Shams al-Din Muhammad ibn Makkî "al-Shahîd al-Awwal" (d. 1384) and the Shi'ah of Syria

The "First Martyr"

Muhammad ibn Makkî was not the first martyr of Shi'ism, nor indeed the first individual to be killed as a heretic in Mamluk Syria. It is rather the literary heritage of Shi'i legal thought, a discipline Ibn Makkî helped to shape decisively during his lifetime, that cast him as its "Felicitous Martyr" (al-shahîd al-sa'id), "the Martyr," and subsequently "the First Martyr." He is an historic representative both of the high intellectual tradition of Shi'i scholarship and of an important confessional community in the Mamluk Empire. The aim of this essay is to explore the career of Ibn Makkî and, through him, the position of the Twelver Shi'is in medieval Syrian society.

While alive, Muhammad ibn Makkî's fame as a legal expert spread as far as Khorasan, where the reigning monarch invited him to instruct his court in Imamî Shi'ism. Ibn Makkî's considerable literary production, in large part extant and widely commented upon by other Imamî faqîhs (jurisprudents), makes him one of the most influential figures in the history of Shi'i thought.1 His contribution to, and reception in, Shi'i jurisprudence has been examined in some detail by Norman Calder, while his scholarly career as recorded through ijtâ'ahs (reading diplomas) has been studied in outline by Devin Stewart.2 The Shi'i tradition has preserved the memory of Ibn Makkî's erudition and martyrdom through successive biographical dictionaries (rijâl, tabaqât). The most prominent of these are products of the seventeenth to twentieth centuries, and draw in large part on a single

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Ibn Taymiyah was certainly aware at this time of the variety of Shi‘i denominations, clearly differentiating between the Twelvers and the antinomian “Ismā‘īliyah, Nuṣayrīyah, Ḥākimīyah, and Bātiniyah, who are worse infidels than the Jews and Christians.” Nonetheless, in a lengthy letter to Sultan al-Nāṣir Muḥammad, in which he sought to justify the carnage after the fact, Ibn Taymiyah demonstrates beyond any doubt that the final Kisrawān campaign was directed against Imāmī or Twelver Shi‘is. After blaming the entire Mongol scourge from the rise of Jenghiz Khan to the 1300 sack of the town of Sāhiyyah on Shi‘ism, he goes on to enumerate their heretical views: they, the Shi‘is, hold anyone who touches the forehead on the ground (rather than on a prayer tablet), who forbids mut‘āh temporary marriage, or who loves Abū Bakr, ‘Umar, ‘Uthmān and all the other Companions, to be apostate. And whoever does not believe in their Awaited [Imām] is considered an apostate. This Awaited One is a boy of two or three or five years, and they claim that he went into a subterranean vault in Samarra over four hundred years ago. He knows everything and is God’s proof [hujjaj] to mankind. . . . And according to them, whoever believes in the truth of God’s names and physical attributes.. is an apostate.

This is the madhhab dictated to them by their shaykhs, such as the Banū ‘Awd. They are the shaykhs of the people of this mountain, and they were the ones who ordered them by a fatwā to fight the [fleeing Mamluk] Muslims. A number of their books, written by Ibn al-‘Awd and others, fell into the Muslims’ hands, and they contain all of the above and worse. Such a pronouncement creates the impression that the Kisrawān campaigns were part of an official policy against Shi‘ism in Syria per se, which is exactly what Ibn Taymiyah was urging Sultan al-Nāṣir to adopt. However, the campaigns were not Ibn Taymiyah’s private initiative. As stated, the 1300 expedition was launched in direct reaction to the Mongol occupation of Damascus, while that of 1305 seems to have been precipitated by a revolt of the Shi‘is against their Buhturid overlords. Furthermore, in Dhū al-Hijjah 704/June 1305 the Mamluk

1Muhammad ibn Ahmad ibn ‘Abd al-Hādī (d. 1344), al-‘Uqūd al-Durriyah min Manaqib Shaykh al-Islām Ahmad ibn Taymiyah, ed. Muhammad Hāmid al-Fiqī (Beirut, [ca. 1938]), 182-94.
2Ibid., 185-86.
3Iṣṭāfān al-Duwayhī (d. 1704), Ta’rīkh al-Azminah (Jounieh, 1976), 286, Kamal Salibi, Maronite Historians of Medieval Lebanon (Beirut, 1959), 117, 218-19.
governor of Damascus, Aqqūsh al-Afram, sent a mediator to the Kisrawān in an effort to resolve the dispute and to "return them to obedience" to the legitimate authority. The mediator was Zayn al-Dīn Muḥammad ibn ‘Adnān al-Ḥusaynī (d. 1308), the naqīb al-ashrāf—and thus the lay official representing the Twelver Shi‘is—of Damascus.

The confessional identity of the ashrāf, the descendants of the Prophet Muhammad through the Īmāms Ḥasan and Ḥusayn, has not yet received its due share of scholarly attention. The ashrāf as a corporation enjoyed certain fiscal privileges within Islamic society, which the naqīb or syndic was in charge of administering. In Mamluk Cairo, the naqīb was likely to be of the Shāfi‘ī legal school;13 the Zuhrīd family of Aleppo, which monopolized the post there for many years, was unmistakably Twelver Shi‘ī. Recent work by Richard Mortel has shown that the Sharifs of Mecca, the guardians of Islam’s holiest shrine, remained committed to the politically quietist Zaydī branch of Shi‘ism until the latter fourteenth century.20

The community of ashrāf in Damascus was rather small and primarily associated with the prestigious Husaynī shrines at the Bāb al-Ṣaghīr cemetery, and as such enjoyed an excellent reputation within Damascene society.21 There are some indications that the Banū ‘Adnān, who held the post of naqīb for much of the fourteenth century, tended toward Twelver Shi‘ism, but the question demands further research. At the very least, their ideal devotion to the line of Īmāms can be construed as a "mild" Shi‘ism, inasmuch as it did not openly contest the validity of the Sunni caliphate and was perfectly compatible with loyalty to the Mamluk state. When Aqqūsh al-Afram issued a call to arms to the citizens of Damascus to defend against a renewed Mongol threat in 1300, the corporation of ashrāf also presented itself for review.22 Already in Fatimid times, with Shi‘ism finding few converts in staunchly conservative Damascus, the rulers had made a policy of appointing ‘Alīd qaḍī as an acceptable medium between the needs of Ismā‘īlī ideology and of the Sunni populace.23 Sending the naqīb al-ashrāf to negotiate...
with the Shi‘is of the Kisrawân was, both in substance and in style, an honest effort on Aqqûsh al-Afram’s part to find a mutually salutary way to subject the Shi‘is to Mamluk sovereignty. It is only after Zayn al-Dîn’s failure that the course of relations with the Kisrawân was left over to the adepts of intolerance.

Ibn Taymîyah would not have had trouble finding piety-minded fanatics for his crusade against the heterodox. Already the twelfth-century traveler Ibn Jubayr d. 1217 writes of a sort of jîlîwah youth organization in Damascus that "killed these râfîdîs, wherever they find them," and Ibn Taymîyah's biographer 'Abd al-Hâdî d. 1344 claims that there was wide public support for the endeavour. However, the seminal interpretations of the Kisrawân campaigns as an anti-heresy drive are above all the products of historians of the piety-minded 'ulamâ' class. A quick survey of Donald Little’s Introduction to Mamlûk Historiography shows clearly that the important Muslim historians who cite revenge for the Kisrawânîs’ political sedition as the grounds for the campaigns (Baybars al-Manûrî, al-Nuwayrî) belonged to the Mamluk military and bureaucratic apparatus, while those who cite their "foul beliefs" (al-Birzâlî, Ibn Kathîr, and especially al-Maqrîzî) were 'ulamâ. As is equally true for medievalism in the European context, it is the historiography of the clerical class that ultimately gained the wider currency. The moralist prejudice of an al-Maqrîzî, however, did not necessarily coincide with the day-to-day concerns of the actual Mamluk administration in Damascus. (Aqqûsh al-Afram, incidentally, later defected to Persia and ended his career as governor of Hamadan for the Shi‘i Ilkhanid monarch Öljeytü.)

The Buhturids certainly continued to flourish as vassals of the Syrian Mamluk governate, their degree of leverage in Damascus illustrated by the amendment in their favor of the 1313 sultanic land cadastre (rawk) for Syria. The Syrian Ismâ‘îlîs, though incriminated for their political role during the crusades, were given tax reprieves and were relied upon by the Mamluk Sultanate to carry out covert missions in Mongol Persia. There is little cause to think that the Twelver Shi‘is of middle Syria, on whom we shall concentrate here, fared any worse. In his seminal Ta‘rikh Jubal ‘Ánil, the old-guard za‘îm-class author Muḥammad Jâbir

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25Donald Little, An Introduction to Mamlûk Historiography (Wiesbaden. 1970), passim. An important exception is Abü a I-Fidî’, the religiously educated Ayyubid governor of Hamah, who counts heresy as one of several grounds for the campaigns.
28Melville, “Sometimes by the Sword.”
Ál Sañ (d. 1945) argues that "the land had lived in peace and security" under the Mamluk regime. The context of this assessment is an impassioned apologia, much in the spirit of the pre-Ahmad Pasha al-Jazzār (d. 1804) "Golden Age" Shi‘ī historiography described by Fouad Ajami, for the justice and merit of the feudal system in the virtually autonomous medieval Jabal.24

The Sultanate in Cairo never adopted a uniform policy on Shi‘ism in the empire. Ibn Faḍl Allāh al-‘Umarī (d. 1349), head of the Mamluk chancery in Cairo and author of an important manual of government, differentiated very well between the various Shi‘ī sects and accepted the Twelvers as part of the community of the Muslim faithful with only minor reservations.25 Al-Qalqashandī’s famous chancery manual contains a copy of a decree issued in 1317, ordering the Nuṣayrīs of the province of Tripoli to build and maintain mosques in their villages and prohibiting their shaykhs from speaking in public.26 Only the year before, Mamluk troops had had to put down a rebellion inspired by a self-proclaimed Nuṣayrī prophet in the region. Yet the order against the Nuṣayrīs is buried in a general rescript on taxation matters for Tripoli, and is relatively indifferent in tone to the actual existence of the community so long as they begin behaving outwardly like Muslims. Ibn Bāṭtūṭah’s well-known anecdote about the utilization of mosques as stables in the region suggests that neither the Sultanate nor the provincial authorities seriously pursued such matters.

A second sultanic rescript from 1363 is directed unequivocally against the "rāfīḍīs and Shi‘īs” of Sidon, Beirut and surroundings.27 Written in a remarkable, rhyming chancery style (inshā‘), the rescript harangues the Shi‘īs at length for having distorted Islamic faith and tradition, and for subscribing to abominable practises such as permitting simultaneous marriage with two sisters and cursing the Companions of the Prophet that are dear to the Sunnis. It goes on to threaten military action should the Shi‘īs not abjure and return to the fold of Sunnism. It is not clear what occasioned the rescript’s promulgation. Urbain Vermeulen has suggested that the Cypriot incursions frequent in those years stoked fears of the Shi‘īs’ complicity,28 yet the rescript concerns only religious devianey and is conspicuously devoid of any of the standard references to the external enemies of

24Muhammad Jābir Ál Sañ, Ta rikh Jabal ‘Āmil, 2nd ed. (Beirut, 1981), 98; comically telling is the author’s comparison of iqtiyāh to a mistranslated European “federalism” (p. 88); Fouad Ajami, The Vanished Imam: Musa al Sadr and the Shia of Lebanon (Ithaca, 1986), 52-58.
Islam. There is evidence, as will be discussed below, that the rescript provided the context for oppressing Shi‘is in the region for a number of years. Yet its geographical scope is limited to two wilâyahs of the province of Damascus, and can therefore not stand in for a general imperial protocol.

Where the Mamluks did pursue the formal suppression of the Shi‘i faith itself was in Mecca. Ever since the Hijaz had passed under Mamluk control in the 1260s, the pre-eminence of the Sharifs’ Zaydi Shi‘ism around the prestigious shrine had been an embarrassment to the Sultanate. Over the course of the second half of the fourteenth century, the Mamluks succeeded through a variety of means in pressuring the Sharifs to renounce Zaydism. However, this served the purely political purpose of consolidating the Mamluk regime’s symbolically vital suzerainty over the Holy Places, and never resulted in the persecution of Zaydis for heresy.

A cursory glance at the careers of later Mamluk governors of Damascus presents the full range of attitudes toward Shi‘ism, from burning a qâdi alive for his ‘râfîdî beliefs, to official protection of Shi‘i ‘Ashûra’ festivities in the capital. The treatment of Shi‘is both as compact communities in the hinterland or as individuals in the Syrian capital was not dictated, from the very rise of the Qipchak Mamluk regime, by a universal policy on Islamic heterodoxy. The career of Muhammad ibn Makkî may be illustrative of tashayyu’ under the Mamluks.

**Between Jizzín and Hillah**

The town of Jizzín, at the time of Muḥammad ibn Makkî’s birth in 1333, was already developing into a modest haven of Shi‘i learning. Situated a mere 15 km. east of Sidon but at an altitude of 1,700 m. in the northernmost part of the Jabal ‘Āmil, Jizzín was attacked only once by the crusaders, in 1217, and not taken. It seems already to have been populated by Shi‘is then, before their numbers were swelled by the influx of refugees from the Kisrawân in 1305. Both Ibn Makkî’s father and grandfather are described as ‘ulamâ’. His great-uncle (and father-in-law) Asad al-Din al-Sâ‘îigh al-Jizzînî, probably his first teacher, was known more for his pious devotion than as a legist. Little is reported of Ibn Makkî’s early life.
other than that he left the Jabal `Āmil at the age of sixteen or seventeen to study in Ḥillah, Iraq.

Jizzîn already had connections with the `ulama’ of Ḥillah through the likes of Najīb al-Dīn Ibn al-`Awd al-Asadī al-Ḥillī. A scholar of some repute, Ibn al-`Awd had begun to make his career in Aleppo. However, he was abused and driven from town after making an unfavourable remark about the Prophet’s Companions to the local naqīb al-ashrāf, and moved to Jizzîn where he died in 1280. Yet another scion of the Banu `Awd, Shihāb al-Dīn Ismā’il ibn al-Ḥusayn al-`Awdī al-Jizzînī (d. ca. 1184) had been among the first natives of the area to travel to Ḥillah for religious studies. Finally, Najīm al-Dīn Ṭūmān ibn Aḥmad al-`Āmilī al-Manārī (d. ca. 1327) taught fiqh in Ḥillah before returning to the Jabal, where one of his students was Muhammad ibn Makki’s father.

Ḥillah, in the early fourteenth century, had taken the place of Baghdad and Qom as the foremost center of religious scholarship in the Shi‘i world. Under the aegis of the Ilkhānid Sultanate, a distinctive school of theological and legal thought was forming in Ḥillah that emphasized the authority not of accumulated tradition, but of the living scholar’s independent reasoning in jurisprudence. With his writings on ijtīḥād and taqlīd, al-‘Ālamāh al-Ḥillī Ḥasan ibn Yūsuf al-Muṭahhar (d. 1325) provided the first theoretical basis for the social and political role of the later Shi‘i clerical hierarchy.

Ibn Makki spent his entire learned career on the articulation of this school, and he wrote numerous commentaries on the works of al-‘Ālamāh al-Ḥillī and his students. Ibn Makki’s first and most influential teacher in Ḥillah was Fakhr al-Muḥaqqiqīn Muḥammad (d. 1370), son of al-‘Ālamāh al-Ḥillī and a major scholar in his own right. Fakhr al-Muḥaqqiqīn certified, in an ijtīḥād, that Ibn Makki had studied all of his father’s works as well as many others, and reportedly praised his young pupil saying that “I benefitted more from him than he from me.” Ibn Makki also studied under Tāj al-Dīn Muhammad ibn al-Qāsim (Ibn Mu‘ayyah) al-Dibājī al-Ḥillī, himself a former student of both al-‘Ālamāh al-Ḥillī and Fakhr al-Muḥaqqiqīn. Ibn Mu‘ayyah seems to have become a lifelong friend, for he wrote Ibn Makki and his two sons ijtīḥāds shortly before dying, in Ḥillah, in 1374. Ibn Makki’s other mentors included ‘Amīd al-Dīn and Diyya’ al-Dīn al-


Husayni al-Hilli, nephews of al-'Allamah al-Hilli and also commentators on his works.

From Hilla, Ibn Makkî traveled to Kerbala and, in 1353-54, to Mecca and Medina. On the way it seems that he also stopped in Jerusalem and al-Khalil (Hebron), earning ijazahs from other scholars in each of these places. Before quitting the Iraq definitively, Ibn Makkî sojourned in Baghdad and studied at the two famous Sunni madrasahs al-Nizamîyah and al-Mustansirîyah. By his own reckoning he read under "some forty Sunni shaykhs," including Hanbalîs as well as some noted Egyptian scholars whom he most likely met in Iraq and Mecca. Contemporary Shi'i writers have made much of his expertise in Sunni hadith and fiqh, seeing in it his desire for a rapprochement between Sunnism and Shi'ism along the lines of the modern 'five madhhabs' formula. Ibn Makkî was in fact rebuked by later traditionalist Shi'i scholars precisely for his pioneer role in the adoption of rationalist Sunni legal principles.

Ibn Makkî began teaching other students while still in Iraq and seems also to have had followers in Medina. However it is after his return to Syria, around 1357, that he began to make his mark in the development of Shi'i scholarship. Already an accomplished faqih at the age of twenty-four, he took on students in Jizzîn and is universally celebrated today as the founder of the Shi'i scholastic tradition in the Jabal 'Amlî. It is indeed from this point onward that a significant number of 'Amlî scholars are recorded in the biographical dictionaries. Ibn Makkî's many students included his eldest son Abu Tâlib Muhammad ibn Muhammad, a prolific writer of fiqh works, and al-Miqdîd ibn 'Abd Allâh al-Suyûrî al-Hilli (d. 1699).

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46 'al-'Amîî, Amâl al-'Amîl, 1:89.
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1423), whose unique account of Ibn Makki's trial and execution has been handed
down through successive Shi'i tabaqat.

Perhaps his most illustrious student, however, was his daughter, Fatiima. She received an ijazah from Ibn Mu'ayyad just like her brothers, and in time came to be known as 'Sitt al-Mash'ikh,' matron of the shaykhs, for her knowledge. A deed from Ramadhan 823/1420 discloses that she ceded her entire share of her father's bequest, "in Jizzain and elsewhere," to her two brothers as a pious act, in exchange for several books including a copy of the Shi'i hadith canon "Man Lâ Yahduruhu al-Faqih" and a Quran said to have been a gift from 'Ali Mu'ayyad, ruler of Khorasan. Seventy mujtahids from around the Jabal 'Amil are said to have attended her funeral. Ibn Makki himself held her up as a model of piety and scholarship, and told the women of the area to refer to her or to his wife, another 'faqihah,' on legal questions pertaining to menses and prayer.

IBN MAKKI'S INTELLECTUAL PRODUCTION

Muhammad ibn Makki was one of the most influential scholars of the long middle age of Shi'i history, between the fall of the Buyids in 1055 and the rise of the Safavids in the early sixteenth century. Beyond this, however, there exists no significant consensus as to the importance of his contribution to Shi'i legal thought, and little work has been undertaken toward a comprehensive evaluation. Part of the difficulty lies in the incremental nature of developments in Shi'i jurisprudence throughout this period, which makes it difficult to identify precise watersheds or delineate schools of thought historically. More importantly, scholarship in the last twenty years has focused almost exclusively on one aspect of Shi'i intellectual history; the authority of the 'faqih to act as the Hidden Imam's deputy.

Chronologically and conceptually, Ibn Makki is located somewhere between al-'Allamah al-Hili (d. 1325) and Zayn al-Din ibn 'Ali (d. 1558). The former is credited with having introduced rigorous hadith criticism into Shi'i jurisprudence, thus laying the groundwork for the emergence of a specifically Shi'i legal methodology on a par with that of the four classical Sunni schools. At the other end of the spectrum, Zayn al-Din ibn 'Ali is largely responsible for originating, in his ten-volume commentary on Ibn Makki's al-Lu'lu' al-Dimashqiyyah, the theory of the 'faqih's comprehensive deputyship to act as temporal leader of the Islamic


\[91^a\text{al'-Amili, Amal al-'Amil, 1:193; al-Amîn, A'yan al-Shi'a, 8:388-89, 10:30; al-Khawansari, Rawdah al-Jannat, 7:24-25.}\]
community. To what degree the Shi'i jurist's political authority is germinal in Ibn Makkî's thought is debatable; one recent enthusiast has made him to be the very source of Ayatollah Khomeini's wilâyat al-faqîh theory of state.52

Ibn Makkî was first and foremost a hadîth scholar, pursuing the system of scientific classification devised by the Ḥijllah school. His numerous treatises, particularly on traditions concerning ritual purity (ṭahârah) and prayer (ṣalâh), are still considered essentials in the field.53 Besides ritual, his manuals of jurisprudence primarily treat mundane social transactions, from inheritance to sharecropping to conjugal favours. His purported political thought can only be inferred from the rare references to the Imam and faqîh in his works.

The most fruitful line of inquiry in this respect concerns the collection of zakât, the alms tax incumbent on all Muslims. The early Shi'i jurisprudents had suggested that, during the absence of the Imam, the faithful distribute the alms themselves rather than through an illegitimate state tax collector. By the fourteenth century, the legists were claiming the right to allocate zakât, not as the Imam's deputy but as the most competent representatives of the community. Ibn Makkî further refined this view by making the faqîh the moral equivalent of the Imam. In al-Bayan, probably one of his last books, he states that

> The best method of paying is not by agency but, so as to achieve certainty, payment either to the Imam or to the faqîh. We consider this to be best, inasmuch as the two are above perfidy: the Imam by virtue of his infallibility; and the faqîh by virtue of his probity [ʿadâlah] and his knowledge of who receives [zakât] and the manner of its distribution.54

In the concisely worded corresponding passage of al-Lum'ah al-Dimashqiyyah, Ibn Makkî implies that payment of the zakât to the jurisprudent can also be considered as incumbent. It is this wilfully ambiguous passage which Zayn al-Dîn ibn 'Alî, writing one and a half centuries later, interprets as signifying unequivocally the faqîh's general deputyship on behalf of the Imam.55 Ibn Makkî is similarly vague on the khums, a surtax on war spoils and mineral resources of which half is paid to 'the Imam, when he is present, or to his deputies, when he is absent.' It is in Zayn al-Dîn ibn 'Alî's commentary that we are told explicitly that these deputies 'are the righteous Imamī faqîhs . . . as they are his agents and must perform that

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53Tihrâni, al-Dhârîʾah, 1:127-28, 10:40.
which their madhhab demands."\(^56\) Ibn Makkî’s references to the Imâm’s representative at Friday communal prayers and in jihâd (holy war) are utilized to make the same argument.\(^57\)

One of Ibn Makkî’s own rare direct references to the executive authority of the faqîh occurs in the context of the fundamental Islamic precept of "enjoining the good and prohibiting the evil":

During the Imâm’s occultation, the faqîhs may administer the penalties (ḥudûd) among the people in full legality and security, by virtue of their qualities of jurisconsult (muftî) which are correct faith, righteousness, and versedness in law. . . . It is obligatory to take recourse to the faqîhs and, whoever does not, sins.\(^58\)

It is clear from the above statements that Ibn Makkî was advocating the social responsibility of the legal scholar. But to deduce a precocious political theory therein would be ill-considered. Not only are the references to the faqîhs’ role too few, but they are also never invested with functions that the Sunni ‘ulamâ’, for instance, did not already have. In the chapter on judicature (qâdâ’), we read that "During the occultation, the faqîh possessed of the qualities of jurisconsult administers justice. Whoever foregoes him in favor of tyrannical [i.e. non-sharî’ah] judicature is a rebel." Elsewhere the judge (ḥâkim) is identified as the guardian of the legally incompetent.\(^59\)

As a Shi‘i, Ibn Makkî naturally expressed some of the legists’ prerogatives in terms of an ideal authority inherited from the Imâm. In substance, however, he was simply claiming the same social leadership that the primates of the Sunni madhhabs had long enjoyed in their communities, and no more. This view is also more in line with Devin Stewart’s argument that Ibn Makkî and the Ḥillah school, in championing the adoption of rationalist legal principles (uṣûl al-fiqh), were endeavouring to bring Shi‘i legal thought into the mainstream of Islamic jurisprudence at this time. For the Shi‘i community of Mamluk Syria, certainly, the question of a jurist’s comprehensive authority did not arise. The notion that

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the "worldview of the faithful in Imāmī Shi‘ism is dominated by the question of the leadership of the Muslim community—the Imamate" is ahistorical and ageographic.

Ibn Makkī’s struggle to assert the primacy of law in Shi‘i society was perhaps not directed against obscurantist traditional scholars or a hostile secular authority. There is evidence to suggest that his greatest adversaries were the wandering Sufi mystics, who traditionally exerted a great influence over the rural populations of the Lebanese mountains. In a long poem, Ibn Makkī celebrates mystical experience but decries the modern dervishes’ duplicity and corruption:

Sufism is not simply a staff and a rosary.
Poverty does not mean the dream of exaltedness
And that you go about in tatters,
Hiding the sin of vainglory and ostentation underneath;
And that you affect to renounce the worldly,
But are addicted to it like a dog is to bones."I

In another instance, it is reported that Ibn Makkī fought a certain "charlatan" named Muḥammad al-Yālūshi, from the obscure Tower of Yālūsh near the village Brayqa'. Apparently, he had been Ibn Makkī's student but then turned his interests to the magical arts and went about the Jabal ‘Āmil claiming to be a prophet. The tale of Ibn Makkī’s clash with the sorcerer of the tower appears in the southern Lebanese folk tradition in several forms and must be treated with caution. II Nevertheless, the common belief that Ibn Makkī had enemies among the followers of popular religion in the Jabal, and that these contributed to his downfall in the end, should not be entirely discounted.

The point that has fascinated Shi‘i historians of Ibn Makkī most is that he was called upon by the Shi‘i ruler of Khorasan, the Sarbadār ‘Alī Mu‘ayyad, to come serve at his court. In the fourteenth century, the provinces of Iran were under the increasingly autonomous control of local potentates, while the Ilkhanid empire deteriorated. The Sarbadārs, who first took power in Sabzavār around 1337, were an uneasy alliance of the local petty nobility and the popular following of a vaguely Shi‘i Sufism. In 1362, ‘Alī Mu‘ayyad seized power with the support of

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the dervish faction, proclaiming Imâmî Shi'ism as an ideology acceptable to all. However, the radicalism of his dervish partners soon proved to be inopportune, and ‘Alî Mu‘aayyad took to repressing the movement with force, until they succeeded in ousting him in 1376-77 with the help of the province’s Sunnis. It is in the context of ‘Alî Mu‘aayyad’s quest to institutionalize a staid Twelver Shi'ism in this period that his invitation to Ibn Makkî must be placed.

Ibn Makkî declined, penning a concise, comprehensive guide to Shi'i law, al-Lum’ah al-Dimashqîyah fi Fiqh al-Imāmiyya (The Gleam of Light from Damascus: Imâmî Jurisprudence) to send to him instead. Popular tradition holds that he composed the work in just seven days while he was confined in the Damascus citadel, but already some of the early tabaqât biographers have pointed out that it must have been written earlier. The invitation was conveyed by the scholar Shams ud-Dīn Muhammad al-Āwî, an intimate of the Sarbadâr who had known Ibn Makkî since his days in Iraq. The text of the letter, in which the sultan beseeches Ibn Makkî to come and quench their thirst for religious instruction, fearing “the wrath of God on this land for its loss of integrity and its need of guidance,” is preserved in some popular biographies. However, it is contained neither in Zayn al-Din ibn ‘Alî’s commentary nor in the more serious rijal works, and is probably another instance of the imaginative embellishment of al-Shahîd al-Awwal’s story.

Neither al-Lum’ah al-Dimashqîyah nor any other of Ibn Makkî’s works was examined at his trial. Muhammad al-Āwî is said to have prevented copies from being made, while Ibn Makkî apparently expressed relief that no one saw the book while he was writing it, despite the fact “that his sessions in Damascus at the time were usually frequented by scholars from the general public, due to his association and companionship with them.” An early eighteenth-century biographer supplies the claim that Ibn Makkî taught comparative Sunni law (mukhâlîfîn) by day and Shi‘i law by night “in a special house which he had built underground” out of fear of persecution. The likelihood of this is disputable, but the statement

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5 ‘Mîrzâ ‘Abd Allâh-i Isfahânî (d. ca. 1718), Riyâd al-‘Ulûmâ wa-Hîyâd al-Fudûlî (Qom, 1980), 5:190. Zayn al-Dîn is also sceptical of the claim; see Zayn al-Dîn ibn ‘Alî, Rawdât al-Bahîyâh, 1:23.
9 Isfahânî, Riyâd al-‘Ulûmâ, 5:189.
does underline the fact that Ibn Makkī’s authorship of the work would not have been generally known in Damascus. Despite the many students who studied with Ibn Makkī, al-Lum‘ah al-Dimashqīyah does not seem to have received particular attention in Shi‘i circles in this period either. Before Zayn al-Dīn ibn ‘Ali’s commentary from the sixteenth century, al-Lum‘ah al-Dimashqīyah was simply a legal primer for a marginal religious community, making its first tentative steps, in Syria as in Khorasan, to constitute itself as civil society.

In any event, Ibn Makkī’s scholarly influence in distant Khorasan was to be short-lived. ‘Ali Mu‘ayyad, after he retook control of Sabzavār in 1380-81, was astute enough not to resist Timūr’s onslaught from the East. He entered into vassalage to Timūr (and died in his service in 1386), and abjured Shi‘ism.

**AT DAMASCUS**

To what extent and under which auspices did Muhammad ibn Makkī pursue his scholarly career in Damascus? This question is vital to an understanding both of his eventual condemnation and of the position of the Shi‘ah in Syria at this time. Ibn Makkī is generally portrayed in the Shi‘i literature as a constant visitor and respected participant in the intellectual life of the capital. Certainly the conspicuous reference to Dimashq in the title of his law manual suggests a long-standing attachment to that city. Yet there are few textual references to him in the local histories, and even Ibn Qādī Shuhbah identifies him mistakenly as an Iraqi who had settled in Jizzīn, or distorts his nisbāh to read “al-Juraynī.”

Ibn Makkī was known in at least one circle of Damascene literate society, that of the Quran reciters. He studied with several disciples of Ibn al-Mu‘īn, the doyen of qurrā‘ of the epoch. One of them, Ibn al-Labbān al-Dimashqī (d. 1374), who rose to become the most acclaimed reciter in Damascus, reported that he taught the erudite Ibn Makkī “for a long time, and never heard him say anything at variance with (mā yuḥḥālīfu) Sunnism.” The statement shows, of course, that Ibn al-Labbān knew very well that Ibn Makkī himself was not a Sunni. The author of the contemporary Quran reciters’ fābaqāt, Muhammad ibn al-Jazārī (1350-1429), also knew Ibn Makkī as a ‘shaykh of the Shi‘is and mujtahid in their madhhab’ and, mentioning that he was away in Egypt at the time, intimates regret over his execution.22

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21 Ibid Qādī Shuhbah, Ta‘rīkh, 3:134, 151.
Ibn Makkî also consorted with other Shi‘i scholars in Damascus. Muhammad ibn al-Ḍalḥāq al-Shāmî (d. 1389) had been a close friend since their earliest days together in ʿIllah as students of Fakhr al-Muḥaqiqîn.73 In ʿIllah he had also studied under Amîn al-Dîn Ahmad ibn Zuhrâh of Aleppo (d. ca. 1394), and it is likely that he maintained contact with him or with other members of the illustrious Zuhrâ family after their return from Iraq.74

Surely his most interesting acquaintance in Damascus was Quṭb al-Dîn Muhîmmâd (or Maḥmûd) al-Râzî, whom he met “by chance” and then earned an ijâzâh from him in 1365.75 A native of Rayy, al-Râzî had moved to Damascus a few years previously and lived in the Zâhirîyah madrasah. He was buried in Sâliḥiyyah, with the elite of Damascus in attendance, after dying later that year. Ibn Makkî described him as “an inexhaustible ocean of knowledge” and declared that “he was, beyond any doubt, of the Imâmi madhhab. He made this clear and I heard so from him, and his devotion to the entire Family of the Prophet is well known.”76 In fact al-Râzî consistently protested that he was a Shâﬁ‘î. He was certainly accepted as such, and though he “never got a taste of Arabic linguistics,” he has gone down as a great Sunni scholar of rational philosophy (ḥikmah) and logic.77 In addition to his Shâﬁ‘î credentials, al-Râzî also held an ijâzâh from al-ʿAllamah al-Ḥillî, and may indeed have been a Shi‘i practising taqiyyah. However, one should note that in an age where the line between Sunni and Shi‘i religiosity was not yet so clearly drawn, he would not have been the only scholar to be appropriated by the Shi‘is by reason of his devotion to the Prophet’s Family.78

Did Ibn Makkî feel compelled to dissimulate his Shi‘ism while in Damascus? An ijâzâh issued to him by a Sunni shaykh in Baghdad gives his nisbâh as “al-Dimashqî,” perhaps an indication that he was concealing his Shi‘i Lebanese origins.79 Devin Stewart has argued that Ibn Makkî, like other stigmatized Shi‘i scholars, usually pretended to be of the Shâﬁ‘î legal school. Ibn Makkî, as will be

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73al-Amîn, A’yân al-Shi‘ah, 10:18.
74al-Amîn, A’yân al-Shi‘ah, 3:149-50; see also 9:411, 444.
78Cf. the case of Ahmad ibn al-Husayn al-Dimashqî (d. ca. 1418) in al-Amîn, A’yân al-Shi‘ah, 2:510.
discussed below, did in fact tell the recently inducted Shafi'i judge at his trial in 1384, "My madhhah is the Shafi'i. You now are the chief and judge of this madhhah, so rule according to your madhhah." The only other indication that Ibn Makkî ever claimed to be a Shafi'i is given by the qurrâ'-biographer al-Jazarî, who received a court summons (istid'a') signed by Ibn Makkî with the nishah "al-Shafi'i." The details are no longer known, but it is not improbable that the summons, and the claim to be a Shafi'i made therein, were connected to this very trial, for which Ibn Makkî may have been seeking al-Jazarî as a witness.

There is little to suggest that Ibn Makkî persistently resorted to taqiyyah in Damascus prior to his capital trial. One might even debate whether affiliation with the Shafi'i madhhah would have constituted genuine taqiyyah in the context of Syrian Shi'ism in the Middle Ages. The tashayyu' of Ibn Makkî and his associates never laid claim to an actual legal "guild" of their own. They were at times described as members of the Shi'i madhhah, but it is interesting to note that the term "Ja'fari"—the technical name for the Twelvers' legal school—is never used in this period to denote madhhah nor affixed to the name as a nishah, even in Shi'i biographies. Ibn Makkî of course made significant theoretical advances in the elaboration of a distinctive Shi'i legal identity, but these were not at issue in his trial. For procedural purposes, he may well have counted as a legal Shafi'i in Damascus, regardless of his religious denomination. One indication that Shi'ism and Shafi'i law were not mutually exclusive in Syria at this time is the career of Ibn Millî al-Ba'labakkî (d. 1300), a respected, ostensibly Shafi'i mufî and scholar well known for his interest in Shi'ism. The chronicler Qutb al-Dîn Mûsá al-Yûnînî (d. 1326), a fellow native of Ba'labakk, reported "He was an imâm of the Shafi'i school, and the Shi'i school heeded him as well." The situation cannot be compared with that obtaining two centuries later, when the Ottoman regime came to treat Shi'ism as an explicit political threat. When the 'Second Martyr' Zayn al-Dîn ibn 'Ali (d. 1558), who was probably the first mujtahid to advance the formula of "the five madhhahs," got himself appointed headmaster of an important Hanafî college by the Shaykh al-Islam in Istanbul, some taqiyyah may well have been in play. It is unlikely that the First Martyr saw the need for this during his lifetime.

We have already seen that the mild Imâmî Shi'ism of the Damascene ashirâj was held in high esteem. Indeed, even Ibn Taymiyyah was capable of carrying on a

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"Majlî, Bihâr al-Amîr, 107:185; al-Bâhrîî, Lu'lu'at al-Bahraysn, 147; al-Khânsârî, Rawdât al-Jannît, 7:13. In A'în al-Shi'ah, 10:60, 'my madhhah' has been changed to read 'your madhhah.'"  
"Jazarî, Ghâyat al-Nihâyah, 2:265."  
"al-Muhâjir, Sittat Fuqahâ': Guo [Yûnînî], Early Mamlûk Syrian Historiography, 2:198."  
"al-'Amîlî, Amal al-Amîl, 1:85-91; al-Amin, A'în al-Shi'ah, 7:143-58."
respectful, scholarly dispute with al-"Allāmah al-"Hilli. 44 Far from evoking the threat of Shi‘i sedition, the naqīb al-ashraf was very much a part of the religious establishment in Syria and, as in the case of Ibn al-‘Awd, vigilantly guarded against excessive `Alid partisanship within their own ranks that might prejudice their rapport with the Sunni majority. Again, it is not until the Ottoman period that the office of naqīb becomes principally assigned to Sunni functionaries. What then caused Muḥammad ibn Makkī and a handful of Shi‘i contemporaries to be persecuted and killed? A look at the narratives of their prosecution may be instructive of the persecuting mentality in fourteenth-century Damascus.

In Jumādā II 744/1343, Ibn Qāḍī Shuhbah writes, "the wayward apostate Ḥasan, son of shaykh Abū Bakr . . . al-Dimashqī al-Sakākīnī, was beheaded in the horse market on account of his Shi‘i heresy (rafd) that verged on atheism (zandaqah)." 45 Ibn Qāḍī Shuhbah seems to have relied on Ibn Kathīr’s (d. 1373) al-Bidayah wa-al-Nihâyah for his account, but has added some details on the victim’s father borrowed from Ibn Hajar al-‘Asqalânī’s (d. 1449) biographical dictionary al-Durar al-Kâminah. 46 Other than Ibn Kathīr’s slightly more abusive characterization of al-Sakākīnī, the accounts of the charges levied against him are virtually identical:

The matter was established before the Mālikī qādī Sharaf al-Dīn, . . . namely, that he declared the two shaykhīs (the caliphs Abū Bakr and ‘Umar) to have been infidels, and that he slandered their daughters [the Prophet’s wives] ‘A’ishah and Ḥafṣah. And he claimed that Gabriel had made a mistake and revealed himself to Muḥammad, when he had actually been sent to ‘Alī, and other such injuries.

They then proceed to contrast the son’s wickedness with the father’s integrity. Ibn Qāḍī Shuhbah, elaborating somewhat on Ibn Hajar’s brief notice, continues:

His father was a shaykh of the Shi‘is and scholar of the people, known for his non-gulūw, non-cursing Shi‘ism, and he held the two shaykhīs in high honour . . .

45Ibn Qāḍī Shuhbah, Ta’rīkh, 1:358.
The less charitable Ibn Kathîr is unimpressed even by non-ghulûw (i.e., restrained) Shi'ism and prefers rather to emphasize the elder Sakâkînî's inclination towards the Sunnah. After mentioning his correspondence with Ibn Taymîyah (in a passage hopelessly miscopied by Ibn Qâdi Shuhbah), Ibn Kathîr concludes:

More than one of the shaykh's [Ibn Taymîyah's?] companions recalled that al-Sakâkînî abjured his madhhûb just before he died, and went over to Sunni doctrine. And I was informed that his son, this reprehensible Ḥasan, had wanted to kill his father when he proclaimed his Sunnism.

The father, Muhammadd Abû Bakr (d. 1321), was an ex-knifesmith, a pupil of the famous illuminationist mystic al-'Arrî al-Tilimsânî (d. 1291), an accomplished hadîth scholar, and a noted mu'tazîlî theologian. He was reportedly even described by Ibn Taymîyah as “one of those where the Shi'i acts like a Sunni and the Sunni acts like a Shi'i.” Ibn Kathîr's deliberately abstruse report of a deathbed “conversion” is a literary device, serving to underscore the son Hasan's depravity. In a literature singularly obsessed with citing its sources, the unsupported claim that Hasan had wanted to kill his father (who was, of course, already on his deathbed) is likewise a mere topos. The Archangel Gabriel's confusion of Muhammad and 'Ali is a commonplace of ghulûw or "exaggerated" Shi'i folk-theology, but is in fact spotlighted most frequently by Sunni heresiographers. Yet the really crucial aspect of Hasan al-Sakâkînî's heresy was his alleged cursing of the Prophet's Companions. Instituted as a communal religious rite during the Buyid protectorate of the Abbasid caliphate in Baghdad, cursing the Companions became the most deliberately offensive method of asserting Shi'i confessional partisanship down into the twentieth century. The case of the Sakâkînîs shows that the concept of heresy in Damascus was very much a question of communal honour, not doctrinal divergence. The mu'tazîlî and pantheist proclivities of the father earned praise and acclaim; a base insult against the venerated elders of Sunnism earned his son the death penalty.

Under the title of “strange and bizarre events” for the year 755/1354-55, Ibn Kathîr recounts:

On Monday, 16 Jumâdâ 1, a râfîdî from Hillah came into the Umayyad Mosque, cursing "the original oppressors of the Prophet's Family." He kept repeating this and would not let up, and prayed

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8'Al-Amîn, A'yân al-Shî'ah, 9:61.
9The formula recalls the moderate curse instituted by the Buyid Mu'izz al-Dawlah in 962. See 'Abd al-Ra'hîm ibn al-Jawzî (d. 1200), al-Mu'â¡am fî Tawârikh al-Mulâk wa-al-'Umam (Beirut,
neither with the other people nor over at the funeral then in progress. Though the people were praying, he continued to repeat this in a loud voice. When we had finished praying, the crowd took notice of him and brought him over to the Shāfī’ī chief qādī who was with the others at the funeral. They cross-examined him, "Who oppressed the Prophet’s Family?” He said “Abū Bakr al-Siddīq” and then, openly so that everyone could hear, "God damn Abū Bakr, ‘Umar, ‘Uthmān, Mu‘āwiyyah and Yazīd!” He repeated this twice, and the judge sent him off to jail. Then the Mālikī qādī had him brought before him and flogged him, while he screamed insults and curses and words only villains use. The name of this miscreant was ‘Alī ibn Abī al-Faḍl . . . ibn Kathīr, God rebuke and shame him. The following Thursday a session was convened in the Dār al-Sa’adah court with the four qādis. He was brought before them and God ordained that the Mālikī deputy should sentence him to death. He was taken quickly and beheaded beneath the citadel. The crowd burned his body and paraded around with his head, shouting “This is what happens to those who insult the Prophet’s Companions!”

I myself observed this idiot before the Mālikī, and his opinions were something like those of the ghulūt Shi‘is. He had adopted some elements of apostasy and zandaqah from the followers of al-‘Allāmah al-Hillī, God disgrace him and them.”

Again, it is cursing the Companions that leads to persecution. The offender’s link to Hillah is only tenuously established and it is rather unlikely that he was instructed in zandaqah by the school of al-‘Allāmah al-Hillī. His odious behaviour toward the community of the faithful is the basis of the pronouncement of heresy. This particular episode was conspicuous enough to be included, in abridged form, by the Maronite historian Istfān al-Duwayhi in his general history Ta’rikh al-Azminah, three centuries later. 

Ibn Kathīr makes specific reference to this outstanding case, after describing the third and last execution of a Shi‘i heretic known to him: 


[5] Ibn Kathīr, al-Bidāyah wa-al-Nihayah, 14:325. In the entry on Ḥasan al-Sakākīnī, Muḥsin al-Amīn states that ‘he was accused of the same thing as Ahmad ibn Yūsuf al-Maṣṣīṭī, which points to a conspiracy against them and plot to kill them, in that age of religious oppression;’ al-Amīn, Ayyān al-Shī‘ah, 4:628; I have found no other reference to al-Maṣṣīṭī.
On the morning of Thursday, 17 Rabi‘ I 763 [January 1362], a man named Maḥmūd ibn Ibrāhīm al-Shīrāzī was found in the Umayyad Mosque, cursing the two shaykhs and declaring them anathema. The matter was submitted to the chief qādī, the Mālikī Jamāl al-Dīn al-Masfūṭī, who called on him to repent and had him flogged. With the first lash, he said “There is no god but God; ‘Alī is the wāli of God!” and with the second lash, he cursed Abū Bakr and ‘Umar. The crowd assailed him, beating and striking him until he almost died. The qādī attempted to restrain them but was unable. The rāfīḍī began to curse and insult the Companions, saying “They were in error.” With that he was dragged before the governor and his statement attested. Thereupon the qādī ordered his blood to be shed, and he was taken to the outskirts of town and beheaded, and the crowd burned his body, God shame him. He had been a student in the madrasah of Abū ‘Umar before displaying symptoms of rafīḍī. The Ḥanbalī qādī had jailed him for forty days, but that did not help. He continued to preach in the entire county, calling for the cursing of the Companions, until his day came and he expounded his madhhhab in the Great Mosque. . . .

This passage is noteworthy for the initial leniency afforded to the victim, first by the Ḥanbalī, and more importantly by the Mālikī qādī. As we have seen, the Mālikī qādī usually took the lead role in the condemnation of heretics. The Mālikī school was known to be the most severe of all on heresy. This in fact accounted for the early popularity of the school, and the Abbasid caliphs on occasion relied on the Mālikī qādīs to dispense with politically vexatious freethinkers, such as the famous Sufi mystic al-Ḥallāj, martyred in 922 AD. Under Ḥanbalī law, apostates were given the chance to repent, but zindīqs, or those declared to be such, had to be executed forthwith. This is clearly what the crowd was expecting in this instance, and they refused to accept the Mālikī’s judgement when he disappointed them. It is worthwhile to point out the initiative of the crowd, al-‘ūmmah, in bringing heretics to justice. Maḥmūd al-Shīrāzī’s views were already known in certain branches of the religious establishment, namely at his madrasah and by the unnamed Ḥanbalī qādī. Yet, in contrast to the persecution of heretics in Latin Europe at the same time, it is here the “clergy” that had to be pressed into the service of the wrathful crowd.

In another case reported by Ibn Qādī Shuhbah, the Mālikī and Ḥanbalī qādis tried a case brought in all the way from Karak. In 1379-80, a sitting was held for Ibn Ḫurayṣ, a leading figure of the town and a known rāfiḍī. It was attended by those who testified that he cursed and disparaged the Companions, as is prescribed by zandaqah. He was imprisoned and the Mālikī was undecided in the matter. Then the Ḥanbalī qādī sentenced him to death. He was beheaded beneath the citadel, in the presence of the governor and the qādis, after he had spoken the profession of faith and stated his approval of the two Shaykhs.4

One may conclude that Shi‘ism was not subject to a formalized inquisitorial process in fourteenth-century Damascus. The persecution of individual “rāfiḍīs” followed from spontaneous and essentially populist initiatives. Once accused (whether rightly or wrongly) of having insulted the feelings of the catholic majority, the member of a minority, inherently dissident faith was left defenceless against his detractors. A few spectacular cases of persecution made it into the local chronicles; the ordinary lives of quietist Shi‘is such as the ashrāf did not.

One final (though also not unique) example of persecution is striking for some of its similarities to Muhammad ibn Makkī’s case. In 1355, Ibn Kathīr informs us, the Mālikī qādī al-Maslūtī ordered the execution of a man from a town near Ba‘labakk.

It had been established at a sitting in Ba‘labakk that he acknowledged, as Ahmad ibn Nūr al-Dīn . . . from the village al-Labwah testified, the foul words with which he had injured the Prophet, and cursed and slandered him in terms that cannot be repeated here. So he was killed, God damn him, on this day after the noontime adhān in the horse market, and the people burned his body . . . 5

The significant difference to Ibn Makkī’s case is that the man, Dāwūd ibn Salīm, was a Christian and not a schismatic Muslim.

**Ibn Makkī’s Trial and Execution**

In *The Formation of a Persecuting Society*, R. I. Moore determines that

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Heresy . . . can only arise in the context of the assertion of authority, which the heretic resists, and is therefore by definition a political matter. Heterodox belief, however, is not. Variety of religious opinion exists at many times and places, and becomes heresy when authority declares it intolerable."

In the preceding section, we have seen that the Mamluk Sultanate, the Damascene qâdis, or simply an agitated crowd, al-‘ammah, were liable to declare certain Shi‘is to be intolerable heretics (râfidîs). Yet none of them truly followed a consistent policy with regards to Shi‘ism. The Sultanate’s campaigns and edicts were directed against certain Shi‘i communities of the province of Tripoli only, not against the Shi‘i faith per se. The rabble of cities such as Damascus or Ba‘labakk could work itself into a persecuting frenzy when it felt its communal honour had been impinged upon, but most of the time it was perfectly capable of coexisting with the heterodox minorities. The religious judges frequently became a party to the persecutions and sentenced râfidîs to die, but at other times even Hanbalî and Mâlikî qâdis sought to reform heretics rather than to execute them. All three of these social entities were involved in one way or another with the conviction of Muhammad ibn Makkî. Even if we cannot discover the exact, underlying reasons for his execution as a heretic, a close look at the circumstances of his trial may help demonstrate the ambiguous position of Twelver Shi‘is in Syrian Mamluk society.

The only contemporary, possibly eye-witness report of the trial is that of Abû ‘Abd Allâh al-Miqdâd al-Suyûrî, Ibn Makkî’s former pupil. Though no longer extant, versions of it were reproduced, independently from one another, in the Persian Majlisi’s vast compendium of traditions Bihâr al-Anwâr, in the Lebanese biographical dictionary Amâl al-Amîl, both from the seventeenth century, and in the broader rijâl work, Lu‘lu‘at al-Bahrâyn from the eighteenth. Of these, the last comprises the most extensive version."

Al-Suyûrî’s narrative suggests that Ibn Makkî was first denounced in southern Lebanon by a certain Taqî al-Dîn al-Jabali, a native of al-Khiyyâm (some 10 km. north of the Golan). This seems not to have had any immediate consequence, for the denunciations were perpetuated by another man, Yusûf ibn Yahyâ, after the first had died. Both of them were former Imâmi Shi‘is who had abjured.

"The Āl Yahyâ was a prominent family of al-Khiyyâm; see al-Amîn. Khitašt, 231.
Ibn Yahyá composed a procès-verbal (mahdar) detailing Ibn Makkí's "vile doctrines and abominable beliefs." We are not told of what these consisted. In any event, the precise nature of the heresy was not as important as the fact that Ibn Yahyá found numerous witnesses to corroborate it. Seventy inhabitants of the mountain, all of them former Shi'i who had adjured, signed the procès-verbal, as did "over a thousand of the outwardly Sunni (mutasanninûn) inhabitants of the coastlands." Al-Suyûrî offers no explanation as to why a significant number of Shi'is from the coast should have converted, or affected to convert, to Sunnism. However, a brief and otherwise unrelated passage in Šâlih ibn Yahyá's History of Beirut shows that it was the consequence of Sultan al-Nâṣîr's 1363 edict against the râfidîs of Beirut and Sidon. After Baydamur became governor of Damascus for the second time (July-August 1362), the Druze chronicler relates.

The Shi'is of Beirut were stirred up. They manifested their adherence to Sunnism, as they had received a sultanic edict, but inwardly they subscribed to the doctrine of the Shi'ah. A campaign of inquisition (jarrakah riddiyah) followed from this in Beirut, which Baydamur exploited . . . to expropriate the fief of [an old political enemy]."

Though we are still not informed what occasioned Cairo's promulgation of the edict, we must conclude that religious persecution in the coastal districts, where Shi'ís constituted a significant proportion of the population, bore the imprint of official imperial policy. Yet there is little connection between the ideological intent of the edict and the social reality of its consequences. Among the Shi'i community, the effect of the edict was to create a witchhunt in which, eventually, Ibn Makkí was betrayed by his own co-religionists. The Mamluk governor of Damascus, in whose jurisdiction the wilayahs of Beirut and Sidon fell, took an interest in the quasi-inquisition issuing in Beirut only in so far as it allowed him to assail his personal enemies. There is nothing in the sources to suggest that Baydamur or the higher judgeship of the Damascus province became involved in local battles fought through the medium of religious correctness in the coast districts.

A further detail in Ibn Hajar al-'Asqalání's Inbá' al-Ghumr ties Ibn Makkí to the persecution of Shi'ís on the coast: around the time of his execution, 'his friend [rafiq] 'Arifah, who subscribed to the same [Nusayri] beliefs as he, was beheaded in Tripoli."* Ibn Makkí's detractors, al-Suyûrî's account then continues, proved

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*Šâlih ibn Yahyá. Ta’rikh Bayrût, 195.
his guilt "before the qāḍī of Beirut (it is also said the qāḍī of Sidon), and went with the procès-verbaux to the [Shāfi‘i] judge in Damascus."

What was Ibn Makki’s relationship with the authorities in the provincial capital? The Shāfi‘i judge had Ibn Makki imprisoned in the citadel of Damascus for one year in order for him to repent. Sometime in the course of that year, he purportedly wrote a versified letter to the aforesaid governor of Damascus, Sayf al-Dîn Baydamur al-Khwârazmî (d. 1387), disclaiming all the charges made against him. The only source for this letter is the Shi‘i biographer al-Khwânsârî, who reports having seen it in a copy made unquestionably by Zayn al-Dîn ibn ‘Alî, the later medieval authority on Ibn Makki.101 In it, Ibn Makki protests his love for "the Prophet and all who loved him, all the Companions without exception," and goes on to name not only Abû Bakr and ‘Umar but also Abû ‘Ubaydah, Ťalḥah, Zubayr, and ‘Uthmân, the irreconcilable enemies of the early Shi‘ah.

The important part of the letter, however, is where he refers to false accusations made against him in the past. He implores Baydamur to "be like Manjak" (Sayf al-Dîn Manjak al-Yâsuri; d. 1375), the great Mamluk amir who served as governor of Damascus twice, in rotation with Baydamur and others, from May 1357 to November 1357 and December 1367 to April 1374.102

Reporters of evil came to him, indeed they lied
Whereupon he smote them for what they implied.
The amir, the chamberlain,103 knows this quite well,
So ask him about it, that he may tell.
By God, I received no punishment, nay
And suffered not as then suffer did they.

Furthermore, Ibn Makki reminds the governor, he had just gone on pilgrimage to Mecca in the retinue of his own son, Muḥammad Shâh ibn Baydamur. According to Ibn Qâdî Shuhbah, Muḥammad Shâh (d. 1391) did in fact perform the hajj in 1382.104 Baydamur must have remained unmoved by Ibn Makki’s purported connections with members of the Mamluk military aristocracy, but there is no firm indication that he actively pursued the case against him either.

The picture that emerges of Ibn Makki’s trial is very much one of collusion among the shari‘ah-jursit. Al-Suyûṭî claims that the Shāfi‘i judge ordered the

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102 Ibn Qâdî Shuhbah. Ta‘rîkh, 2:473-75; 3:226-27; Laoust, Gouverneurs de Damas, 12-15. The months given are the most likely approximations.
103"Amîr Hâjib Najîl al-‘Askarî"; the amir Hasan ibn al-‘Imâd (d. Nov./Dec. 1384), known popularly as Ibn al-‘Askarî, was a chamberlain (hâjib) in Damascus; Ibn Qâdî Shuhbah, Ta‘rîkh, 3:142.
Māliki, 'Judge him according to your madhhab or I will fire you!' This may be an exaggeration for the sake of literary effect, but the co-optation of the Mālikī judge is indeed substantiated by Ibn Qādī Shuhbah's account. Let us consider it in its entirety before returning to the Shi'i point of view. On 10 Jumādā I 786 (30 June 1384),

a sitting was held concerning Shams Muhammad ibn Makkî, an Iraqi in origin [sic] and resident in the town of Jizzîn, after he had spent some time in prison. His guilt was established by a proces-verbal [mahḍâr] from the qāḍî of Beirut, which indicated that he was a râfîḍî and had called 'Ā’ishah, her father (Abû Bakr), and ‘Umar terrible things, tantamount to apostasy according to a number of Shâfi‘îs, Hânafîs and others. . . . So the qāḍîs and ‘ulamâ‘ assembled in the Dâr al-Sa‘âdah [court of Damascus]. He was called before the Mālikî qâḍî, and he denied that he had said anything of the sort. The Mālikî hesitated for a long moment, and so it came that they cajoled Ibn Makkî into confessing, thinking that this would help him, and he spoke the Islamic profession of faith. At that point, the Mālikî was asked to rule him an infidel and order his blood to be shed. He responded, 'For that, you all must rule by formal legal opinion, on the basis of what you have just heard, that he is a zindîq.' The Mālikîs and some of the Shâfi‘îs [present] ruled thus. When Ibn Makkî realized the gravity of the situation he retracted [raja‘a] and said something to which no one listened or paid attention. Then the Mālikî qâḍî, after beseeching God for guidance, ruled him to be an infidel and ordered his blood to be shed, even if he repented. He made his decision contingent on two things: one, that no one before him had judged Ibn Makkî to be a good Muslim; and two, that the other judges uphold his judgement and that the Ḥanbalî agree as well. The Ḥanbalî also ruled him to be a zindîq and ordered his blood to be shed, and the two [other] qāḍîs upheld the judgement. He was taken out below the citadel and beheaded, after he had prayed, made the profession of faith and stated his approval of the two Shaykhs and the Companions. Ibn Ḥijî reported, 'He showed neither anxiety nor fear, God help us . . . . He was known for his ra‘îd, but he was learned in jurisprudence [uṣûl], Quran-recital and more.'

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105 Ibn Qādī Shuhbah, Ta‘rîkh, 3:134-35. Ahmad ibn Ḥijî (d. 1413) was a historian whose unfinished
A few observations can be made before we turn to al-Suyūrī’s account. The trial was presided over by the three qāḍīs of the Mālikī, Shāfi‘ī and Ḥanafī schools. A Ḥanbalī was also present, but apparently not in the rank of full qāḍī. This may reflect the fact that the Ḥanbalī school as a whole was negatively seen and somewhat ostracised in Mamluk Damascus. The Mālikī was called upon to impose the death sentence, as his was the only madhhab that does not admit the penitence of a proven heretic. He, however, sought to protect himself by requiring that all the other jurists present also commit themselves, by formal legal opinion, to pronouncing Ibn Makkī to be a zindiq: hattā taftaw bi-zandaqatihi. This would provide the legal basis, under Mālikī law, for executing the accused. The Mālikīs, the Ḥanbalī representative and some of the Shāfi‘īs obliged, which suggests that the Ḥanafīs and some other Shāfi‘īs were against the sentence. No one, on the other hand, was prepared to certify Ibn Makkī as a good Muslim, another condition which the Mālikī qāḍī had set. The trial appears as much an arena of professional tensions and rivalries among the jurists as the object of a common cause against heresy.

Al-Suyūrī’s account essentially corroborates Ibn Qāḍī Shuhbah’s. Ibn Makkī, he writes, was killed on the basis of a fatwā from the Mālikī and Shāfi‘ī qāḍīs, Burhān al-Dīn and ‘Abbād ibn Jamā‘ah, and a large group of people ganged up on him in this matter.” Ibn Makkī vigourously denied espousing the doctrines laid out in the procès-verbal from Beirut, a move al-Suyūrī interprets as “resorting to the required taqiyyah.” But what was this heresy that Ibn Makkī should have dissimulated? Al-Suyūrī never actually discloses the exact contents of the procès-verbal, and assumes like many later writers that Ibn Makkī was prosecuted simply for being a Shī‘ī.

In fact, the Sunni sources are quite clear on the point that he was tried for rafīḍ, however equivocal its definition. Ibn Hajar al-‘Asqalānī reports the charges as “dissoluteness, adherence to Nuṣayrī doctrine, declaring wine to be absolutely lawful, and other such abominations” while Ibn Qāḍī Shuhbah cites his alleged cursing of ‘Ā’ishah, Abū Bakr, and ‘Umar. Indeed, Ibn Makkī defended himself against nothing more in his poem to the governor Baydamur. To state that denying these charges constituted taqiyyah would imply, of course, that they were true. It is

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216 Chamberlain, Knowledge and Social Practice, 169.
219 Ibn Hajar al-‘Asqalānī, Inbā’ al-Ghamr, 228.
unlikely that they were, given Ibn Makki’s stature as a Muslim intellectual, moreover one who had made a career of studying Sunni law. More importantly, it cannot be any Shi‘i writer’s intention to state that they were true. The characterization of Ibn Makki’s defence as taqiyah is a misinterpretation by al-Suyūri, if not a later transmitter, who was unfamiliar with the accusations listed by the Sunnis and wrongly thought Shi‘ism and rafidism to be perfectly synonymous in their vocabulary of persecution.

Nevertheless, al-Suyūri’s account is valuable in that it shows more clearly how the law was manipulated in order to produce a conviction. The denial was not accepted, with the judges claiming, “This has been legally established; a qādi’s decision cannot be repealed.” At this point Ibn Makki made use of his legal training. The defendant, he argued, has the right to be heard; if the evidence he adduces contradicts the judgement, it must be quashed. “And I confute the testimonies of those who testified to the offences. I have proofs against each one of them.” What evidence could Ibn Makki have tendered? He presumably sought a character reference from Ibn al-Jazari, the Quran-reciter, who did receive a court summons but was away in Cairo at the time. As mentioned, his colleague Ibn al-Labbān (d. 1374) had been prompted to state that Ibn Makki never said “anything at variance with Sunnism,” most likely when the accusations first surfaced during Manjak’s governorship.

It was this failed attempt to mount a defence which, in the terse summary of the Sunni cleric Ibn Qādi Shuhbah, “no one listened or paid attention to.”

Only then did Ibn Makki, “realizing the gravity of the situation,” change strategy and place his hopes in the clemency afforded to penitent heretics under Shafi‘i law. He reminded the Shafi‘i judge, as cited above, that he is of his madhhab and wants to be tried as such.

The judge responded, “In my madhhab, you have to be imprisoned for a whole year, then asked to repent. Well, you have been imprisoned. Now ask God for forgiveness, so that I may rule that you are a good Muslim.”

“I have not done anything for which I should ask forgiveness,” he said, fearing that if he did repent, it would confirm his having sinned.

Here the versions of the account begin to diverge slightly. Majlisī claims that the Shafi‘i judge “seized on his mistake” (istaghlaṭahu) and said “You repented:

that proves you sinned." But this sequence is inconsistent with Ibn Makkî’s denial, and can be explained as the result of a copyist’s error. For the more thorough Bahrânî reports that the judge

found him to be obstinate (istaghlaţahu) and was confirmed in this. Ibn Makkî refused to repent. An hour passed. Then he said, ‘You repented; that proves you are guilty.’

What happened during this hour? Muḥsin al-Amîn hypothesizes that the Shâfi’î judge encouraged him to confess in secret so that he could absolve him, but then betrayed him and disclosed his penitence — and therefore his guilt — to the entire assembly.11 There is no evidence for this but the end result stands: the fact of his heresy was established, albeit dubiously, in Shâfi’î law (which does not stipulate execution), so that his sentence could be pronounced under Mâlikî law (in which confession is ordinarily inadmissible).

Ibn Makkî was thus handed over to the Mâlikî qâdî for sentencing. Al-Hurr al-‘Amîlî writes summarily that Mâlikî radicalism prevailed over Shâfi’î leniency owing to the numerous fanatics in the assembly. In fact, Bahrânî’s and Majlisi’s version suggests that the Shâfi’î judge, not the Mâlikî, was the driving force behind Ibn Makkî’s conviction.

He told the Mâlikî, ‘He has repented, so the decision is no longer mine. . . .’ ‘Judgement reverts to the Mâlikî!’ The Mâlikî got up, performed the ablutions and prayed twice (rak‘atayn). Then he said, ‘I have sentenced you to die.’

Ibn Makkî, the Shi‘i sources agree, was taken to the open square beneath the Damascus citadel and beheaded, his body crucified and later burned.

**CONCLUSION**

A short tale from the Shi‘i  taβaqâţ proffers an explanation of the Shâfi’î qâdî’s hatred toward Ibn Makkî. According to Nûr Allâh Shushtarî (d. 1610-11), the two used to participate in the same study circle in their youth. Ibn Jamâ‘ah “broke out in a sweat of jealousy and hatred” when it became clear that Ibn Makkî “had surpassed his peers and excelled them in merit and perfection,” a rage which intensified as scholars of the “five madhhabs” began to seek out his Shi‘i rival to “learn and benefit from.” Ibn Jamâ‘ah arranged for Ibn Makkî to be executed by

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11 al-Amîn, A’yân al-Shi‘ah, 10:61.
the governor for rafid, but was overcome with emotion at the trial as he recalled their erstwhile companionship. Playing on his name, Ibn Makkâi denounced him as a "bastard" before the entire assembly. In Khwânsârî’s version, the two were one day arguing some scholarly matter when the corpulent and unimaginative Ibn Jamâ’ah mocked Ibn Makkâi for his slight physique.

"I hear a sound from behind that inkwell; what could that be?" Ibn Makkâi responded without missing a beat, "Yes, a son of only one father (ibn al-wâhid, as opposed to Ibn Jamâ’ah, meaning literally ‘son of a group’) is no bigger than that!" Ibn Jamâ’ah got extremely angry at this and was so filled with spite and fury that he did to Ibn Makkâi what he did.

This sort of dramatization is a topos of Shi‘i hagiography. Yet it serves the authors to articulate an important truth about such trials as Ibn Makkâi’s: that justice was more a function of personal loyalties and jealousies than of an unyielding codex. Indeed, the trials that we have reviewed undermine the notion of any formal institution charged with inquiring into crimes of heresy. Most glaringly absent are the Mâlikî qâdis who, despite (or because of?) the perceived immutability of their madhhab’s stance on heresy, repeatedly shirked the role of grand inquisitor attributed to them by Ashtor. In Ibn Makkâi’s case at least, the true advocate of persecution for whatever reasons was the Shâfi‘i judge, the senior religious authority in Damascus at the time, despite the fact that his legal rite was the one most proximate to Shi‘ism.

Furthermore, in all the above cases the heretics first had to be called to the attention of the religious authorities. The unspecified crowd was involved from beginning to end, denouncing neighbours for having insulted the venerable Companions, bringing victims into Damascus from Karak, Beirut, and Ba‘labakk, and finally desecrating the bodies after the executions. Al-Suyûrî mentions explicitly that the most barbarous participant in the killing of Ibn Makkâi was a merchant and not the religious leaders. When left to their own discretion, qâdis could ignore or try to reform an individual’s religious idiosyncrasies; when presented with a popular petition, they did better to score points by indulging the crowd in its fanaticism. This is a far cry from the inquisitions of Europe, where the bishops were committed

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112 Shushtarî, Majâlis al-Mu‘minîn, 249.
by the papacy, beginning in the twelfth century, to search out heretics and uproot their secret networks.\footnote{Moore, *Persecuting Society*, 26.}

The ‘ulamā’ of the Levant rarely made it their business to inquire into other people’s religious thoughts. The leading Sunni dignitaries were ready to believe that Ibn Makki cursed the Companions and had declared wine to be lawful, yet none showed the slightest interest in any of the treatises on Shi‘i law he had written. Modern Shi‘i historians have tried to explain Ibn Makki’s execution by his political ties to the rising Shi‘i state in Khorasan. However, the Mamluk authorities of Damascus declined to portray Ibn Makki as the archtypical Shi‘i collaborator. The Mamluk governor was singularly uninterested in anti-Shi‘i campaigns even within his own province; it is not fortuitous that Ibn Makki turned to him in an appeal to save his life.

This essay has attempted to place Ibn Makki at the juncture of two autonomous historiographical traditions: one that remembers him as al-Shahid al-Awwal, the other as a ṭāfṣī. In the history of Shi‘ism, Ibn Makki’s work remains a keystone in the development of Ja‘fari law. The commentary of his *al-Lum‘ah al-Dimashqiyyah* is taught today in religious colleges from Sayyidah Zaynab in Syria to Mashhad in Iran; the growing importance of Shi‘i jurisprudence has seen the recent edition of more of his works.\footnote{Ibn Makki, *Kitāb al-Mazar* (Qom, 1990); ibid., *al-Durus al-Shar‘iyah fi Fiqh al-Imāmiyyah*, 3 vols. (Qom, 1992).} Moreover, as the “First Martyr” of medieval Shi‘ism, Ibn Makki has become an essential part of a confessional identity predicated on a seemingly timeless antagonism with the Sunni majority in Islam. Yet the formal Shi‘i rijāl dictionaries, which articulate this identity, begin to appear only after the foundation of the Safavid empire.

In the context of Mamluk history, the story of Ibn Makki’s life and death serves to illustrate the ambivalent position of the Shi‘is in medieval Syrian society. On the one hand, Shi‘ism evoked—unlike Ibn Taymiyyah’s anthropomorphism or the Ḥurūfī sect of the later fourteenth century—a religio-political ideology essentially opposed to the Sunni orthodoxy espoused by the Mamluk Sultanate. Cairo did set the tone in creating an atmosphere hostile to Shi‘ism throughout the empire. The fact that the first trials in Damascus, the rescript against the Shi‘is of Tripoli, and acts of violence against the Zaydī Sharifs of Mecca all coincided between approximately 1354 and 1363 cannot be dismissed.

However, one should not historicize the persecution of Shi‘is too much. Earlier writers explained religious oppression as a function of the Mamluk regime’s political and cultural consolidation; recent writers have tended to emphasize the strains placed on society, particularly after the “golden age” of Sultan al-Nāṣir Muḥammad
(r. 1310-41), by foreign invasion, rapid economic growth and the Black Death. Yet if there were any immutable constants throughout Mamluk history, political upheaval was surely one of them. Even a historiographically dramatic event such as the replacement of the Qipchak with the Circassian regime, still in progress when Ibn Makki was executed in 1384, could have surprisingly little local effect. In Damascus, it did not even occasion the replacement of the governor Baydamur. Moreover, for the nearly three centuries of their reign, the Mamluks faced neither foreign enemies nor domestic rebellions that were militantly Shi'i. Unlike so many other Islamic dynasties, the Mamluk Sultanate never resorted to an ideology of Sunni vs. Shi'i conflict in order to express its own religious and political legitimacy.

The unassuming presence of Shi'ism in all regions of Syrian Mamluk society is perhaps another constant of the period. Shi'ism, whether as a personal expression of religious devotion to the Prophet's Family, or as the creed of large communities in northern and western Syria that were remnants of the "Shi'i centuries" (tenth-eleventh centuries), was not considered as something alien, the historiography of the piety-minded 'ulamâ' notwithstanding. Only in the sixteenth century did Sunnism and Shi'ism become, both in political and personal terms, definitively incompatible; and the ashraf had to choose either loyalty to the state as Sunnis or ostracism as Shi'is.

Where did Mamluk society fix the boundary between tashayyu' and raf\(d\), between heterodoxy and intolerable heresy? Chamberlain has argued convincingly for regarding f\(ab\)aq\(\text{a}t\) as the Mamluk-era equivalent of archives; rosters of prestige and authority that constituted the "useful past" for the learned elite of medieval Syria and Egypt. By "decoding" them further, we may also gain new insights into Syrian society's ambivalent position toward Shi'ism in its midst: not just why some individuals and communities were persecuted as r\(afi\)\(d\)\(is\) while others were not, but also what it meant when some ashraf developed a bizarre interest in mu'tazilism and why ordinary scholars sometimes included Shi'i studies in their curriculum. Nowhere is the ambivalence toward Shi'ism better illustrated than in Ibn Kathir's strangely disgusted, strangely reverent necrological notice for the great Iraqi Shi'i scholar al-'Al\(i\)Himah al-Hillî. The on-going editing of such local histories as Ibn Qâdî Shuhbâh's Ta'rîkh and al-Yânînî's Dhayl Mir'ât al-Zamân


\(^{118}\) Ibn Qâdî Shuhbâh, Ta'rîkh, 1:494.

\(^{119}\) Cited in Chamberlain, Knowledge and Social Practice, 86.

\(^{120}\) Ibn Kathir, al-Bidâyay wa-al-Nihâyay, 14:129-30.
will provide further correctives to the picture of an undifferentiated anti-Shi‘ism in medieval Damascus. In the Mamluk centuries, *tashayyu‘* still represented a moral and historical alter-ego to dominant Sunni society, not an ideological threat. Muḥammad ibn Makkī is integral to both Syrian Mamluk and Shi‘i history.