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Muslim Elites in the Early Islamic Jazīra: The *Qāḍīs* of Ḥarrān, al-Raqqā, and al-Mawṣil

Abstract: This paper investigates local and regional networks of power in the province of al-Jazīra during the Umayyad and early ‘Abbāsīd period. Using a prosopographical approach, it focuses on the office of the *qāḍī* as an intersection of imperial and provincial authority, using the cities of Ḥarrān, al-Raqqā, and al-Mawṣil as case studies. A comparative analysis of the individuals appointed to the *qāḍī*ship reveals some commonalities in their backgrounds, particularly regarding *ḥadīth* transmission, but also clear differences in the appointment patterns identified for each city. For example, the office of the *qāḍī* of Ḥarrān seems to have been a predominantly local affair, while Raqqan *qāḍīs* frequently held transregional elite status. The judges of al-Mawṣil, on the other hand, feature local, regional, and transregional representatives. This variance is likely due to political and administrative factors and emphasizes the complex dynamics and hierarchies of governance in the early Islamic period.

Keywords: *qāḍīs*; Raqqā; al-Mawṣil; Ḥarrān; Islamic history; early Islamic Empire; prosopography

Introduction

The ‘Islamic Empire at Work’ project seeks to re-assess the way the early caliphate (c. 661–940) established, maintained, and negotiated its authority in the day-to-day running of the empire. Early Muslim historical writing in particular frequently gives a predominantly imperial view by focusing on the caliphal court and capitals. This can oversimplify our understanding of imperial administration and elite interactions: much modern scholarship has followed the primary sources in presenting a caliph-centered image of the early Islamic Empire that often neglects the importance of regional power brokers. We aim to reverse the direction of study from a ‘top-down’ to a ‘bottom-up’ approach by investigating lower levels of administration like the city, and from a ‘center-focused’ to a ‘province-focused’ view through the analysis of regional and local office holders and networks of power. To that end, the project builds on scholarship on other

provinces¹ and pursues the in-depth study of five key regions in the early Islamic period. Among them is the Jazīra.

The Jazīra, or Northern Mesopotamia, was one of the most diverse regions of the early Islamic Empire. In the pre-Islamic period, it was divided between the Sasanian and the Byzantine Empires. Its eastern part mostly fell under the Iranian sphere of influence until the collapse of the Sasanian Empire in the wake of the Arab-Muslim conquests of the mid-7th century, while the western part was more or less controlled by Byzantium. The two empires' centuries-long rivalry led to the frequent reassignment of 'Jazīran' territory to the domain of one or another player,² with no clearly defined border between Byzantine and Sasanian lands.³

The region was inhabited by a great variety of religious, ethnic, tribal, linguistic, and political communities, some of whom enjoyed significant autonomy in both pre-Islamic times and the early Islamic period – perhaps one of the reasons the Jazīra was plagued by frequent revolts. Some of these were quite successful and led to the establishment of local and regional elite families who governed the region with various degrees of independence from (and not infrequently in opposition to) the caliphal courts.⁴ The region's heterogeneity, evidenced also in its geographical features and the resulting range of settlement types and economic strategies,⁵ was already present in Late Antiquity⁶: Jews, Christians, Zoroastrians, 'Sabaeans' (and later Muslims of various denominations); nomads, pastoralists, and settled people of different tribes;⁷ Arabs, Persians, Armenians, Greeks, and others all inhabited the 'Jazīra'.

Throughout the early Islamic period, Muslims remained a minority within the region, which housed a large (but not uniform) Christian population. Jazīran Christianity was mainly divided into two factions: the Syrian Orthodox Church (the 'Jacobites'), whose center was al-Ruhā (Edessa) and whose adherents were predominant in the province's western subdivision (Diyār Muḍar) and the

1 Egypt, for instance, the study of which is blessed with an enormous reservoir of papyrus from the 7th century onward. See Sijpesteijn 2009 and 2013.

2 See e.g. Decker 2007, 220; Hirt 2008, *passim*; Schmitt 2001, 201–204.

3 Lilie 2005, 13.

4 The most famous example of this in the early Islamic period are the Ḥamdānids, who controlled large parts of the Jazīra in the 10th century. See Canard 1953; Bikhazi 1981.

5 Robinson, C. 2017, 21–23; Robinson, C. 2000, 34.

6 See e.g. Hirt 2008, 58–59; Posner 1988, 43; Robinson, C. 2000, 34–35.

7 The main Jazīran tribes on the eve of the Muslim conquest were the Banū Taghlib, the Iyād, and al-Namir. The Taghlib in particular continued to play an important role in the region; the Ḥamdānids belonged to that tribe. See Schmitt 2001, 223–224.

northern mountain range of the Ṭūr ‘Abdīn;⁸ and the Church of the East (the ‘Nestorians’), which was particularly active in the eastern subdivision (Diyār Rabī‘a), especially along the Tigris, in al-Mawṣil, and in Naṣībīn.⁹ Communities of Chalcedonian Christians (‘Melkites’) were also dispersed throughout the Jazīra, mostly in the Diyār Muḍar because of its proximity to (formerly) Byzantine territory. The Arab conquerors left existing church structures mostly undisturbed;¹⁰ the Church of the East, for instance, continued to be an influential player under Muslim rule, serving as an administrative body and mediator of local interests and imperial demands, especially after the move of the seat of its patriarchate to Baghdād in 775.¹¹ Indeed, both the Syrian Orthodox and the Church of the East benefited from the Islamic conquests, as they were able to extend their influence—and their rivalry—beyond the old Byzantine-Sasanian frontiers.¹²

The province of al-Jazīra was situated between the two imperial core regions of the early Islamic Empire, al-Shām and al-‘Irāq, making it a major communication line and key transit region of its own.¹³ The region’s fertility, anchored in the great river systems of the Euphrates and the Tigris, turned it into the caliphal capital’s bread-basket, especially in the early ‘Abbāsīd period.¹⁴ It was also the seat of government of at least two caliphs, the Umayyad Marwān II (r. 744–749/50; based at Ḥarrān) and the ‘Abbāsīd Hārūn al-Rashīd (r. 786–809; based at al-Raqqa in 796–808).

Despite the region’s relative significance, we know little about the internal workings of the Jazīra—its administration, the interplay of the various religious and political groups, or the day-to-day processes of governing the province. High-ranking members of both the Umayyad and the ‘Abbāsīd family were connected to the region through governorships and/or as (major) landowners, but even here the extant sources record comparatively little of their activities. Both

8 Hage 1966, 11, 12, 16. See also his map of Syrian Orthodox bishoprics.

9 Wilmshurst 2011.

10 Hage 1966, 68.

11 Wilmshurst 2011, 115.

12 See e.g. Wilmshurst 2011, 466–469, for the expansion of the Church of the East from the late 6th to the 13th century.

13 Pace C. Robinson, who considers the Jazīra a “peripheral area” at least in the period of the Rāshīdūn and Umayyads; Robinson, C. 2000, viii. For evidence of the Jazīra’s prosperity in the 7th and 8th century, see e.g. Eger 2015, 155–156 (specifically challenging Robinson’s assertions); Bartl 1993–1994.

14 Robinson, C. 2017, 24, 26, 27–28; Kennedy 2011, 196, 197; Heidemann 2011, 48–55. This also meant that the Jazīra declined when these centers were no longer as prosperous and their demand for foodstuffs and other goods diminished, on which see Heidemann 2011, 55–56.

in the primary sources and in scholarship, the history of the province is largely overshadowed by that of al-Shām, al-‘Irāq, Egypt, and Khurāsān.

This lack of information is partly due to the fact that non-Muslims are often invisible in the Islamic sources. For a Christian-majority province like the Jazīra, this causes a noticeable problem. Christians (like other non-Muslims) were clearly involved in administration and tax collection, trade, education, and even policing, but the Islamic tradition remains mostly silent on their activities. Only al-Raqqā and al-Mawṣil have been the subject of more detailed study,¹⁵ but there is a dearth of primary information compared to what is available for some of the cities of al-Shām, al-‘Irāq, or Khurāsān. The great cities of pre-Islamic Northern Mesopotamia, like Edessa (al-Ruhā) or Nisibis (Naṣībīn), are mostly absent from the Islamic sources and thus from scholarship. The study of the early Islamic Jazīra is therefore fraught with difficulty: “writing a history of the Jazīra is writing almost *ex nihilo*.”¹⁶

How, then, to proceed, especially regarding issues such as the interactions of regional elites with the imperial government that are difficult to trace in the Islamic source material for the Jazīra? Non-Muslim sources are one promising avenue of research. Many can be dated to the 7th and 8th century, before the bulk of early Islamic sources was put down in written form. They offer insight into aspects of local daily life barely covered elsewhere, such as landownership and non-Muslim jurisdiction,¹⁷ and unlike the early Islamic tradition, a substantial portion of the Christian scholarship produced in the Jazīra is extant today.¹⁸ This survival provides an insight into conditions within this province otherwise difficult to attain.¹⁹ Indeed, in some ways it would be easier to write a history of the Christian Jazīra in the early Islamic period.²⁰ There are also cases in which the Christian tradition preserves snippets of the Jazīra’s Muslim history that

15 On al-Mawṣil, see al-Dawaykhi 1982 and Robinson, C. 2000. On al-Raqqā, see Becker / Heidemann 2003; Ḥabbāb 2010. Western scholarship on al-Raqqā has mostly focused on archaeology and material culture.

16 Robinson, C. 2000, ix.

17 See e.g. Sachau 1907–1914.

18 See e.g. the *Book of Governors* by Thomas of Marga in Budge 1893; a fragment of John bar Penkāyē’s work in Brock 1987; the *Chronicle of Zuqnīn* in Harak 1999; the partial reconstruction of the work of Theophilus of Edessa in Hoyland 2011.

19 Of course, non-Muslim sources are neither unquestionably reliable nor entirely independent from the Arab-Islamic tradition, and as with every piece of (historical) writing, their authors pursue their own agendas.

20 See e.g. Fiey 1977; Ishaq 1992; Drijvers 1992; Debié 2016; and Philip Wood’s contribution to this volume.

has all but disappeared from the written Islamic tradition (although sometimes these fragments are still visible in the numismatic record).²¹

Prosopography is another promising approach to studying the changing composition of early Islamic elites,²² and the one adopted here. As it is the objective of this paper and indeed this project as a whole to break down the grand narratives of center and province, I will focus on city officials. Originally, this contribution was meant to look at the governors of Naṣībīn in an attempt to broaden our knowledge of the city's early Islamic history. However, a detailed and prolonged search unearthed only a handful of figures, too far apart chronologically and with backgrounds and careers too unclear to detect patterns and allow for meaningful conclusions. Similar problems exist for other Jazīran cities in the early Islamic period, even al-Raqqā, with the exception of al-Mawṣil whose governors have already been investigated.²³ While it is certainly possible to expand upon the existing studies, this paper will instead examine an important but hitherto neglected category of early Islamic Jazīran officials: the *qāḍīs* of the region.

Within the scope of this paper, I will focus on the judges of three major cities: al-Raqqā, al-Mawṣil, and Ḥarrān. Partial lists of these cities' *qāḍīs* already exist,²⁴ but with very few exceptions the individuals in question have not been examined further.²⁵ These lists were expanded using the digital search tool Jedli, which was developed within the framework of the 'Islamic Empire at Work' project and allows for a much more comprehensive and rapid investigation of Arabic texts compared to a manual search.²⁶ The present paper thus constitutes a step towards narrowing the gap in our knowledge of Jazīran history by bringing to light those who made up the fabric of Muslim provincial society in the early Islamic period.

In what follows, I will provide an overview of the *qāḍīs* of the individual cities. The emphasis here is not primarily on their religious teachings or professional responsibilities,²⁷ but rather on questions of background, career, social and

21 For instance, Bar Hebraeus and Elias of Nisibis transmit relatively detailed reports on a number of Arab notables that held Naṣībīn, Ra's al-ʿAyn, Kafartūthā, and other Jazīran settlements in the early 9th century following Hārūn's death. See Ilisch 1986.

22 On the importance of prosopography for early Islamic history, see e.g. Crone 1980, 16–17; Cooperson 2000; Jaques 2007; Robinson, M. 2013.

23 See e.g. Forand 1969; Kennedy 1981; Robinson, C. 2000, *passim*.

24 See Forand 1969, 102; Juynboll 1983, appendix III; Tsafirir 2004, 81, 86.

25 See e.g. on the *qāḍī* of al-Raqqā, Muḥammad al-Shaybānī (d. 805), Khadduri 1966; Bonner 2001; Sadeghi 2010. On the *qāḍīs* of al-Mawṣil, see the brief remarks in Kennedy 1981, 29–30.

26 On Jedli, see Haro Peralta/Verkinderen 2016 and 2016b.

27 For the office of the *qāḍī* in the early Islamic period, see e.g. Tillier 2009 and 2015.

professional mobility, and interaction with other regional or imperial officials (appointments, dismissals, and so forth).²⁸ The evidence for *qāḍīs* in the early Islamic period is rather limited both due to the modest survival of early source material in general and because biographies of *qāḍīs* only began to be compiled in the 9th century.²⁹ This is exacerbated by the fact that most of the available evidence regarding early Islamic judges focuses on regions other than the Jazīra. The survival of biographical dictionaries featuring the *qāḍīs* of the Arabian Peninsula, al-‘Irāq, and Egypt has caused the latter two provinces in particular to dominate the scholarly discourse on early Islamic legal history.³⁰ While understandable, this has led to generalizations concerning the office of the *qāḍī* in the early Islamic period that potentially distort our understanding of it. For instance, it has been argued that the presence of *mawālī* among *qāḍīs* of the Umayyad and early ‘Abbāsīd period was exceptional.³¹ As we shall see, this does not hold true for the three Jazīran cities considered here.

This paper will focus primarily on the (admittedly scarce) material dealing with judges within the Jazīra. Via the comparative analysis of Ḥarrān, al-Raqqā, and al-Mawṣil, it seeks to discern similarities and differences in the local power structures and elite composition of these cities that will improve upon our understanding of early Islamic administration and the Jazīra’s position as one node in the imperial network of the early caliphate.

The *Qāḍīs* of Ḥarrān

Ḥarrān (Roman Carrhae) was a major settlement in the Diyār Muḍar, the westernmost part of the Jazīra. Located in the fertile plain watered by the Jullāb, a tributary of the Balikh that joined that river at Ḥarrān, it was close to Edessa/al-Ruhā as well as al-Raqqā, the great city in the Balikh delta. Ḥarrān was the center of the Sabian community, who lived there relatively undisturbed until the early 11th century. The city served as a seat of the governor of the Jazīra. It was the capital of the last Umayyad caliph, Marwān II, and thus briefly the capital of the early Islamic Empire in the 740s, the period in which Ḥarrān’s first mosque may have been built. Over time Ḥarrān developed into a Ḥanbalī stronghold, and it was one of the centers of the translation movement during the early ‘Abbāsīd

²⁸ See Tillier 2011 for a similar approach to the *qāḍīs* of Egypt.

²⁹ Tillier 2014, 119–120; Judd 2015, 45.

³⁰ Al-‘Irāq and Arabia: Waki’ 1947; Egypt: al-Kindī 2003.

³¹ Bligh-Abramski 1992, 54.

period.³² Until the construction of al-Rāfiqa in 772, Ḥarrān's political importance and economic prosperity probably surpassed that of al-Raqqā.³³ Even after changing settlement patterns reduced the city's status, Ḥarrān might have retained some of its economic and military significance into the early 10th century.³⁴

Information on the *qāḍīs* of Ḥarrān is rather sketchy compared to the other two cities investigated in this paper. This is not entirely surprising: the history of the city in general is relatively poorly documented in the extant written sources. While Ḥarrān was Marwān II's capital, it never attained the size and significance of al-Raqqā and al-Mawṣil in their heydays. Moreover, much of the information on city *qāḍīs* provided by the Arabic sources deals with the period of 'Abbāsīd prime from the caliphate of al-Manṣūr (r. 754–775) until the death of al-Ma'mūn in 833, when Ḥarrān began to lose importance.

My search produced twelve individuals who apparently served as *qāḍīs* of the city, although it is likely that only nine were actually judges of Ḥarrān. Juynboll names a set of three brothers who flourished in the late Umayyad/early 'Abbāsīd period as *qāḍīs* of the city,³⁵ but the primary sources in fact only mention one brother, Sulaymān b. 'Abdallāh b. 'Ulātha (d. 750/51), in that capacity.³⁶ His brothers Muḥammad and Ziyād are exclusively listed as judges of 'Askar al-Mahdī (referring either to al-Ruṣāfa or east Baghdād) for the 'Abbāsīd caliph al-Mahdī; uncommonly, Muḥammad seems to have shared the office with another *qāḍī*.³⁷ The family was of Ḥarrānī origin and thus represents a good—albeit, for the *qāḍīs* of Ḥarrān, unusual—example of the mobility of early Muslim elites. As the focus here is on those individuals who were judges of Ḥarrān itself, only Sulaymān is included in the following analysis. Another uncertain case is that of Hārūn b. Ibrāhīm (d. 939/40)—while he is relatively well-known as *qāḍī* of Egypt

32 For the history of Ḥarrān, see Mez 1892; Lloyd/Brice 1951; *EF*, “Ḥarrān” (G. Fehérvári).

33 Heidemann 2011, 49.

34 Heidemann 2003, 41–46.

35 Juynboll 1983, appendix III, ‘Ḥarrān.’

36 See e.g. Ibn Sa'd 1990, 7:335; Ibn Abī Ḥātim 1952–1953, 4:126; Waki' 1947, 1:217–219; Ibn al-Athīr 1972, 2:365.

37 The *EF* entry on the “Ḳāḍī” (E. Tyan/Gy. Káldy Nagy) states that jurisdiction was exclusively “exercised by a single Ḳāḍī.” See also Tillier 2017, 124. For Muḥammad b. 'Ulātha, see e.g. Ibn Sa'd 1990, 7:234; Ibn Abī Ḥātim 1952–1953, 7:302; al-Khaṭīb al-Baghdādī 1997, 3:7–9; Waki' 1947, 3:251–253; for Ziyād b. 'Ulātha, see e.g. Ibn Sa'd 1990, 7:335; Waki' 1947, 3:252; Ibn Abī Ḥātim 1952–1953, 3:437; al-Mizzī 1980, 9:490–492.

and Baghdād, only Ibn al-Nadīm mentions him as judge of Ḥarrān,³⁸ so he will also not be considered in what follows.

As already indicated, most of the evidence pertains to the late Umayyad/early 'Abbāsīd period. Of the nine remaining judges, three were in office during the late Umayyad and possibly into the early 'Abbāsīd period. Three *qāḍīs* served in early 'Abbāsīd times; two individuals, among them the eminent Ḥarrānī *ḥadīth* scholar Abū 'Arūba (d. 930), held the office in the middle 'Abbāsīd period. The last judge is unidentified, but we can assume that he was *qāḍī* of Ḥarrān, probably before the death of Waki' (d. 917/18) whose *Akhbār al-Quḍāt* is the only source to mention him.³⁹

There is a large gap between the *qāḍīs* of the late Umayyad/early 'Abbāsīd and those of the middle 'Abbāsīd period. No judges are mentioned between the deaths of al-Mughīra b. Siqlāb in 817/18 and Muḥammad b. 'Ubaydallāh al-Qarduwānī⁴⁰ in 881. Only one *qāḍī* is explicitly mentioned as an appointee of a member of the ruling house: Sulaymān b. 'Abdallāh was reportedly appointed over Ḥarrān and the cities of the Jazīra by 'Abd al-Malik b. Marwān II b. Muḥammad, who held the Jazīra for his father after the murder of al-Walīd II.⁴¹ The 'Abbāsīd-era *qāḍīs* were in all likelihood appointed by the caliph or (later) his chief judge, but the sources do not tell us this directly.

Statistics aside, what can we learn about the composition and careers of Ḥarrān's juridical elite? To begin with, the *qāḍīs* of Ḥarrān generally appear to have been part of a well-integrated local network of religious scholars with few ties beyond the city and even fewer outside the Jazīra.⁴² All of them seem to have come from Ḥarrānī families and from various Arab tribes or were connected to the latter as *mawālī*.⁴³ There is no explicit evidence that they held positions within the imperial administration outside Ḥarrān.

38 Ibn al-Nadīm 1997, 1:398. For Hārūn as *qāḍī* of Egypt and Baghdād, see e.g. al-Kindī 2003, 1:344–345; al-Qāḍī 'Iyāḍ 1965–1983, 5:362–363; Ibn Ḥajar 1998, 1:127.

39 Waki' 1947, 3:216.

40 Or al-Qurdawānī. On him, see e.g. al-Dhahabī 1948–49, 20:121; Ibn Ḥajar 1907–1909, 9:325; Ibn Abī Ya'īlā 1952, 1:302–304.

41 Al-Ṭabarī 1967, 7:296. The wording does not clarify whether he was appointed as judge or governor of Ḥarrān and the Jazīra, although the former is at least likely in the case of Ḥarrān.

42 As already mentioned, Sulaymān b. 'Abdallāh's brothers were *qāḍīs* of 'Askar al-Mahdī, but he died about 30 years before them (unless the date is a copyist's error perpetuated by later sources) so the extent to which he was connected outside Ḥarrān and the Jazīra is questionable.

43 Four of them were *mawālī*, although it is not clear whether the term refers to the *qāḍīs* themselves or to their ancestors: 'Uthmān (b. 'Amr) b. Sāj al-Ḥarrānī (fl. 757; *mawlā* Quraysh or B. Umayya); al-Jarrāḥ b. al-Mīnhāl al-Jazarī (d. 784; *mawlā* B. 'Āmir); Muḥammad b. 'Ubaydallāh al-Qarduwānī (d. 881; *mawlā* Shaybān); Abū 'Arūba (d. 930; *mawlā* B. Sulaym).

Most of the city's *qāḍīs* were known as reliable *ḥadīth* transmitters.⁴⁴ The local Ḥarrānī and Jazīran factor is noticeable: many of the authorities from and to whom our judges transmitted *ḥadīth* carry Jazīran *nisbas* (al-Ruhāwī, al-Ḥarrānī, al-Mawṣilī, al-Raqqī, al-Jazarī, and the like). There is a lot of overlap between the *qāḍīs* regarding these authorities.⁴⁵ Many judges are specifically mentioned as having received and passed on traditions within their families,⁴⁶ and it is not unexpected that some *qāḍīs* of Ḥarrān served as *ḥadīth* authorities for their successors in office.⁴⁷ There is little evidence of educational or professional mobility: Abū 'Arūba al-Ḥusayn b. Muḥammad (d. 930), chronologically the last judge considered here, is the only one said to have engaged in *ṭalab al-'ilm*.⁴⁸ He apparently studied with many eminent scholars in al-Shām, the Thughūr, the Ḥijāz, and al-'Irāq; his erudition attracted many students, who visited him in Ḥarrān.⁴⁹

There seems to have been little imperial involvement in the judgeship of Ḥarrān beyond the acts of appointment and dismissal. The relevant entries in the biographical dictionaries and other sources are often basic and provide few details on the date or length of an appointment, the *qāḍī's* responsibilities and rulings, or his communication and interaction (or lack thereof) with impe-

44 The one exception is al-Jarrāḥ b. al-Minhāl al-Jazarī, who reportedly lied in *ḥadīth* and was rather partial to both *khamr* and *nabīdh*. See Ibn Ḥibbān 1976, 1:218–219; Ibn Abī Ḥātim 1952–1953, 2:523; al-Subkī 1992, 3:234. Other *qāḍīs* nevertheless transmitted from him.

45 Compare e.g. the transmitters mentioned in the entries on al-Khaṭṭāb b. Qāsim (al-Bukhārī 1941–1959, 3:201; al-Mizzī 1980, 8:258; al-Dhahabī 1948–49, 12:77); Yūnus b. Rāshid al-Ḥarrānī (al-Bukhārī 1941–1959, 8:412; Ibn Ḥibbān 1973, 9:289; Ibn Abī Ḥātim 1952–1953, 9:239); and Muḥammad b. 'Ubaydallāh al-Qarduwānī (Ibn Ḥajar 1907–1909, 9:325; Ibn Abī Ya'lā 1952, 1:302–304).

46 See e.g. 'Uthmān (b. 'Amr) b. Sāj al-Ḥarrānī (Ibn Abī Ḥātim 1952–1953, 6:162; Ibn Ḥajar 1907–1909, 7:144–145) and Sulaymān b. 'Abdallāh (Ibn al-Athīr 1972, 2:365; Ibn Abī Ḥātim 1952–1953, 4:126, 9:269–271; al-Sam'ānī 1952–1982, 9:410; al-Khaṭīb al-Baghdādī 1997, 8:479–481 [on Sulaymān's brothers and father]). The transmission of *ḥadīth* between family members was a very common feature of early Islamic learning, but it also intensified the local 'flavor' of Ḥarrānī networks.

47 E.g., al-Mughira b. Siqlāb (d. 817/18) transmitted from al-Jarrāḥ b. al-Minhāl al-Jazarī (d. 784); see Ibn 'Adī 1997, 2:406–408. Abū 'Arūba (d. 930) transmitted from al-Qarduwānī (d. 881); see Ibn Ḥajar 1907–1909, 9:325.

48 A second example might be case of al-Jarrāḥ b. al-Minhāl (d. 784), but the evidence is sketchy. See Ibn Ḥibbān 1976, 1:218–219; Ibn 'Adī 1997, 2:406–408.

49 See e.g. Abū Ya'lā al-Khalīlī 1989, 1:458–459; Ibn al-'Adīm 1988, 6:2780–2781; al-Dhahabī 1948–1949, 23:409–410.

rial officials.⁵⁰ The small number of judges mentioned for Ḥarrān might indicate that they tended to remain in office for extended periods of time, but that is conjecture. However, the judges' comprehensive entrenchment in the city will have allowed them to build up lasting networks of loyalty and support that would protect them in the event of conflict with the imperial order. As far as we can tell, the *qādīs* of Ḥarrān were thus a decidedly local elite whose power and influence were primarily founded on the city and its hinterland. The composition of this elite group probably did not undergo any significant changes from the late Umayyad to the middle 'Abbāsīd period. Ḥarrānī origins, membership in an Arab tribe, and affiliation with a local and regional (Jazīran) network of transmitters were the defining features of these officials. Their power, security, and effectiveness were primarily guaranteed by their fellow Ḥarrānīs rather than caliphal patronage or a transregional economic power base, although a combination of regional and transregional factors was certainly possible—as we will see below.

The *Qādīs* of al-Raqqa

The city of al-Raqqa is situated in the Balikh delta at the river's confluence with the Euphrates. It was the capital of the Diyār Muḍar, the western subdivision of the Jazīra.⁵¹ While al-Raqqa was an important stronghold in the Umayyad period, the city reached the pinnacle of its prosperity and political importance under the early 'Abbāsīds, who used the city as a base from which to counter the perpetual strife in al-Shām.⁵² The period witnessed extensive building activities in al-Raqqa. Its companion city al-Rāfiqa was built from 771–772 onwards on the orders of al-Manṣūr, apparently to further secure al-Raqqa by stationing a Khurasānī garrison there.⁵³ Together, the twin cities constituted the largest urban complex in Northern Mesopotamia and al-Shām, probably second only to Baghdād. Al-Raqqa's prime culminated with Hārūn al-Rashīd's choice to relocate the imperial capital there in 796 and the caliph's concomitant investments in an extensive construction program. Al-Raqqa remained Hārūn's seat of power until his death in 809, upon which the court was moved back to Baghdād. Thereafter, al-Raqqa was the seat of the governor of the Jazīra, a position that had in the

⁵⁰ One exception is again Sulaymān b. 'Abdallāh: Wakī' (1947, 1:217–219) preserves some of his alleged rulings, mostly on the subject of slaves.

⁵¹ For the history of al-Raqqa, see *EF*², "al-Raqqa" (M. Meinecke) in addition to the references noted above.

⁵² Tsafirir 2004, 82.

⁵³ Tsafirir 2004, 82.

past been occupied by Ḥarrān. The city gradually lost its political significance over the course of the 9th century but remained famous for its religious scholars, some of whom will be discussed below. Al-Raqqā retained an active Christian and Jewish population well into the 12th century, but the Muslim presence in the city increased significantly with the city's flowering in the early 'Abbāsīd period. It appears that it was home to a sizeable number of 'Alīd sympathizers, with many of the proto-Sunnīs leaning towards the teachings of Aḥmad b. Ḥanbal in the late 9th and 10th century.⁵⁴ Ḥanafism also came to play a role in al-Raqqā, as we will see shortly.

Turning to the *qāḍīs* of al-Raqqā, the volume of evidence is on a very different scale compared to what survives for Ḥarrān. The sources preserve the names of 24 judges of the city, although four cannot be securely identified as *qāḍīs* of al-Raqqā.⁵⁵ Further research did not reveal any additional information about these individuals, so they were excluded from the following analysis. Another four judges are essentially unknown other than by their service as *qāḍī*,⁵⁶ leaving us with 16 better-known (and in some cases eminent) individuals over a period of roughly 200 years, from the reign of 'Umar II (the earliest point of reference) until the death of the *qāḍī* Muḥammad b. 'Alī b. al-Ḥasan in 926–927. As in the case of Ḥarrān, most of the available information pertains to *qāḍīs* of the early 'Abbāsīd period. Half of the 14 cases that explicitly mention the caliph under whom a judge served can be matched to the reign of Hārūn al-Rashīd (r. 786–809), who not only made al-Raqqā his capital but whose reign also saw administrative reforms that contributed to the gradual formalization of the office of (chief) *qāḍī*,⁵⁷ and to the caliphate of al-Ma'mūn (r. 813–833). Only two judges are listed for the Umayyad period; one reportedly served under 'Umar II (r. 717–720).⁵⁸

The composition of the juridical elite of al-Raqqā differs from that of its Ḥarrānī counterpart in some respects. While the judges of al-Raqqā also all ap-

54 Tsafirir 2004, 84.

55 These four either carry the *nisba* al-Qāḍī and are in some way connected with al-Raqqā without being mentioned explicitly as judges of the city, or the evidence concerning them is ambiguous (e. g., they are described as *al-qāḍī bi-l-Raqqā* but there are no other details available on the individuals in question and their potential *qāḍīship* in al-Raqqā).

56 These are Dāwūd b. 'Abd al-Ḥamid, Muḥammad b. Bulbul, Aḥmad b. Mūsā al-Anṣārī (fl. 922–923), and Ibrāhīm b. Muḥammad.

57 Bligh-Abramski 1992, 41, 56–59.

58 Maymūn b. Mihrān (d. 735–36) and Sābiq b. 'Abdallāh. The latter was *qāḍī* of al-Raqqā at an unspecified date, but as he met 'Umar II in person and took part in campaigns during the reign of Sulaymān b. 'Abd al-Malik (r. 715–717), his time in office can be dated to the mid- to late-Umayyad period. See Ibn al-'Adīm 1988, 9:4063–4076; al-Qushayrī 1998, 144–146.

pear to stem from or be connected to Arab tribes, with seven *mawālī* among the group, only four can securely be identified as Raqqīs. Five individuals hail from al-‘Irāq, one from Mecca, and one from Ḥarrān.⁵⁹ Three out of the four *qāḍīs* with a Raqqī origin belong to the same family: ‘Alī b. al-Ḥasan b. Ḥarb (d. 837) and his two sons al-Ḥasan (d. 914) and Muḥammad (d. 926–927), members of a prominent and long-established Ḥanafī family whose ancestor al-Ḥasan b. Ḥarb had been sent by his Christian father to study with the famous Muḥammad al-Shaybānī (d. 805, also *qāḍī* of al-Raqqā).⁶⁰ For reasons due at least in part to imperial politics, al-Raqqā’s juridical elite cannot be considered a largely closed system of local notables like that of Ḥarrān. This is confirmed by a closer look at the scholarly networks of Raqqan judges as well as their professional and educational mobility.

As in the case of Ḥarrān, most of the judges of al-Raqqā were known as *ḥadīth* transmitters and scholars of *fiqh*. However, a number of them had mixed or bad reputations.⁶¹ Transmission within families was widespread,⁶² which is again not surprising as education was largely a family affair. However, unlike the Ḥarrānī *qāḍīs*, only three of the 16 individuals about whom we are relatively well informed are mentioned as part of a Jazīran network of transmitters, and even they are also said to have studied with authorities beyond the Jazīra.⁶³ Several *qāḍīs* of al-Raqqā also studied with eminent personalities such as al-Zuhri, Sufyān al-Thawri, or Abū Ḥanīfa.⁶⁴ Of course, as already mentioned almost a third of the known judges were from non-Raqqī and even non-Jazīran

⁵⁹ No information is available on the origin of the remaining *qāḍīs*.

⁶⁰ On this family and the confusion over ‘Alī b. al-Ḥasan’s name, see al-Khaṭīb al-Baghdādī 1997, 3:285–286; Ibn ‘Asākir 1995–2000, 8:354; Tsafrir 2004, 83 (and the references assembled there). ‘Abd al-Raḥmān b. Ṣakhr and his son ‘Abd al-Salām (d. 861 or 863) are another example of the *qāḍī* office being passed down in the same family.

⁶¹ See e.g. ‘Abdallāh b. al-Muḥarrar or al-Muḥarrir (d. 767/77; al-Qushayrī 1998, 134; Ibn ‘Adī 1997, 5:213–220); ‘Abd al-Raḥmān b. Iṣḥāq (d. 846/47; Waki’ 1947, 3:283); or Zakariyyā’ b. Manẓūr (Ibn al-‘Adīm 1988, 8:3816–3826).

⁶² See e.g. ‘Abd al-Raḥmān b. Ṣakhr (al-Khaṭīb al-Baghdādī 1997, 11:52–54; Ibn Abī Ḥātim 1952–1953, 5:246); Aḥmad b. al-‘Ālā’ (d. 887/88 or 889/90; Ibn ‘Asākir 1995–2000, 5:120–126); or Zakariyyā’ b. Manẓūr (Ibn al-‘Adīm 1988, 8:3816–3826).

⁶³ For the Umayyad period, see the information on Sābiq b. ‘Abdallāh al-Raqqī in al-Qushayrī 1998, 144–146, and the reports in Ibn al-‘Adīm 1988, 9:4063–4076. For the ‘Abbāsīd period, see Muḥammad b. ‘Alī b. al-Ḥasan (d. 926/27; al-Khaṭīb al-Baghdādī 1997, 3:285–286) and Zakariyyā’ b. Manẓūr (Ibn al-‘Adīm 1988, 8:3816–3826).

⁶⁴ For instance, the *qāḍīs* Muḥammad al-Shaybānī (d. 805; Ibn Sa’d 1990, 7:242; al-Ṣaymarī 1985, 1:125–133), ‘Abdallāh b. Bishr (Ibn Abī Ḥātim 1952–1953, 5:14; al-Dhahabī 1963, 2:397–398), Sābiq b. ‘Abdallāh al-Raqqī (al-Qushayrī 1998, 144–146; Ibn al-‘Adīm 1988, 9:4063–4076), and Ismā‘īl b. Ḥammād b. Abī Ḥanīfa (d. 827).

families. On that basis alone it is already a certainty that their profiles were more diverse than those of the Ḥarrānīs. There is some evidence for Raqqan judges transmitting *ḥadīth* from each other,⁶⁵ but little in the way of overlap between them regarding local *ḥadīth* authorities from al-Raqqā or the Jazīra.

In total, 13 out of the 16 better-known *qāḍīs* are examples of the mobility of some early Islamic elites. Not only did most of them study with non-Jazīran authorities, but six *qāḍīs* of al-Raqqā were also judges elsewhere. Four held one of the *qāḍī*ships of Baghdād, emphasizing the connection between the two imperial centers of the ‘Abbāsīd caliphate, while two also served in neighbouring al-Shām. Abū Ḥanīfa’s grandson, Ismā‘īl b. Ḥammād (d. 827), served as *qāḍī* of east Baghdād, al-Baṣra, and al-Raqqā.⁶⁶ Hārūn b. ‘Abdallāh al-Zuhrī l-Qurashī (d. 846/47 in Sāmarrā’), from a Meccan family, held the judgeship of no less than four cities and provinces—al-Maṣṣīṣa, al-Raqqā, east Baghdād, and finally Egypt—during the reign of al-Ma’mūn, who had appointed him in person. Hārūn’s son ‘Abd al-Raḥmān was *qāḍī* of Mecca for al-Mu’taḍīd, as was Hārūn’s grandson Yaḥyā b. ‘Abd al-Raḥmān in the caliphate of al-Muqtadir.⁶⁷

The example of Hārūn b. ‘Abdallāh points to another difference between these *qāḍīs* and those of Ḥarrān (with the exception of Abū ‘Arūba): some of al-Raqqā’s judges were of eminent stature and influential well beyond the Jazīra. This applies to both judges known from the Umayyad period, Sābiq b. ‘Abdallāh al-Raqqī and Maymūn b. Mihrān (d. 735/36). Sābiq, who hailed from Ḥarrān and whose reputation as an authority of *ḥadīth* was still alive and well within the city’s scholarly networks in the mid-9th century,⁶⁸ was a transmitter and poet; he was acquainted with ‘Umar II and apparently recited his poems in the caliph’s presence. He led (or accompanied) a military campaign in the time of Sulaymān b. ‘Abd al-Malik and spent a lot of time in al-Shām, where he was renowned as a *ḥadīth* scholar. He was perhaps a *mawlā* of the Umayyad house, either of ‘Umar II or of al-Walīd (presumably al-Walīd I).⁶⁹

65 Maymūn b. Mihrān (d. 735/36) transmitted from Sābiq b. ‘Abdallāh; as stated above, ‘Alī b. al-Ḥasan (d. 837) had studied with al-Shaybānī.

66 See the editor’s note in al-Mizzī 1980, 3:68, which also lists the available primary sources on Ismā‘īl.

67 Ibn Ḥazm 1983, 135–136; Ibn Ḥajar 1998, 447–455; al-Qāḍī ‘Iyāḍ 1965–1983, 3:353–356.

68 Al-Qushayrī 1998, 145. The father of the Ḥarrānī *qāḍī* al-Qarduwānī (d. 881) was among those who transmitted from Sābiq as well as from ‘Uthmān (b. ‘Amr) b. Sāj (fl. 757), another judge of Ḥarrān, again emphasizing the enduring close-knit nature of Ḥarrānī networks. See *ibid.*; al-‘Aynī 2006, 2:287.

69 Ibn al-‘Adīm 1988, 9:4063–4076; al-Qushayrī 1998, 144–146.

Maymūn b. Mihrān grew up in al-Kūfa and relocated to the Jazīra in 701, becoming one of al-Raqqā's leading scholars and the most influential jurist of the Jazīra in his time—his students, who came from all over the empire, carried the *nisba* al-Maymūnī. He was an administrator for the Umayyads and allegedly had a close relationship with 'Umar II. The two praised each other's piety and wisdom, and Maymūn was put in charge over jurisdiction and tax collection in the Jazīra by 'Umar II, who also appointed him as *qāḍī* of al-Raqqā.⁷⁰ He remained in office during Yazīd II's reign. Maymūn also administered the treasury of Ḥarrān for Muḥammad b. Marwān, 'Abd al-Malik's brother and governor of the Jazīra (692–709/10), and he was still one of the notables of Ḥarrān in the caliphate of Hishām; he led (or accompanied) an army to Cyprus in 724/25 (or a year later), reportedly in the company of Hishām's son Mu'āwiya.⁷¹ Maymūn's son 'Amr (d. 762) ran the *dīwān* for 'Umar II.⁷²

From the 'Abbāsīd period, we have similar examples. The families of 'Alī b. al-Ḥasan, whose son al-Ḥasan b. 'Alī was also deputy *qāḍī* of al-Baṣra at one point, and Hārūn b. 'Abdallāh have already been mentioned. The most prominent judge of al-Raqqā in the early 'Abbāsīd period, however, was Muḥammad b. al-Ḥasan al-Shaybānī (d. 805), the great jurist who studied with Abū Ḥanīfa and Hārūn al-Rashīd's chief judge Abū Yūsuf. He too grew up in al-Kūfa and settled in Baghdād, where he studied and taught *ḥadīth* and *fiqh*. We cannot go into detail here regarding his illustrious career and prominence in the classical juridical tradition,⁷³ but it is important for our purposes to note that Hārūn al-Rashīd called al-Shaybānī to al-Raqqā in 796, the year in which the caliph made the city his imperial capital.⁷⁴ There Hārūn appointed him as *qāḍī*,⁷⁵ a position subordinate probably only to the chief judgeship and one that al-Shaybānī retained until 803. While the relationship between the caliph and the *qāḍī* was not always cordial, al-Shaybānī was an important source of counsel for Hārūn.⁷⁶ When al-

⁷⁰ Until at least the early 'Abbāsīd period, the office of the *qāḍī* was not formalized. Incumbents often served different functions that did not need to be judicial in character, as in the case of Maymūn. See Bligh-Abramski 1992, 41, 44, and *passim*.

⁷¹ Reports of involvement in military activity are restricted to the two *qāḍīs* from the Umayyad period, perhaps indicating a change regarding the office or the office holder's profile.

⁷² The primary sources on Maymūn are conveniently collected and summarized in *EF*², "Maymūn b. Mihrān" (F. Donner). See also Tsafirir 2004, 84.

⁷³ See *EF*², "al-Shaybānī" (E. Chaumont) in addition to the references at note 25.

⁷⁴ Tsafirir 2004, 82.

⁷⁵ Other reports state that al-Shaybānī was instead appointed by the chief *qāḍī* Abū Yūsuf, but it is clear that in any case his appointment was mandated by the highest authority. See Tsafirir 2004, 83.

⁷⁶ Tsafirir 2004, 82.

Shaybānī died in al-Rayy while accompanying Hārūn on his first journey there, apparently on the same day as the grammarian al-Kasā'ī who had also made the journey with them, the caliph is said to have exclaimed in sorrow, “today I laid to rest both language and law.”⁷⁷

We have seen that the juridical elite of al-Raqqā differed substantially from its Ḥarrānī equivalent. The sources contain plenty of accounts of imperial involvement with the city’s judges both in the Umayyad and the ‘Abbāsīd period. The close ties between some judges and caliphs are apparent in the frequent mentions of caliphs and/or chief *qāḍīs* appointing, dismissing, consulting, and occasionally interfering with the judges of the city. This difference is undoubtedly connected to the status of al-Raqqā as an important imperial center, particularly under the early ‘Abbāsīds. The sources generally preserve a good amount of material for al-Raqqā, but the *qāḍī*ship of the city also seems to have required incumbents of a certain caliber.

Tsafir has argued that the ‘Abbāsīds had a predilection for the teachings of Abū Ḥanīfa (d. 767) that influenced their choice of several of his adherents as judges of al-Raqqā. The appointment of al-Shaybānī either by Hārūn al-Rashīd or his chief *qāḍī* Abū Yūsuf (d. 798) has been understood as an imperial project aimed at spreading Ḥanafism, especially as al-Shaybānī was succeeded by a number of fellow Ḥanafīs (most of them from Baghdād).⁷⁸ However, Ḥanafism, like the other *madhāhib*, was not yet fully formed as a ‘school’ of law; this did not occur until the 10th century as the result of a complex process.⁷⁹ This makes it difficult to speak of a concerted imperial effort to spread the *legal doctrines* associated with Ḥanafism in its later, classic form. However, the appointment of proto-Ḥanafīs to an important judgeship such as al-Raqqā seems to confirm Tillier’s view that the caliphs from al-Manṣūr onwards sought to increase their influence on both the office of the *qāḍī* and the office holders themselves as against the established practice of leaving the decision up to local elites.⁸⁰ The attempt to impose proto-Ḥanafīs as *qāḍīs* on the part of the early ‘Abbāsīds frequently met with resistance,⁸¹ and it is probably no coincidence that al-Raqqā

⁷⁷ Al-Khaṭīb al-Baghdādī 1997, 2:178.

⁷⁸ Tsafir 2004, 82–83.

⁷⁹ See e.g. Melchert 2004; Hurvitz 2000.

⁸⁰ Tillier 2013, 189–190, 192, 193–196. This could also have the effect of weakening the provincial and city governors, who had hitherto mainly appointed the judges, as well as the local elites by undermining their ties with each other and their influence on the office of the *qāḍī*. See *ibid.* 193, 201–203.

⁸¹ Tillier 2013, 198–200.

only saw the appointment of such individuals to the judgeship following its elevation to imperial capital by Hārūn al-Rashīd.

The selection of individuals from outside al-Raqqā or the Jazīra as *qāḍīs* of the city also points to a different dynamic in the interaction between city notables and the caliphal court. Many of the judges will not have been able to fall back on the same kind of local network of support and loyalty as their colleagues in Ḥarrān and were thus more dependent on caliphal authority to maintain their standing in office. Unfortunately, we usually do not know how long the *qāḍīs* of al-Raqqā remained in office,⁸² but even those who served longer terms probably relied on the caliph more than was necessary for Ḥarrān's *qāḍīs*. This granted the early 'Abbāsids more control over an important elite segment within the empire's second center and a stronger position during potential regional conflicts. The judges of al-Raqqā hence represent a largely transregional elite that had strong ties to the empire's other core regions, in particular al-'Irāq. The Raqqī *qāḍī* family of 'Alī b. al-Ḥasan b. Ḥarb is an important exception to this pattern that illustrates the overlapping of different categories of elite status in both individuals and groups.

The *Qāḍīs* of al-Mawṣil

Al-Mawṣil occupies a special place in the history of the early Islamic Jazīra.⁸³ The city was an important settlement throughout the period investigated here: it “inherited Nineveh's enviable position astride the Tigris, became an administrative and military center early on, and, by the end of the 8th century, had established itself as an entrepôt for riverine trade to the heart of the empire.”⁸⁴ Al-Mawṣil sometimes served as the capital of Diyār Rabi'a, the eastern subdivision of the province, but at times it also operated independently from the Jazīra and constituted a province of its own. The numismatic record indicates that after 693, al-Mawṣil was part of a separate administrative sphere also comprising the distinct provinces al-Jazīra, Armīniya, Arrān, and Adharbayjān. This formation, which has been termed the “Umayyad North”, continued largely uninterrupted until the end of the Umayyad period.⁸⁵ The relationship between al-Jazīra and al-

⁸² Al-Shaybānī was in office for seven years, and 'Abd al-Salām b. 'Abd al-Raḥmān (d. 861 or 863) served two terms of undetermined length.

⁸³ On the early Islamic history of al-Mawṣil, see Robinson, C. 2000; Forand 1969; *EP*², “al-Mawṣil” (E. Honigmann/C. E. Bosworth).

⁸⁴ Robinson, C. 2000, ix.

⁸⁵ Spellberg 1988; Bates 1989.

Mawṣil in the ‘Abbāsīd period is not entirely clear, especially after the death of Hārūn al-Rashīd in 809 and the weakening of the imperial order in the city and elsewhere. The earliest partially extant history of al-Mawṣil, composed by the city’s *qāḍī* Abū Zakariyyā’ Yazīd b. Muḥammad al-Azdī (d. 944/45), is ambiguous on that point.⁸⁶

Most of the Mosuli tribal elite apparently belonged to Yaman; there was continuous conflict between the Yamanī groups of Azd and Hamdān over the city’s leadership, and the situation deteriorated further after Hārūn’s death.⁸⁷ Al-Mawṣil also had a reputation for its rebellious inhabitants and sympathies with the ‘Khārijite’ rebels who roamed the towns and countryside of the eastern Jazīra.⁸⁸ Several governors sent by the caliphs were denied entrance to the city, and on a number of occasions both Umayyads and ‘Abbāsīds had to dispatch troops to deal—not always successfully—with Mosuli opposition. The massacre carried out in al-Mawṣil just after the takeover of the ‘Abbāsīds, apparently caused by the pro-Umayyad stance expressed by a segment of the city’s population, did not endear the new ruling house to the Mosulis either. However, both Umayyads and ‘Abbāsīds also invested heavily in the city, building palaces, paving streets, and paying for irrigation; the often fragile nature of al-Mawṣil’s relationship with the imperial court was at times offset by caliphal policies aimed at courting the Mosuli elites. It appears, for instance, that al-Manṣūr invested the office of the *qāḍī* in al-Mawṣil with certain privileges in an effort to strengthen ties between city and capital.⁸⁹

Thanks to al-Azdī, we know quite a bit more about the *qāḍīs* of the city than about most of their counterparts in Ḥarrān and even al-Raqqā. The extant part of his *Ta’rikh al-Mawṣil* covers the period 719/20 – 838/39 and mentions 14 *qāḍīs* of the city; an extended search brought up an additional seven names. Of these 21 judges, only one cannot be securely identified as *qāḍī* of al-Mawṣil.⁹⁰ 19 of the remaining 20 judges served in the ‘Abbāsīd period; the sole office holder from the Umayyad period, Yaḥyā b. Yaḥyā al-Ghassānī (d. 751 or 753), was apparently

⁸⁶ Al-Azdī 1967, 226. See on this issue in general Forand 1969; Rotter 1974, 167, 189; Blankinship 1994, 50 – 57.

⁸⁷ Tsafir 2004, 80.

⁸⁸ In many cases, however, it is not entirely clear what the Khārijism of these ‘rebels’ actually entailed. It was likely not (primarily) related to questions of faith or doctrine in many of the reported cases. See e.g. Robinson, C. 2016. For the need to reassess the established understanding of Khārijism, see Hagemann/Verkinderen (forthcoming).

⁸⁹ Robinson, C. 2000, 158.

⁹⁰ Muḥammad b. Muḥammad al-Juzū’ī (?) is called *qāḍī l-Mawṣil bi-Baghdād*. See Ibn al-Athīr 1997, 6:542. Perhaps he was appointed as judge of al-Mawṣil but chose to remain in Baghdād, sending a deputy in his place. I could find no further information on him.

appointed by ‘Umar II, whose reign is once again the earliest point of reference for the *qāḍī*ship of a Jazīran city.⁹¹ As in the case of Ḥarrān and especially al-Raqqā, the evidence is best for the early ‘Abbāsīd period; the last two *qāḍīs* listed by al-Azdī served under al-Ma’mūn, but he provides almost no information on the last one. We do not even know how long this last *qāḍī* was in office. Five of the seven judges retrieved from the extended search served in the period after al-Ma’mūn’s death and thus do not appear in the extant fragment of *Ta’rīkh al-Mawṣil*, but the two who seem to have been in office under the early ‘Abbāsīds are not mentioned by al-Azdī. The last *qāḍī* of al-Mawṣil considered here is al-Azdī himself, who died in the mid-10th century.

The composition of the juridical elite of al-Mawṣil displays similarities and differences with both Ḥarrān and al-Raqqā, combining aspects of both to illustrate a third variant of early Islamic elite structure. The *qāḍīs* of al-Mawṣil were of Arab tribal backgrounds, with three *mawālī* among them—a relatively lower number compared to the other two cities. As seems to have been common, most of the *qāḍīs* were *ḥadīth* transmitters and sometimes also scholars of *fiqh*. Echoing the case of Ḥarrān, we can observe the existence of a tight network of local authorities.⁹² Family transmission was commonplace, and occasionally judges served as authorities for their future successors. At least two of al-Mawṣil’s *qāḍīs* belonged to local elite families.⁹³ Descendants of several of the city’s *qāḍīs* remained in al-Mawṣil as scholars and transmitters, some of them serving as authorities for al-Azdī;⁹⁴ the sons of ‘Alī b. Ibrāhīm, who served as *qāḍī* of al-Mawṣil during the reign of al-Mutawakkil,⁹⁵ appear in a cluster of several Mosuli/Jazīran transmitters, along with al-Qāsim b. Mūsā b. al-Ḥasan b. Mūsā al-Ashyab, whose grandfather held the judgeship of al-Mawṣil under al-Ma’mūn.⁹⁶

However, contrary to what the sources preserve regarding the *qāḍīs* of Ḥarrān, the judges of al-Mawṣil were also well connected to the empire at large. Many of them transmitted from non-Mosuli *ḥadīth* scholars, and in several

91 There is a variant report according to which Yaḥyā was already appointed by Sulaymān b. ‘Abd al-Malik and only confirmed by ‘Umar II (Ibn Ḥibbān 1993, 2:76), but most other sources state that the latter appointed Yaḥyā himself. See e.g. al-Nawawī 1977, 2:160; al-Dhahabī 1948–49, 8:380; Ibn Ḥajar 1907–1909, 11:299–300.

92 See e.g. the entries on Ma’mar (or Mu‘ammār) b. Muḥammad (d. 762; al-Azdī 1967, 173); ‘Alī b. Mushir (d. 805; al-Azdī 1967, 148); ‘Amr b. Mīhrān (al-Azdī 1967, 324).

93 Robinson, C. 2000, 88–89, 131.

94 E.g., the descendants of Bakkār b. Shurayḥ, *qāḍī* of al-Mawṣil in the caliphates of al-Manṣūr and al-Mahdī. See Robinson, C. 2000, 131.

95 Al-Shābushtī 1951, 1:44.

96 Al-Mizzi 1980, 15:236; al-Dhahabī 1948–49, 23:127.

cases educational and professional mobility can be observed. Our sources explicitly state that six judges came from outside al-Mawṣil: four were from al-‘Irāq, one hailed from Damascus, and one was of Khurāsānī origins.⁹⁷ While we can probably assume that most of the remaining *qāḍīs* were from al-Mawṣil, we are told this directly only in four cases. *Qāḍīs* of al-Mawṣil travelled to study with eminent authorities, mostly in al-‘Irāq, or they relocated to the city to take up office. Two were also *qāḍīs* elsewhere, neither of them from the native Mosuli elite: ‘Alī b. Mushir al-Qurashī l-Kūfi (d. 805) was also judge of Armīniya after serving in al-Mawṣil, and he returned to his hometown al-Kūfa after his term in Armīniya; al-Ḥasan b. Mūsā al-Ashyab (d. 824) had Khurāsānī roots and served as *qāḍī* of Ḥimṣ before being appointed over al-Mawṣil by Hārūn or al-Ma’mūn. Afterwards, he was appointed *qāḍī* of Ṭabaristān, but apparently died on his way there in al-Rayy.⁹⁸

In addition to ‘Alī b. Mushir and al-Ḥasan b. Mūsā, a number of al-Mawṣil’s other judges were well-known personalities both within and outside the city’s boundaries, a feature they share with some of their colleagues in al-Raḡqa. For instance, Yaḥyā b. Yaḥyā al-Ghassānī (d. 751 or 753), whose family came from Damascus, was renowned as a Qur’ān reciter and transmitter. He travelled widely to collect *ḥadīth*, heard directly from ‘Urwa b. al-Zubayr and Makḥūl, and was considered the foremost scholar of al-Shām.⁹⁹ Al-‘Abbās b. al-Faḍl (d. 802), a poet and scholar of the Qur’ān, studied with Nāfi‘ *mawlā* Ibn ‘Umar as a child and was among the Mosuli nobles who rode out to meet with the chief *qāḍī* Abū Yūsuf (who had accompanied Hārūn al-Rashīd on his punitive expedition to al-Mawṣil).¹⁰⁰ Muḥammad b. ‘Abdallāh b. ‘Ammār (d. 856/57) was one of

97 Pace Robinson, C. 2000, 160, who suggested the *qāḍī*ship was held exclusively by locals. Kennedy 1981, 30, speaks of only 11 judges extracted from al-Azdī, and there is some confusion regarding the name of a *qāḍī* of apparently non-Mosuli origin, who is identified by Kennedy as ‘Abdallāh b. Khālīd al-Kūfi. However, Ḥabība’s 1967 edition renders his name as ‘Abdallāh b. al-Khalīl al-Karkhī or al-Karjī, and as far as I can see the *nisba* is the only indication of possible non-Mosuli origin. See al-Azdī 1967, 288, 302 (and note 2), 312. It should be noted that al-Azdī’s *Ta’rīkh al-Mawṣil* is largely silent on the judges’ non-Mosuli origin, which was determined on the basis of other sources. Compare e.g. the entries on Ismā‘īl b. Abī Ziyād al-Du‘alī (fl. 796/97) in al-Azdī 1967, 274–276, 279–283, 288, with al-Mizzī 1980, 3:96–97, and al-Dhahabī 1948–49, 11:19–20.

98 On ‘Alī b. Mushir, see Ibn Ḥajar 1907–1909, 7:383–384; al-Dhahabī 1948–49, 12:172–173. On al-Ḥasan b. Mūsā, see e.g. Ibn Sa’d 1990, 7:243; al-Azdī 1967, 335, 360–361; al-Mizzī 1980, 6:328–333.

99 See e.g. Ibn Sa’d 1990, 7:323; Ibn Ḥibbān 1993, 2:76; al-Nawawī 1977, 2:160; Ibn Ḥajar 1907–1909, 11:299–300.

100 Al-Azdī 1967, 285; Ibn al-Jazarī 1933–1937, 1:353–354; Ibn Ḥajar 1907–1909, 5:126–127.

the city's great transmitters and scholars; he was a merchant whose business trips took him to Baghdād, where he studied with the city's learned authorities. According to one report, he went to Sāmarrā' to complain about al-Zubayrī, the otherwise unidentified *qāḍī* of al-Mawṣil at the time. Because of his erudition, the people flocked to him, prompting the caliph to inquire about him. When he was told about al-Zubayrī's misconduct, the caliph dismissed him in favor of Muḥammad b. 'Abdallāh.¹⁰¹

Again thanks to al-Azdī, we also know the (approximate) length of term of each *qāḍī* appearing in his work. Nine of the 14 judges he mentions were in office for more than two years, some for extended periods of time. This no doubt reinforced their status as local and regional authorities in law and administration. The caliphal government seems to have made only limited attempts to impose its own choice of judge on the city's population despite, or perhaps because of, the recalcitrance of the Mosuli notables. Contrary to the situation in al-Raqqa, there was also only one proto-Ḥanafī *qāḍī* who could be identified in al-Mawṣil: the above-mentioned 'Alī b. Mushir al-Qurashī l-Kūfī (d. 805) who served as judge of Arminiya after his term in the city.¹⁰² According to Tsafrir, this indicates that al-Mawṣil's *qāḍīs* "were apparently mainly local non-Hanafis who enjoyed the support of the leading families of Mosul"¹⁰³ rather than proto-Ḥanafī outsiders dependent on caliphal backing. Tsafrir emphasizes this repeatedly and quite forcefully, but it seems prudent to urge caution here: the reason for the apparent 'Abbāsīd preference for Abū Ḥanīfa's teachings, and thus the precise logic inherent in the appointment of proto-Ḥanafī *qāḍīs* in certain cities and regions, still requires significant investigation.¹⁰⁴ The apparent lack of proto-Ḥanafī judges in al-Mawṣil could also be due to the sparse information included in the sources, which often do not mention affiliation with a particular *madhhab*.

If the majority of Mosuli judges were indeed from local families, the situation was likely similar to that in Ḥarrān: a strong juridical elite supported by local power networks rather than largely dependent on caliphal support. The relatively long terms in office the judges enjoyed would act as a counterweight to the frequent change in governors typical of the early Islamic Empire, providing some much-needed stability and continuity.¹⁰⁵ This also further strengthened the *qāḍī*'s local power vis-à-vis imperial authority, especially the continuous at-

¹⁰¹ Ibn Manẓūr 1984, 22:283–284.

¹⁰² Tsafrir 2004, 77.

¹⁰³ Tsafrir 2004, 79.

¹⁰⁴ Tillier 2013, 195.

¹⁰⁵ Robinson, C. 2000, 158, 161.

tempts on the part of caliphs and governors to exert influence over the judgeship.¹⁰⁶ At the same time, the judges of al-Mawṣil had strong connections within and outside the Jazīra, representing a hybrid form of elite status that combined local, regional, and transregional networks of power and influence.

Conclusion

This paper represents a first step towards disentangling and illuminating the administrative and political history of the early Islamic Jazīra. The *qāḍīs*, officials whose importance to the smooth administration of early Muslim cities sometimes surpassed that of the governors, constitute a fitting case study for a prosopographical study. The preceding analysis shows that the judges of the three cities shared some characteristics, such as Arab background (or clientage) and the predominance of *ḥadīth* transmitters. Robinson has argued with regard to al-Mawṣil that this predominance indicated “the office [having] something of a role to play in the nascent *ḥadīth* industry of the second-century town”,¹⁰⁷ but this was a geographically and temporally much more widespread phenomenon related to the *qāḍī*ship, in the Jazīra and beyond.¹⁰⁸

However, we could also observe differing patterns in the three cities regarding the composition of their juridical elites: while Ḥarrān’s judges represent a local elite, the *qāḍīs* of al-Raqqā were primarily transregional; the judges of al-Mawṣil, on the other hand, counted among their number representatives of local, regional, and transregional elite status. For the most part, this variance is probably due to political and administrative factors, emphasizing that the study of a province, let alone an empire, needs to take into account regional and local differences if it seeks to do justice to the complex dynamics and hierarchies of governance in the early Islamic period.

This paper focused on prosopography rather than the responsibilities of the judgeship as an office, but the collected material nevertheless provides some insight into the latter. The appointment of the *qāḍī* seems to have been the prerogative of the caliph in the ‘Abbāsīd period. Judging from the few pieces of evidence we have, in the Jazīra this apparently occurred already in the Umayyad period when elsewhere “a large majority of *qāḍīs* was [still] appointed by provin-

106 For the limits imposed on the *qāḍīs*’ judicial authority during the Umayyad period, see Judd 2015. For the ‘Abbāsīd period, see Tillier 2014. Regarding competing claims to judicial authority among governors and caliphs, see Tillier 2014 and 2015.

107 Robinson, C. 2000, 161.

108 For the Umayyad period, see Judd 2015, 52, on *qāḍīs* from Egypt and al-‘Irāq.

cial or city governors.”¹⁰⁹ Tillier has stated that rare cases of direct caliphal appointment of judges in the Umayyad period are known exclusively from Egypt,¹¹⁰ but the evidence from Umayyad al-Mawṣil and al-Raqqā, as limited as it may be, qualifies this statement.

Caliphal or imperial authorities also intervened in the judges’ affairs if the situation required it: a *qāḍī* of al-Mawṣil was dismissed after participating in a rebellion;¹¹¹ Hārūn al-Rashīd had to intervene drastically in a conflict over money when the responsible judge of al-Raqqā was unable to enforce his ruling;¹¹² and the chief *qāḍī* Yaḥyā b. Aktham once dismissed another judge of al-Raqqā, claiming he was clueless about *fiqh*, although the Raqqans were happy with him.¹¹³

However, the material also suggests that the *qāḍīs* of the early Islamic Jazīra were often relatively independent actors whose responsibilities reflected a broad understanding of the dispensing of justice. Two of the judges of al-Mawṣil and one *qāḍī* of al-Raqqā were also in charge of taxation, for instance. Much to the displeasure of Church officials, Muslim *qāḍīs* also interacted with non-Muslim segments of the population—for instance, al-Ḥasan b. Mūsā al-Ashyab declined the petition of Mosuli Christians to rebuild a church that had been destroyed, arguing that it had been built after the conquest and thus constituted a violation of the peace agreement.¹¹⁴ Whether or not we accept the historicity of the incident or line of argument,¹¹⁵ the episode illustrates that the *qāḍī*’s authority was widely recognized, especially considering the usually short terms in office of provincial and city governors. While there is much less evidence for the city of Ḥarrān, the regional character of its judges is a particularly good example of the fact that in the early Islamic period, state control was frequently imposed by local elites. All three cities thus exemplify the ‘politics of notables’,¹¹⁶ which was based on local elites serving as intermediaries between the imperial administration and the provincial populations.

109 Tillier 2014, 121.

110 Tillier 2014, 121.

111 Robinson, C. 2000, 161–162.

112 Al-Nahrawānī 2005, 222.

113 Al-Khaṭīb al-Baghdādī 1997, 11:52–54.

114 Al-Khaṭīb al-Baghdādī 1997, 7:438–441. On the issue of Christian recourse to non-ecclesiastical judicial authority in the early Islamic period and the reaction of Church leaders, see e.g. Simonsohn 2009 and 2011; Weitz 2018.

115 The same episode, but naming the caliph al-Mahdī instead of al-Ḥasan and taking place about 30 years earlier, is also recorded in al-Azdī 1967, 244, 340. See Robinson, C. 2000, 11 (and note 60).

116 Shoshan 1968.

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