XII, 149; *Ṭabaqāt al-shāfi'iya*, IV, 104.

his post for the remainder of his lifetime. There is therefore a lapse of an unknown period of time between this professor and the following one.¹

Al-Kiyā al-Harrāsī. Here again, the sources are not clear as to the date of Kiyā's appointment. It may have been in the month of Rajab 498, but this is not by any means certain. On this date, the Wazīr Sa'd al-Mulk made a special visit to the Nizāmiya attending Harrāsī's lesson 'in order to inspire the students with an interest for learning'. Coming after Kiyā's release from prison about three years before, where he had been confined on suspicion of Bāṭinism, the popular political plague of the day, the attendance of the Wazīr may have been calculated to clear Kiyā's reputation from any lingering suspicions of Bāṭinism. This explanation is strengthened by the fact that students, in general, while welcoming the handsome stipends of the Nizāmiya and other similar institutions, did not wish to be involved in a suspicion of Bāṭinism, especially at a time when it was customary to crush one's adversaries by accusing them of this heresy. Kiyā's release from prison had finally taken place when a petition signed by eminent orthodox doctors, of whom the sources make particular mention of the Ḥanbalite Ibn 'Aqīl, cleared him of the dreaded suspicion.

Kiyā's tenure lasted the remainder of his lifetime. He died on Thursday, 1 Muḥarram 504.²

Abū Bakr al-Shāshī. Between Kiyā's death and the appointment of Shāshī, there is a lapse of about seven months. Shāshī gave his inaugural lesson in the month of Sha'bān 504.

It will be remembered that Shāshī had already been appointed by Tāj al-Mulk to the chair of the Tājīya College, from its inauguration on 19 Muḥarram 482. From one of the sources, it would appear that he now held both chairs, that of the Tājīya as well as that of the Nizāmiya.³ At any rate, his tenure lasted for a period of somewhat less than two years.

Ibn al-Ṭabarī. Shāshī was then dismissed and replaced by Ibn al-Ṭabarī, son of the above-mentioned professor, Abū 'Abd Allāh al-Ṭabarī. This new appointment took place in the month of Jumādā II 506.⁴ Ibn al-Ṭabarī was to be appointed again, later on, having been dismissed, of course, in the meantime.

As'ad al-Mīhanī. We do not know when Ibn al-Ṭabarī was dismissed, nor the date of the appointment or dismissal of Mīhanī. We do know that Mīhanī was among those who participated in the ceremony of the *bai'a* (allegiance) for the new Caliph al-Mustarshid on Thursday, 24 Rabī' II 512.⁵ Mīhanī

¹ It is perhaps during this period, before Harrāsī, that Abū Tālib al-Mubārak b. al-Mubārak al-Karkhī held the chair of *fiqh* at the Nizāmiya. He died in 505, the same year as Ghazzālī. See *Ṭabaqāt al-shāfi'īya*, IV, 299.

² *Muntazam*, IX, 143; *Bidāya*, XII, 164; *Ṭabaqāt al-shāfi'īya*, IV, 8.

³ cf. *Bidāya*, XII, 172 (ll. 12-13; read *al-Tājīya* for *al-Nājīya*); see also *Muntazam*, IX, 166; *Kāmil*, VIII, 262 (anno 504); *Ṭabaqāt al-shāfi'īya*, IV, 58.

⁴ *Muntazam*, IX, 171; *Bidāya*, XII, 174.

⁵ *Ṭabaqāt al-shāfi'īya*, IV, 291; cf. *Muntazam*, IX, 197.

is mentioned at this time as the professor at the Nizāmiya. He was then dismissed to make room for Ibn al-Ṭabarī in the following year.

Ibn al-Ṭabarī. In the month of Sha'bān 513, Ibn al-Ṭabarī arrived in Baghdad with an order from the Sultan¹ appointing him to the chair in the Nizāmiya. Miḥanī was dismissed. Ibn al-Ṭabarī had gone to a great amount of expense by way of bribes to secure the chair at the Nizāmiya, enough, according to the Shāfi'ite historian al-Sam'ānī, to have paid for a whole college of his own. This expense notwithstanding, he was again dismissed, and this is the last we hear of him.²

Ibn al-Bāqarḥī. We have no date for the dismissal of Ibn al-Ṭabarī. Ibn al-Bāqarḥī arrived in Baghdad in the month of Jumādā II 517, with an order issued jointly by the Saljūqids Sanjar and Maḥmud³ appointing him to the chair. For some reason, the students refused to admit him into the college, but the Dīwān of the Caliph obliged them to do so. Ibn al-Bāqarḥī's tenure lasted until the end of Sha'bān of the same year, a period of about three months only. He was then dismissed to make way for Miḥanī.

As'ad al-Miḥanī. The new professor, appointed for another term, took over the chair from Ibn al-Bāqarḥī. He and the Wazīr Aḥmad b. Nizām al-Mulk, agreeing that the revenue of the college was too little to support the same number of students as before, decided that they would limit their number and dismiss the rest of them. This decision brought upheaval to the college. The students went on strike. Miḥanī had taught for only one day. He went to the Sultan's camp to get things settled, while Aḥmad b. Nizām al-Mulk appointed Abū'l-Faṭḥ b. Barhān as *nā'ib* (substitute) pending the return of Miḥanī.

This did not settle matters in Baghdad. Ibn Ṣadaqa, the Wazīr of the Caliph, summoned the substitute, upbraided him ('how dare you assume a place already occupied by a professor?'), confined him to his quarters, and had the Chief Qāḍī discontinue his status as *shāhid*-notary. Then, interestingly enough, the Wazīr of the Caliph appointed a *nā'ib* of his own choice, Abū Manṣūr al-Razzāz, to fill the vacancy created by Miḥanī's absence.

Abū'l-Faṭḥ b. Barhān. We have just seen that Ibn Barhān had enjoyed a one-day appointment as *nā'ib*. He is also said to have been appointed to the chair as professor, only to be dismissed after one month. No dates are given for this one-month appointment.⁴

Ibn Salmān. Among the events of the year 521 (between events dated Rabī' II and Jumādā II), Ibn Salmān arrived in Baghdad where he was appointed to the chair of *fiqh* in the Nizāmiya.⁵ The exact period of his tenure

¹ Notice that Nizām's descendants no longer had sole control over appointments. In this case, the Saljūqid Sultan did the appointing. See *Muntaẓam*, IX, 206 (not in *Kāmil*, nor in *Bidāya*).

² *Ṭabaqāt al-shāfi'iya*, IV, 244.

³ Whereas here both Sultans make the appointment, later the Caliph does so. See *Muntaẓam*, IX, 246; *Ṭabaqāt al-shāfi'iya*, IV, 268.

⁴ *Muntaẓam*, IX, 251; *Ṭabaqāt al-shāfi'iya*, IV, 42.

⁵ *Muntaẓam*, X, 5.

is not given, but it was not a lengthy one, because we again meet Mihani a couple of years later.

As'ad al-Mihani. Mihani was thrice appointed professor at the Nizamiya. We have no dates for this third appointment; but from his being mentioned among the events of the year 523 we can see that he had been teaching there of late. In Šafar of this year, he is reported as teaching *fiqh* in Jami' al-Qaṣr because the Wazir Aḥmad b. Nizām al-Mulk had forbidden him to do so in the Nizamiya. He died this same year in Hamadhān.¹

Ibn al-Khujandī. On Saturday, 22 Rabī' I 531, Ibn al-Khujandī was appointed to the chair. This was not his first appointment. He had been appointed several times before and, of course, dismissed as many times. Even this last time he seems to have been sent back home, for he died on 1 Sha'bān of this same year, a little over four months after his last appointment, in his native town of Iṣbahān.²

Ibn al-Razzāz. We have already met Ibn al-Razzāz as a *nā'ib* in the Nizamiya. In fact, he was himself a product of the college, and the roster of his teachers in this institution is very instructive. While it is of no particular help in determining the line of succession for a certain segment of the institution's professorial history, it is a sure commentary on the degree of its lack of stability. Ibn al-Razzāz had studied *fiqh* in the Nizamiya under the direction of no less than five different professors: Abū Sa'd al-Mutawallī, Abū Ḥāmid al-Ghazzālī, al-Kiyā al-Harrāsī, Abū Bakr al-Shāshī, and As'ad al-Mihani.

We have no dates for this appointment of Ibn al-Razzāz. The biographers simply tell us that he was appointed, then dismissed. We do know, however, that he occupied the chair in the year 537.³

By the middle of the sixth/twelfth century, the situation of the Nizamiya had completely changed. Whereas appointments used to be made by Nizām al-Mulk and his descendants, by now it had become a matter of concern when the Caliph did not do the appointing. In the year 545, Abū'l-Najīb is reported as teaching in the Nizamiya without the permission of the Caliph and conducting his class completely in Persian. He was then punished like a criminal by the *muhtasib*, an official of the Caliph's administration.

Before this, in 537, an event took place in the Nizamiya when the students engaged in hostilities against the teachers, at least the *mu'ids* (drill-masters). Several vessels were reported this year to have anchored in front of the door of the Nizamiya.⁴ They were laden with wine and it seems that the *mu'ids* had something to do with its destination. The students disapproved of what was taking place and started a fight. The *mu'ids* sought protection with the Turks, who attacked the college and struck the students. The professor occupying the chair at the time, Ibn al-Razzāz, was not involved in the fight, having kept to his home. It seems that the wine was destined for the Turks,

¹ *ibid.*, 11, 13.

² *ibid.*, 68, and 70 for a biographical notice.

³ *ibid.*, 102.

⁴ Incidentally, this would seem to mean that the site of the Nizamiya was on the river bank; cf. p. 31, n. 8.

but that members of the college staff had some significant part to play in the delivery of the forbidden cargo to its final destination.

Other Nizāmīya Colleges. The best source so far available to us on the Nizāmīya Colleges is the work of the Shāfi'ite biographer Subkī, *Ṭabaqāt al-shāfi'īya*. In a passage which has been pointed out by Goldziher¹ for the information it contained on the development of colleges, Subkī informs us that Nizām al-Mulk had the reputation of having founded a college in every important town in the provinces of 'Irāq and Khurāsān. Subkī also gives a list of the Nizāmīya Colleges, nine in number : the Nizāmīyas of Baghdad, Balkh, Nisābūr, Harāt, Iṣbahān, Baṣra, Marw, Āmul, and Mauṣil. It will be noticed that four of these were situated in the province of Khurāsān (Balkh, Nisābūr, Harāt, and Marw), three in the province of 'Irāq (Baghdad, Baṣra, and Mauṣil), one in the province of Jibāl (Iṣbahān), and one in the province of Ṭabaristān (Āmul).

It seems that this list of Subkī is based on his own information as derived from the biographical notices compiled by him in his *Ṭabaqāt*. Reading through this important six-volume work, I noticed that these were the only colleges founded by Nizām al-Mulk concerning which Subkī had definite information. The Nizāmīya most frequently mentioned is the one in Baghdad ; while those mentioned only once are those which were situated in Harāt (II, 99), Baṣra (IV, 96), and Āmul (IV, 321).

Subkī cites yet another Nizāmīya college in Khawārizm which was founded by Nizām al-Mulk, 'the Latter', whose name was Mas'ūd b. 'Alī and who was the Wazīr of Khawārizmshāh. Subkī enumerates the similarities between this Nizām al-Mulk and his earlier illustrious namesake : their honorific titles, their post of Wazīr, their Shāfi'ite partisanship, their founding of colleges, their murder by heretics, but not quite the same fame.

We are now in a position to compare the Nizāmīya of Baghdad with other like institutions of learning in that city. Like all other professional institutions, it was an exclusive, private, college of law, whose main function was to educate lawyers or legal specialists. Our list of colleges in Baghdad includes 24 such institutions belonging to the three major schools of law : five for the Ḥanafites, eight for the Shāfi'ites, and eleven for the Ḥanbalites. There were undoubtedly others still, but these were among the most important and most representative. The Nizāmīya, at the time of its foundation, and immediately thereafter, was not the only college in Baghdad, and one must therefore be careful not to credit it exclusively, and to the neglect of the other worthy institutions, with all the learned accomplishments of the period.

The Nizāmīya was undoubtedly larger than the mosque-colleges which were already in operation at the time of its foundation, since, unlike them, it had living quarters for its own students. But it was not necessarily larger than the

¹ Article 'Education—Muslim' in *Encyclopaedia of religion and ethics* (ed. Hastings), v, 199, n. 8.

Shrine College of Abū Ḥanīfa which was founded the same year, had living quarters for its students, and compared with the Nizāmīya in all other essentials, being for the Ḥanafites what the Nizāmīya was for the Shāfi'ites. As for wealth, the annual income from the endowments of the Nizāmīya has been reported as 15,000 dīnārs. It was probably more than this, since that of the Shrine College has been reported as 80,000. In any case, the income of the latter institution was at least comparable with that of the Nizāmīya.

But if this be the case, why then the fame of the Nizāmīya College and the obscurity of the Shrine College not to mention that of the other important institutions? The answer, I believe, is to be found in the way in which we have been interpreting the sources. The following statement is typical of this interpretation :

‘ Each new appointment to the post of *mudarris* or professor is noted by the historians for many years after the foundation of the college, and it may be assumed therefore that the position was one of considerable importance ’.¹

But we need only to look into the general status of the college professorships at that time in order to see that such an assumption is unwarranted. Normally, a professor, once appointed to a chair, occupied that chair until he died. Each law college had only one chair of law, and each was founded with someone in mind for its chair. When the incumbent died, his successor was someone he had designated, or someone decided upon by a council of learned elders. The succession usually went to the best disciple, following the rule of seniority, someone who had served as an assistant and could carry on the work of the master. When the incumbent died, historians would note, in an obituary notice, that he held the chair of law at such-and-such a college with the comment that it was founded for him, or that he succeeded so-and-so to the chair, or without any comment. The information was of some importance, but not of unusual importance.

From the year 459/1067, the date of its foundation, until the second decade of the following century, the Shrine College of Abū Ḥanīfa had only two professors whose appointments were made by elders of the Ḥanafite school. The first professor taught from 459/1067 to 461/1069, the date of his death ; the second, from 461/1069 to 512/1118, the date of his death : only two appointments in over half a century, and between the two appointments, the chair was vacant for a period of only 15 days.

During this same period of time, there were no less than 14 appointments given to 11 different professors at the Nizāmīya by its founder or the founder's son. Three of the professors had each received two appointments, that is, between intervening dismissals. The eleventh was appointed twice more after the year 512/1118—three times in all.

¹ R. Levy, *A Baghdad chronicle* (Cambridge, 1929), 195 ; cf. same author, ‘ The Nizāmīya Madrasa at Baghdad ’, *JRAS*, 1928, 268–9.

Thus the status of these professors at the Nizāmīya differed from that of those at the other contemporary institutions: full tenure was, as a rule, dispensed with; professors were hired and fired at will—the will of the founder Nizām al-Mulk and his successors. After Nizām's death, one professor received two appointments, of which the first lasted one month, and the second, one day. This procedure was in flagrant disregard of the well-established principle of a lifetime appointment practised in all colleges. Lifetime tenure was the normal procedure. For this reason, normal appointments were reported in the usual way, that is, in the obituary of the deceased professor.

Now, the appointments at the Nizāmīya of Baghdad, in contrast to those of the Shrine College and all other colleges, were both frequent, and 'news-worthy'; they 'made news' because they were something out of the ordinary, as compared with the local colleges. A new appointment, in most cases, meant a new dismissal and pointed to the new favourite of Nizām al-Mulk. For this reason, appointments and dismissals at the Nizāmīya got what we might refer to journalistically to-day as 'front-page coverage'. They were reported primarily among the events of the year, not only in the obituaries; and they were reported frequently because of the frequency with which the chair was made vacant by the administrator.

After the year 512/1118, both the Shrine College and the Nizāmīya were involved in scandal. The Shrine College had an administrator who was found guilty of embezzlement, as already mentioned; and the administrator of the Nizāmīya was guilty of accepting bribes for appointments. As previously noted, the Shāfi'ite historian Sam'ānī says of one of the Nizāmīya professors, that in order to get his appointments, he had spent more than enough money to build a college of his own.

The case with tenure at the Nizāmīya being what it was, the student suffered from the frequent interruptions. A law course normally required four years to complete. He could not be sure that he would be fortunate enough to complete the course with his original professor, as was normally the case in other colleges. In addition to the frequent hiring and firing, there was often a long lapse of time between the end of one appointment and the beginning of another. And in the meantime, studies were suspended or temporary substitutes were used. This explains the unusual number of professors some students had, and therefore the long periods of time required before they could graduate. One of these students, as previously mentioned, followed his law course with five different professors (Ghazzālī among them), not counting the number of temporary substitutes.

All of this serves to show, I believe, that the frequent mention of the Nizāmīya in the historical sources is not always to be interpreted in its favour. It also shows that great care must be exercised when making use of what historical methodologists refer to as *the argument from silence*.

But if the teaching of law was the main purpose of the Nizāmīya, this is not to say that Ash'arism was ignored by Nizām al-Mulk. This he could not

afford to do since he depended on the Ash'arite learned men ('*ulamā'*), his link with the masses of Khurāsān. What he did was to arrange, every now and then, to bring Ash'arism into the college by the back door. From the socio-religious history of the period, we know of two notorious attempts of this nature. The learned Ash'arite was in each case assigned as preacher to the Nizāmiya. He was authorized to deliver homilies there and elsewhere in the city; which was in keeping with local practice. But in each of these two cases, the preacher mixed his homilies with Ash'arite propaganda. And the second preacher verbally attacked the Ḥanbalites and other Traditionalists who constituted the strongest element of the city's population and who were deadly enemies of Ash'arism. In each case, riots broke out in the city to such an extent that Nizām al-Mulk found it necessary to withdraw these preachers.¹

The Nizāmiya had no 'public chairs of theology'. This can be seen not only in the terms of its endowment charter, but also in the technical terminology of the period. One cannot say therefore that Ash'arite theology was 'taught officially' there; what can be said is that the preachers (*wā'iẓs*) tried to make Ash'arism acceptable in Baghdad through a system of propaganda supported by Nizām al-Mulk; but this had nothing official about it, and it was repeatedly opposed by the masses led by the Traditionalist '*ulamā'*'. The Nizāmiya, like the other colleges and mosque-colleges, was not a public institution; like them, it was strictly *private* and *exclusive*. The professors were normally appointed from Persia, not from Baghdad as were the professors of the other colleges. The Nizāmiya declined in importance after the death of Nizām al-Mulk; and this can be seen, among other things, in the financial difficulties which it experienced soon afterwards.

To my mind, Ash'arism cannot be said to have triumphed in Baghdad in the eleventh nor even in the twelfth century. Ghazzālī had nothing official to do with its propagation there that we know of, and it remained, in its version from Khurāsān, a hated importation which was repeatedly rejected, and *especially so* after the middle of the eleventh century and the foundation of the Nizāmiya.

Contrary then to Goldziher's theory, the victory of the eleventh century in Baghdad was not that of the Ash'arite school against Mu'tazilism, on the one hand, and conservative orthodoxy, on the other. It was rather this orthodoxy, that is, Ḥanbalism, which, in alliance with the other strong Traditionalist forces, brought about the retreat of Mu'tazilism in the first part of the eleventh century; and in the second part, the defeat of repeated attempts of the Ash'arites to step into the place vacated by Mu'tazilism. The fruits of this Ḥanbalite-Traditionalist victory may be seen in the following century, the twelfth, which witnesses a flourishing of Ḥanbalite colleges in Baghdad, at a time when the Nizāmiya, now on the decline, was being forced to cut

¹ These were the cases of Abū Naṣr al-Qushairī in 469, and al-Bakrī in 475; see, *inter alia*, *Muntazam* and *Mir'at al-zamān, sub anno*.

its enrolment for lack of sufficient funds. It had already seen its best days during the lifetime of its founder.¹

HISTORICAL DEVELOPMENT

J. Pedersen, to whom we owe extensive and enlightening studies of Muslim education, has come to the conclusion that there was no real difference between *madrassa* and *masjid*, nor between *madrassa* and *jāmi'*. He discounts Ibn al-Ḥājj's distinction between the former two, and the latter's wish to give the *masjid* more importance than the *madrassa*. According to Pedersen, the distinction was merely an artificial one, the name of *madrassa* having been decided by the main object of the institution and the special style of the building, and the name of the *jāmi'* having been applied only if the Friday service was held in it.² In support of his statement that 'it was only natural that the *madrassa* should also be called *masjid*', Pedersen cites Ibn Jubair.³ But the two terms used in the passage by Ibn Jubair refer to two different places. The *madrassa* referred to was located in the Qarāfa Cemetery at the foot of the Muqāṭṭam Mountain near the tomb of Shāfi'i, and the *masjid* was located in Cairo proper. The reference in the *Rihla* is therefore to two different buildings: one a *madrassa*, another a *masjid*. It does happen at times that the terms *masjid* and *madrassa* are used interchangeably in the sources referring back to the fifth/eleventh century, but only when the architectural unit includes both buildings. For instance, the Shrine College of Abū Ḥanīfa which was part of an architectural unit including a *masjid*, a *madrassa*, and a *mashhad* (shrine), was referred to most often by the last term, but also by either of the former two. The same applies to *madrassas* whose structure included a *masjid* under the same roof or nearby.

Pedersen also states⁴ that the distinction between *madrassa* and ordinary mosque was very slight, 'all the less as sermons were also preached in the *madrassa*'. But a difference must be made between the sermon called *wa'z*, delivered by a *wā'iz* from a pulpit (*minbar*), which can take place in any one of the institutions (since *wa'z*, the art of preaching, was one of the subjects taught in the ordinary curriculum), and the sermon called *khutba*, the Friday sermon, delivered by a *khaṭīb* in a cathedral mosque only. *Wa'z* sermons, being part of the curriculum of a law school, could therefore be delivered in *madrassas* without assimilating these to the mosques proper.

In another passage,⁵ Pedersen speaks of the development of the *madrassa*

¹ It is, I think, clear from what has been said that Ash'arism was not accepted officially in Baghdad as a result of the teaching conducted in the newly founded Nizāmiya. Of course, the question still remains as to the fortunes of Ash'arism thereafter; but this is a subject which deserves a separate study.

² See J. Pedersen, in *Shorter Encyclopaedia of Islam*, ed. Gibb-Kramers (Leiden, Brill, 1953), article *madrassa*, 304.

³ *Rihla*, ed. Wright-De Goeje (Leiden, Brill, 1907), 48.

⁴ op. cit., art. *madrassa*.

⁵ See J. Pedersen, 'Some aspects of the history of the Madrasa', *Islamic Culture*, III, 4, 1929 (525-37), 536.

and his conclusion here again is that 'there was no great difference between *madrasa* and *masjid* and often the *madrasa* could be a *jāmi'*'.

But the difference which we see in the development of institutions of learning goes beyond a mere difference in names. It is a difference in their essential character, the understanding of which is not only of importance to the history of the institutions as such but also to the socio-political history of the period.

It is well known that, from the Muslim point of view, knowledge (*'ilm*) has a sacred character. It is so regarded whether taught in a private home or public building, whether in a mosque where the canonical prayers are performed, or in another building not specifically for the performance of such prayers. Thus the founding of an institution of learning was an act of piety pleasing to God whether the institution was a *masjid* or a *madrasa*.¹ In Islam there is no division between the religious and the secular, between church and state, a principle established in Christianity at its very inception.² One must guard against attributing to Muslim institutions of learning characteristics parallel to those which developed in Western Christendom.³ Therefore, from *jāmi'* and *masjid* to *madrasa*, we do not have a development similar to that of European institutions from theological to secular schools.

The difference between *madrasa* and *masjid* may be seen in the curriculum as well as in the administrative control of these institutions. In accordance with what we have already said above,⁴ the *masjid* (mosque-college), was an institution which specialized in one of the religious sciences taught in the *jāmi'* (cathedral mosque). It had only one chair to offer for one of these sciences, whereas the *jāmi'* had a multiplicity of chairs for all of the sciences. A *masjid*, therefore, was an institution specializing in law, or in traditions, or in the art of preaching, etc. On the other hand, the *madrasa* was an institution which specialized in law only, as can be seen in the development of the technical terminology from the root *drs*.⁵

The difference between *madrasa* and *masjid* may also be seen in the following legal opinion (*fatwā*) given by Abū Muḥammad al-Juwainī⁶ in his work, *Mauqif al-imām wa'l-ma'mūm*.⁷ This opinion follows, in substance :

If a scholar should approach men of financial means requesting money for the construction of a *madrasa*, he does not have the right to dispose of the money for any other purpose nor even to make the *madrasa* a *masjid*,

¹ cf. *Muntaẓam*, IX, 110, where it was said of a patron of learning that he never built a dwelling for himself without having built, for God, a *masjid* or a *madrasa* (*kāna lā yabnī li-nafsihi manzilan hattā yabniya li-'llāhi masjidan au madrasatan*).

² The New Testament's distinction between the things that are Caesar's and the things that are God's.

³ It is in this sense that we agree with the tenor of Pedersen's studies.

⁴ See under 'Some technical terms', above.

⁵ See *ibid*.

⁶ Abū Muḥammad 'Abd Allāh b. Yūsuf al-Juwainī (d. 438/1047; *GAL*, I, 385-6, Suppl., I, 667), father of the celebrated Shāfi'ite-Ash'arite Imām al-Ḥaramain al-Juwainī (d. 478/1085).

⁷ Quoted by Subkī, *Ṭabaqāt al-shāfi'iya*, III, 217-18; a manuscript of this work is preserved in Alexandria, see *GAL*, loc. cit.

nor to make the *madrassa* his property. He is rather obliged to dispose of it in pursuance of his original request. Were he to make it into a *masjid*, it would not become one, but it would become a *madrassa* at the moment of the conclusion of the agreement, by virtue of the first intention and transaction.

Subkī, after quoting this opinion, declares it a rare one, personal to Abū Muḥammad ; that is, the institution becoming a *madrassa* without an explicit declaration to this effect in the endowment charter, simply on the basis of the original intention.¹

It is quite clear that Abū Muḥammad is referring, in this legal opinion, to two different institutions, not one institution to which one may apply two different names. His opinion does not, however, give an explicit reason for his concern about the change of intention on the part of the requesting scholar. But why should he have any question about the foundation of a mosque-college (*masjid*) instead of a college (*madrassa*) ? One would think, as perhaps Subkī did in considering Abū Muḥammad's opinion as rare, that the founding of the former institution was at least as meritorious an act as founding the latter.² Abū Muḥammad was surely aware of this ; it could not have been his concern. It appears to me that he was concerned about the scholar deriving a greater financial benefit than his original request of founding a *madrassa* would have allowed. For the endowment of a *madrassa* provides salaries for the staff and scholarships for the students ; whereas that of a *masjid* provides a salary for the staff alone, usually only a professor of law and an *imām* (leader of the prayer), both of whose functions could be performed by the same person. From this point of view, to change the institution from *madrassa* to *masjid* would result in a substantial financial gain to the requesting scholar. So also would be the case were the scholar ' to make the *madrassa* his property '.

For a long time a discussion has been carried on as to whether Nizām al-Mulk had made an innovation, and if so, what, in building his network of *madrassas*. The discussion began, apparently, with Subkī, one of the keenest biographical historians of medieval Islam, himself a member of the Shāfi'ite school of law. In his biographical notice on Nizām al-Mulk, Subkī quotes his teacher Dhahabī as saying that this minister was the *first* to have founded *madrassas*. Subkī takes issue with this statement and rightly shows where *madrassas* had already existed before the advent of Nizām al-Mulk. But apparently sensing that there was something to consider in his teacher's statement, he goes on to say that after long pondering the question of what Nizām could have done *first*, he arrived at a tentative conclusion, namely, that it was this minister who first thought of giving scholarships to students. He then

¹ Subkī, op. cit., loc. cit.

² cf. p. 49, n. 1, where the foundation of either institution was considered a meritorious act performed in the cause of God.

goes on to say that he is not certain, however, that scholarships did not exist before Nizām's *madrāsas*.¹

The discussion was carried on after Subkī by other Arab historians and has been debated by recent scholars ; but the problem is no nearer to a solution than it was after Subkī's statement. I suspect, as I think Subkī also did, that Dhahabī had something quite definite in mind. Whether or not this is so, the network of *madrāsas* founded by Nizām was, in my opinion, such that it constituted an innovation in itself.

The endowment of a *madrasa* provided salaries for the staff and scholarships for the students. The *madrasa* could also be the property of an individual and his descendants, as we see from the *fatwā* of Juwainī, or the property of the community belonging to the school of law for whose benefit it was founded. This made a difference in administrative control. The Nizāmīya was the property of Nizām al-Mulk who held the purse strings and the power to hire and fire its professors. The Shrine College of Abū Ḥanīfa was the property of the Ḥanafite community, its administration being placed in the hands of a committee representing the community in question. There was therefore a difference in administrative control even within the one institution of the *madrasa*.

Why did Nizām al-Mulk choose to endow a network of *madrāsas* rather than a network of *masjids* ? Why did he not patronize learning as many other patrons did : by providing for the foundation of a *masjid*, or a network of *masjids* ; or by endowing chairs (*halqas*) in a *jāmi'* as Abū Maṣṣūr did in Ibn 'Aqīl's case ? The answer, it seems to me, is that the *madrasa* alone, already in existence as an institution, could answer his particular need. He founded his network of *madrāsas* to implement his political policies throughout the vast lands of the empire under his sway. The institution which could best lend itself to such use had to be one which could be established without ties of an official religious nature such as to bring it under the jurisdiction of the Caliph, as in the *jāmi'* where the Caliph was the final appointing authority, or in the *masjid* where the *imām* was responsible to the Caliph, or even in a *madrasa* whose administrative committee represented the community of the local school of law. To manipulate a cathedral mosque or a mosque-college was out of the question. Therefore the institution Nizām chose as an

¹ Subkī does not give his reasons for believing that scholarships might have begun with Nizām's *madrāsas*. But his statement seems to have been based on information which can be found elsewhere in his own biographical work, and which he may have had in mind when he made his conjecture. When he speaks of Imām al-Ḥaramain al-Juwainī (d. 478) as having taken over the professorship of his father's mosque-college (*masjid*), he says of him that he used to spend his income (*dukhūl*) on the students and that he also did this with his inheritance. This was in Nisābūr, before Nizām al-Mulk built his Nizāmīya there for him (*Ṭabaqāt al-shāfi'iya*, III, 252). Again Subkī mentions the case of a student in Baghdad who was attending the mosque-college of Abū 'Abd Allāh b. al-Mubārak and who complained of not having received from his father the usual money order for his expenses. His teacher, al-Kashfulī (d. 414/1023) arranged a loan for him with one of the merchants in the amount of 50 dīnārs, which loan the student repaid upon receiving the money from his father shortly thereafter. See Subkī, *Ṭabaqāt al-shāfi'iya*, III, 163.

instrument of his policies was one whose administration could be kept outside the reach of the Caliph's authority, an authority which had its place in the public opinion of the times.

It is significant that Ibn al-Ḥājj distinguishes between the *masjid* and the *madrasa* and that he gives more importance to the former than to the latter institution. His work, *Madkhal al-shar' al-sharīf*, printed in Cairo (in 1291/1874) and Alexandria (in 1293/1876), was written against innovations as can be seen in the title of one manuscript copy of the work preserved in the Princeton Library.¹ Ibn al-Ḥājj's judgment is no doubt based on Traditionalist grounds. The conservative Traditionalist jurisconsults were the most reluctant to give up their teaching in the *masjid* in order to teach in a *madrasa*. It was in the Ḥanbalite school of law that the conservative element was strongest, and it is this school which was the most reluctant in exchanging the *masjid* for the *madrasa*. Ḥanbalite biographical notices cite men who never lived in a *madrasa*, as a fact worthy of the scholar in question in that he never accepted emoluments from men of power and influence.² When *madrasas* became generally adopted in the sixth/twelfth century, some Ḥanbalites still maintained both a *masjid* and a *madrasa*, teaching *fiqh* in both institutions.³

For the *madrasa* in eleventh-century Baghdad exercised an undeniably strong attraction, especially on those who had not the means for the leisure of study. To devote oneself to study meant to sacrifice the opportunity of monetary gain from plying a trade or profession. Prior to the big *madrasas*, both needy professors and needy students had to gain their livelihood outside the field of education. The professor had to hire himself out as copyist for wages. Those with a handsome handwriting gained large sums of money as copyists. This profession was not by any means left to the very greatest calligraphers, such as the Ibn Muqlas and the Ibn al-Bauwābs; others, whose primary interest was elsewhere, but who had a certain talent for calligraphy, could at times gain enough to become rich. But the great majority could only eke out a living with this time-consuming job which, however, had the advantage of keeping them close to their primary interest in helping them to learn their texts. The students had other jobs, the most frequently mentioned in the biographies being that of guard or watchman. Al-Dāmaghānī (d. 478/1085) was a night-watchman in the city of Baghdad and would study by the light of his lamp⁴; so also was the case with al-Isfarā'inī (d. 406/1016), among others.⁵

Men of means were quite aware of this situation and there was no lack of

¹ Garrett Collection, MS No. 1517; cf. *GAL*, I, 83, Suppl., II, 95.

² See *Dhail* (ed. Fiḡī), I, 339.

³ *op. cit.*, I, 338, 343.

⁴ In later years, he always remembered with gratitude the lady who would, from her balcony, on catching him napping, wake him to do his studies.

⁵ cf. *Ṭabaqāt al-shāfi'īya*, IV, 102, where Ghazzālī and his brother were given advice by their Ṣūfī guardian and tutor to go to a *madrasa* for their education so as to gain a livelihood while in the process of learning; and Ghazzālī later had a twinge of conscience that they had sought learning for a reason other than God (*ṭalabnā 'l-'ilma li-ghairi 'llāh*), but that God saw to it that they practised it in the cause of God.

charitable sentiments among them. But gifts of money were then, as always, susceptible to different motivations on the part of the donors. The situation of scholars being what it was, there was no disgrace attached to the acceptance of such gifts provided that the motivation was right. Some patrons of learning were truly generous, keeping their gifts a secret and wishing nothing in return ; their purpose being to have given aid to a religious man, a ' friend of God ' who served Him by studying His Book, the Traditions of His Prophet, His Law. Some donors gave as a charitable deed in expiation of sins they often committed in the prosecution of their commerce and trade. And there were those who gave for ostentation. But the donor to be avoided was he who gave expecting from the recipient certain services in return. Biographical notices not infrequently point out scholars who refused, out of a strong sense of honour and decency,¹ to accept emoluments from such patrons of learning. For the religious scholar, the *'ālim*, was sought after by government officials and men of wealth and influence as one of the surest instruments for the control of the masses. When scholars are said by their biographers to have refused such gifts of money, it is quite clear that they had considered them too costly and were not prepared to sell themselves.

Before Nizām's network of colleges, there was no organized way of harnessing this great potential of power which resided in the control of the masses through the learned men of the religious sciences. In building his network, Nizām al-Mulk was providing himself with an organization which would draw upon this reserve of power for the first time in a systematic way. The *madrasa*, as controlled by him, not only drew upon this reserve for his immediate needs, but provided for the future of the supported school of law by attracting students into its system. Between a *masjid* without scholarships and a *madrasa* which provided them, the average student's choice was not difficult to make. And since he was free to follow any one of the orthodox schools of law, he favoured that juridical system which provided *madrasas* with scholarships, and one often reads, in the biographical notices, of transfers from one school to another. Ibn 'Aqil, staunch defender of the Ḥanbalites of the period, spoke often and quite strongly against these ' turncoats ' who changed their juridical allegiance for monetary gain.

Herein lies, I believe, the innovation of Nizām al-Mulk. His network of *madrasas* was essentially a creation of his own, on the grandest scale so far attempted, under his effective control, and generously maintained by him as a potent instrument of his political policies.

The evolution in institutions of learning appears clearly in Baghdad where, prior to the introduction of the *madrasa*, the study of *fiqh* had already become one of the principal preoccupations of the *masjid*, as distinguished from the *jāmi'* where professorial chairs existed for the other religious sciences as well.

¹ . . . *ta'affufan wa-tanazzuhan*, cf. among others, the case of Ibn Ḥāmid (d. 403) and Sharif Abū Ja'far (d. 470).

As we have already seen, the first professors to teach in the Nizāmīya and the Shrine College of Abū Ḥanīfa had been teaching previously in *masjids*. Of these, the *masjid* in which Abū Ishāq al-Shīrāzī taught prior to his being chosen by Nizām for the new *madrassa* in Baghdad supplies us with important information on the transition from the *masjid* to the *madrassa*.

The *masjid* of this famous teacher was attended by native and foreign students of law. Those who came from outside Baghdad, in order to study under his direction, lived in a nearby inn (*khān*).¹ The *masjid* did not, therefore, have living quarters for this purpose, though the professor himself or an attendant could have suitable quarters there. The *madrassa* brought together these two elements, the college proper and the living quarters, into an architectural and administrative unity. The following statement is by a juriconsult who began to study *fiqh* under the direction of Abū Ishāq al-Shīrāzī in 456, just three years before the latter's appointment to the chair of *fiqh* in the Nizāmīya in the year of its inauguration. This student, Abū 'Alī al-Fariqī (433/1041–528/1133), had been studying in Maiyāfariqīn whence he came to Baghdad, following the death of his teacher, in order to continue his studies with Shīrāzī²:

' I took up residence in an inn facing the mosque-college of Abū Ishāq (al-Shīrāzī) in the quarter of Bāb al-Marātib, wherein lived the (graduate) disciples of the Shaikh and those who were learning *fiqh* under his direction. When we were many, there were about twenty of us ; when we were few, there were about ten. The Shaikh Abū Ishāq was teaching us the law course (*ta'liqa*) in a period of four years, so that when the student had learned his course during this period of time, it was no longer necessary for him to study anywhere else.³ He used to give us a lesson following the *ghadā'* prayer and another following the *'ishā'* prayer. In the year 460 (1067–8), I crossed over to the west side (of Baghdad) to the Shaikh Abū Naṣr b. al-Ṣabbāgh and studied *al-Shāmīl*⁴ under his direction ; then I returned to Abū Ishāq and became his (graduate) disciple until he died.'⁵

This statement is a welcome piece of evidence on the education of a law student, just before the advent of the Nizāmīya, as well as on the administrative organization underlying that education. After his appointment to the chair of the Nizāmīya, Shīrāzī continued to teach as he had done previously. The only difference was that the *madrassa* now combined both the function of the *masjid* and of the nearby inn.

¹ The Ḥanafites had such a *khān* in the quarter of Qaṭī'at al-Rabī', on the west side of the city : see *Muntaẓam*, VIII, 150 (ll. 18–20). I do not remember finding any reference to such a *khān* for the Ḥanbalites.

² *Muntaẓam*, x, 37.

³ Literally : ' to sit before anyone else ', i.e. before any other professor of law.

⁴ A work by Abū Naṣr b. al-Ṣabbāgh, see *GAL*, I, 388, Suppl., I, 671.

⁵ Shīrāzī died in 476/1083.

We have already pointed out that the Nizāmīya's administrative organization differed from that of other *madrāsas* of the period. Nizām kept for himself and his descendants the administrative control of the institution ; a procedure which was perfectly legal, but which gave him control over appointments for the professorial chair. The founder of the Shrine College of Abū Ḥanīfa did not reserve for himself such powers, and such was generally the case with other similar institutions. Nizām's control over appointments was similar to the control exercised by the Caliph over appointments in the cathedral mosques, but with this important distinction : that his control was really more effective than the Caliph's by virtue of his abolition of the principle of permanent tenure for its professorial chair. As we have seen, this principle, operative in all other institutions, *jāmi'*, *masjīd*, and *madrasa*, was inoperative in the Nizāmīya of Baghdad. Moreover, it had no official religious character which would bring it in some way under the supervision of the Caliph. Its counterpart, the Shrine College of Abū Ḥanīfa, had an *imām* who had to be appointed by the Caliph.¹

After the death of Nizām al-Mulk, the waning of Saljūqid power, and the return of power in Baghdad to the Caliphs, a new type of institution came into being, which was at once a reversion to the earlier institution of the *jāmi'* and an assimilation of the essential features of the *madrasa*. The well-known Madrasa Mustanṣiriya, named after the Caliph al-Mustanṣir, is an example of this development. Like the *jāmi'*, it was open to students of all the major orthodox schools of law, and in so far as it was so, it was an *unrestricted* institution. But, like the *madrasa*, each school of law had its own exclusive institution within the *jāmi'* which had four chairs of law, one for each of the juridical systems represented.²

With the foundation of this institution we have, in a sense, a complete cycle in the development of institutions of learning in Baghdad. The *jāmi'* was unrestricted and served all schools of law ; the *masjīd*, then the *madrasa* were both exclusive, each serving one particular school of law ; and finally, the *madrasa* as established by the Caliph, became once again *unrestricted*, but benefited from the characteristics of the exclusive *madrasa*.

Before this trend had begun to take place, exclusivism in the *madrasa* had had its influence on the community in the political, economic, and religious spheres. It sought to control the '*ulamā*' in order to control the masses. By its offer of scholarships it sought to increase the membership of one school to the detriment of the others, and this in turn reacted on the '*ulamā*' representing the various schools of law, producing a rift among them, separating those who sold themselves from those who preferred asceticism to an easy material

¹ All shrines were attended by *imāms* appointed by the Caliph ; see Māwardī, *al-Aḥkām al-sultāniya* (Cairo, Maḥmūdiyya Tijāriya Press, n.d.), 96 (transl. E. Fagnan, *Statuts gouvernementaux* (Alger, 1915), 209). The Nizāmīya may later have acquired an *imām*, when it was no longer under the control of Nizām and his descendants.

² Ḥanafite, Mālikite, Shāfi'ite, and Ḥanbalite.

life, in their relentless struggle to remain free in order to protest. These were the *'ulamā'* in Baghdad who had a strong following among the masses.

The Nizāmiya experiment failed in its attempt to develop an institution free from caliphal jurisdiction. In its subsequent history, we see its control wrested from the hands of Nizām's descendants, alternatively by the Sultan and the Caliph depending upon the power held at the moment by the one or the other. Its exclusivism, though inherited from the *masjid*, was of a character which alienated it from the local population, being divorced as it was, from caliphal influence, serving in an indirect way the purposes of Ash'arism, and representing, as it did, a foreign Persian element. It was therefore opposed by the native conservative element in the city of Baghdad, namely the Hanbalites and the Traditionalists of the other schools of law.

Although the Nizāmiya type of *madrassa* had failed, the institution of the *madrassa* as such went on to flourish in the sixth/twelfth century. It flourished as it became assimilated to institutions long familiar to Baghdad. On the one hand, it followed the line of development of the *masjid*, each serving one particular juridical system exclusively; and on the other, that of the *jāmi'*, serving more than one system. In following this development along both lines, the *madrassa* nevertheless remained distinct from the *masjid* as well as from the *jāmi'*. But the government of Baghdad, now in the control of a more powerful caliphate, sought for unity among the *'ulamā'* under its hegemony, and thus called for the relaxation of the spirit of exclusivism whose divisive tendencies had reached a peak in the previous century and had been a source of its weakness.¹

¹ The following statements of the Wazīr Ibn Hubaira (d. 560/1165), staunch member of the Hanbalite school whose forces had triumphed in the sixth/twelfth century, while giving further evidence of the distinction between *madrassa* and *masjid*, characterize the spirit of the times :

'The assignment of *masjids* to certain masters of juridical systems in particular, exclusively of others, is an heretical innovation (in the sense that) one should not say, "these are the *masjids* of the followers of Aḥmad [b. Ḥanbal]"—so that the followers of al-Shāfi'i are debarred therefrom; nor the reverse. This would indeed be an innovation, seeing as the Most High has said with regard to the Sacred Mosque (in Mecca), which is the most excellent of *masjids*, "Equal is he who dwells therein and he who comes from the outside [Qur'ān, xxii, 25]".'

[Here Ibn Rajab interrupts the quotation to make the following comment: 'As for *madrassas*, he [= Ibn Hubaira] did not make the same statement with regard to them; rather, he said:']

'It is not right that restrictions be imposed on Muslims in the stipulations regarding *madrassas*. For Muslims are as brothers therein; and the *madrassas* are as *masjids* which are built for the sake of God—exalted is He above all! Therefore, these stipulations should contain (only) that which falls to the lot of (all) worshippers of God (alike). I, personally, have refrained from setting foot in a *madrassa* respecting which stipulations had been made which I did not find to exist in my own way of thinking (*lam ajidhā 'indī*). Thus perhaps, because of such stipulations, I might be prevented from inquiring about a problem the solution of which I need, or from imparting knowledge, or from acquiring it.'

The above quotations are made by Ibn Rajab, *Dhail* (ed. Fiḡī), I, 279–80, from Ibn Hubaira's *al-Ifṣāḥ 'an sharḥ ma'ānī 'l-ṣiḡāḥ*.