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Mālikī Jurists from the Maghrib and al-Andalus in Post-Fāṭimid Egypt

Al-Rāʿī al-Gharnāṭī was a grammarian, poet and jurist from Naṣrid Granada who settled in Egypt, where he died in 853 H/1450 CE,¹ one of many Andalusī scholars who emigrated from their homeland. The *riḥla* or travel for study had long been a common practice among Andalusī scholars, and, in the early centuries of al-Andalus, had in some cases resulted in their permanently settling abroad for a variety of reasons.² From the 6th/12th century onwards, however, migration increased alongside rising internal dissension back home. For example, the traditionalist Abū al-ʿAbbās Aḥmad b. ʿUmar b. Ibrāhīm Ibn Muzayn al-Qurṭubī (578–656 H/1182–1258 CE) embarked on the pilgrimage in 618 H/1221 CE, almost ten years after the battle of Las Navas de Tolosa in 609 H/1212 CE. The landmark battle, won by the Christians, ushered in the disintegration of Almohad rule in the Iberian Peninsula, with Ibn Hūd al-Judhāmī rebelling against them in 625 H/1228 CE. Ibn Muzayn al-Qurṭubī eventually settled in Alexandria, never to return, and complained in his writings about the chaos and violence that reigned inside al-

1 Shams al-Dīn Abū ʿAbd Allāh Muḥammad b. Muḥammad b. Muḥammad b. Ismāʿīl al-Rāʿī al-Gharnāṭī al-Andalusī al-Maghribī al-Qāhirī al-Naḥwī al-Mālikī (ca. 782–853 H/1380–1450 CE). For more on him, see El Bazi 2012.

2 Gellens 1990; Ávila 2002. The migratory movements of Andalusī scholars can now be studied thanks to the database “Prosopography of the *ʿulamāʾ* of al-Andalus (PUA)” (directed by María Luisa Ávila), accessible online at <https://www.eea.csic.es/pua>. A partial overview can be found in Lirola Delgado *et al.* 2013.

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Andalus, with women being raped and many inhabitants murdered.³ It was not only the internal tensions in the Almohad caliphate, but more importantly, the growing threat from the Christian kingdoms as their advancing armies conquered Muslim lands, all of this contributing to an increase in Andalusī scholars emigrating to settle abroad.⁴ In 1492, nearly three centuries after Las Navas de Tolosa, and forty-two years after al-Rāʿī al-Gharnāṭī's death, the Naṣrid kingdom of Granada fell, putting an end to Muslim rule in the Iberian Peninsula. But the 'push' factor was also combined with a 'pull' factor: the job opportunities that scholars from different Islamic regions found in the Mamlūk sultanate, but also earlier, in the lands under Ayyūbid rule where a process of 'Sunnitization' after the fall of the Fāṭimids was taking place.⁵ Many traveling Andalusī and Maghribī scholars were attracted to stay. Among them, the rate of success in finding employment was high, especially for those who, trained in Almohad times, had developed specific skills in writing didactic poems and encyclopaedic works, which effectively met the needs of the *madrasas* and the cultivated elites.⁶ Al-Rāʿī al-Gharnāṭī became a grammar instructor in Cairo, writing pedagogical works on the subject, as well as a biography of the Andalusī poet Ibn Sahl al-Isrāʿīlī (a Jewish convert to Islam), whose verses had a profound impact in the East.

Al-Rāʿī al-Gharnāṭī also wrote *Intiṣār al-faqīr al-sālik li-tarjīḥ madhhab al-imām al-kabīr Mālik*, a book that accumulates arguments in favor of the Mālikīs' superiority over the other legal schools.⁷ He recorded, for example, a Prophetic *ḥadīth* stating that the people of the Maghrib would continue on the path of truth until the coming of the Hour, as ensured by their adoption of Mālikism. He also praised the merits of the Medinese Mālik b. Anas (d. 179 H/795 CE), considered the eponymous founder of the school, adding that on his thigh it was written "in the writing of Divine Power, 'Mālik is Allāh's proof against His creation'", and that Mālik and God possessed a shared secret.⁸ Al-Rāʿī's *Intiṣār al-faqīr al-sālik* fits well into what we know about the competition between the legal schools under the Mamlūks, and especially between Mālikīs and Shāfiʿīs, as Shāfiʿism had

3 Kaddouri 2005–2006; Belaid/Kaddouri 2012.

4 Pouzet 1975; Romero 1989; Marín 1995.

5 I suggested for the first time this 'push' factor in Fierro 1997, 504.

6 I have dealt with these skills in lectures delivered at SOAS (London) in 2011, at the École des Hautes Études in Sciences Sociales (Paris) in 2012, at the Université Louvaine-la-Neuve in 2013, and at Pompeu Fabra University and Göttingen University in 2019. My publication on didacticism and encyclopaedism under the Almohads is forthcoming.

7 Al-Rāʿī, *Intiṣār al-faqīr* (1981). The English translation by Dutton 2007 has been reviewed by Maribel Fierro in *Islamic Law and Society* 16, 2009, 231–233.

8 Al-Rāʿī, *Intiṣār al-faqīr* (2007), 51, 65.

always represented the main challenge to the foundations of the Mālikī legal school.⁹ Al-Rā'ī's text, like that of Ḥanafī scholar al-Ṭarsūsī (d. 758 H/1357 CE) a century earlier,¹⁰ looked for state support in order to give predominance to a specific legal school over the rest. In al-Rā'ī's text, a Mālikī debates with a Shāfi'ī about the relative merits of their schools. The Mālikī starts by stating that all four *madhāhib* are true and good, but that the Shāfi'ī should acknowledge the Mālikī school's superiority. Immediately afterwards, al-Rā'ī quotes the story of how the 'Abbāsīd caliph al-Manṣūr (r. 136–158 H/754–775 CE) intended to write Mālik's *Muwatta'* in gold letters and have it hung on the Ka'ba to make people follow it, but Mālik refused. Regret was expressed for the missed opportunity, lamenting that had the caliph carried out his plan, he would have "removed all the confusion and prejudice between people".¹¹ For all his apparent acknowledgment of the equal value of the Sunni legal schools, al-Rā'ī clearly believes that Mālikism should triumph over the rest – a position unsurprising among Andalusi and Maghribi Mālikīs given that in North Africa and al-Andalus they had never had to deal with competition in the legal sphere. There, the other legal schools – contrary to the situation in Mamlūk Egypt – were almost completely absent, a prevalent position that the Mālikīs had acquired, among other reasons, because of state support. As Ibn Ḥazm had put it, both Ḥanafīs and Mālikīs had initially prevailed under the 'Abbāsīds and the Cordoban Umayyads, respectively, because of a combination of *riyāsa* and *sulṭa*.¹²

The intensity of the competition among the Sunnī legal schools reflected in writings such as those of al-Ṭarsūsī and al-Rā'ī was linked to the Mamlūk policy of accommodating all four legal schools in their judicial system – a policy unheard of in the Maghrib and al-Andalus. Some two hundred years before al-Rā'ī's death, in 665 H/1265 CE, the Mamlūk ruler Baybars had granted representation to the four Sunnī schools of law, entitling each of them to have their own judge. Baybars first established this system in Cairo, followed by Damascus, Aleppo,

⁹ Brunschvig 1950; Fierro 2005.

¹⁰ Winter 2001.

¹¹ Al-Rā'ī, *Intiṣār al faqīr* (2007), 72–73.

¹² Quotation of Ibn Ḥazm in al-Ḥumaydi's (d. 488 H/1095 CE) *Jadhwat al-muqtabis*. See al-Ḥumaydi, *Jadhwat al-muqtabis* (1952), no. 908 (biography of Yaḥyā b. Yaḥyā al-Laythī). One exception occurred under the Fātimīds: during the Aghlabid period, Ḥanafīs co-existed with Mālikīs in Ifriqiya (Tunis), but during the Fātimīd caliphate, the former disappeared from the scene; their collaboration with the new Shī'ī/Ismā'īlī rulers led some to convert to their doctrines, while popular support went to the Mālikīs. The Fātimīds, moreover, renounced imposing Ismā'īlī law in its totality on their subjects (cf. below note 14).

Tripoli and Hama.¹³ A similar system, which some consider to have functioned as a precedent, had already been established in 525 H/1130 CE during the Fāṭimid period under the rule of vizier Abū ‘Alī Aḥmad al-Afḍal Kutayfāt (d. 526 H/1131 CE), although in that case the four sanctioned legal traditions were the Ismā‘īlī, the Imāmī, the Shāfi‘ī and the Mālikī schools.¹⁴ After the Fāṭimid case, the Šāliḥiyya *madrasa*, established in 641 H/1243 CE during the rule of Ayyūbid sultan al-Malik al-Šāliḥ Najm al-Dīn Ayyūb, also included representatives of the four legal schools. In the plural judicial system initiated by Baybars in 665 H/1265 CE, the Shāfi‘ī judge had a more prominent position than the rest, as shown by the fact that he sat first to the right of the Mamlūk sultan and had sole jurisdiction over such matters as the execution of wills and the management of the property of orphans.

Baybars’s decision has been subject to different interpretations. Both Escovitz and Jackson have pointed out that it could be seen as a further development of a prior decision of his in 661 H/1263 CE, when he ordered the Shāfi‘ī judge Tāj al-Dīn Ibn Bint al-A‘azz – known for his hesitations in executing legal decisions outside his own school – to choose three delegate judges from among the other legal schools who would help him when dealing with cases that involved non-Shāfi‘īs. For Yossef Rapoport, the aim was to create a uniform and, at the same time, flexible legal system.¹⁵ On the one hand, the need for predictable and stable legal rules was addressed by limiting the *qāḍīs*’ discretion and promoting *taqlīd*, that is, adherence to established school doctrine. On the other hand, the plurality of judges allowed for flexibility and prevented the legal system from becoming too rigid. Rapoport indicates how royal deeds of appointments “instruct Chief *Qāḍīs* to follow the established doctrines of their schools, as expressed by the authoritative compilations or *mukhtaṣars*, and to avoid non-standard interpretations”.¹⁶ Thus, for example, one 8th/14th-century scholar indicated that a Mālikī judge had to follow the opinions attributed to the 2nd/8th-century Egyptian scholar Ibn al-Qāsim (d. 191 H/806 CE), disregarding those espoused by later

¹³ Escovitz 1982; Jackson 1995.

¹⁴ Allouche 1985. Al-Afḍal’s appointment of the four judges seems to have been motivated by the legal disagreements between Ismā‘īlīs, Imāmīs (privileged by the vizier) and the Sunnī legal schools regarding inheritance matters, with the Sunnīs afterwards being allowed to apply the norms specific to their own school. The Andalusī jurist al-Ṭurṭūshī (d. 520 H/1126 CE), who had settled in Alexandria, is said to have gotten the vizier al-Baṭā‘ihī (515–519 H/1121–1125 CE) to agree not to have Fāṭimid inheritance laws apply to the Sunnī population, and for the government not to seize properties without legal heirs. See Lev 1991, 138 note 21, and 197.

¹⁵ Rapoport 2003.

¹⁶ Rapoport 2003, 216.

jurists such as the Andalusī Abū ‘Umar Ibn ‘Abd al-Barr (368–463 H/978–1071 CE) or the Egyptian al-Qarāfī (626–684 H/1228–1285 CE).¹⁷

The names and number of judges who acted in this manner for each legal school after Baybars’s innovation have been reconstructed by Kamal S. Salibi.¹⁸ However, to my knowledge, there is no monograph on the Mālikī legal school under Mamlūk rule nor on Egyptian Mālikism in general.¹⁹ What follows is a summary of what seems to be the standard understanding.

Mālikīs had been a strong presence in early Islamic Egypt, boasting seminal scholars such Ibn al-Qāsim and Ibn Wahb (d. 197 H/813 CE), among many others who had studied with Mālik b. Anas.²⁰ In this early stage, ‘Abd Allāh Ibn ‘Abd al-Ḥakam (d. 214 H/829 CE) wrote a *Mukhtaṣar*,²¹ unusual at the time because of the effort for systematization, that enjoyed popularity in later times.²² The first judge identified as a Mālikī was from 184 H/800 CE.²³ According to Ahmed El Shamsy, Egyptian Mālikīs were connected to what he calls the dominant “exclusive class of Arab notables”. Later, Egyptian Mālikīs faced a growing challenge from the Ḥanafī school, which prevailed at the ‘Abbāsīd court in Baghdad. This was achieved in particular via Ḥanafī officials dispatched to Egypt by the ‘Abbāsīds, who “particularly when serving as judges, did occasionally attempt to influence legal practice in Egypt in the direction of Hanafi doctrines. However ... Hanafism did not initially succeed in gaining a permanent foothold in Egyptian society”.²⁴ Al-Shāfi‘ī (d. 204 H/820 CE), a former student of Mālik b. Anas, settled in Egypt, and eventually Shāfi‘ism gained more and more adepts in the region.²⁵ According

¹⁷ Rapoport 2003, 215.

¹⁸ Salibi 1957. The figures provided are not absolute, as some of the judges enjoyed multiple periods in office. Thus, the 90 Shāfi‘īs listed are in reality 55, the 55 Ḥanafīs are 44, the 51 Mālikīs are 36 and the 25 Ḥanbalīs are 19.

¹⁹ It is only addressed by Ahmed Bekir in his *Histoire de l'École malikite en Orient jusqu'à la fin du moyen âge*, a book that is in many ways unsatisfactory in terms of the information provided, and should be updated and expanded.

²⁰ Cf. Brockopp 2011, questioning the extent to which such early jurists can appropriately be labeled as Mālikīs. More generally see Melchert 1997.

²¹ Studied by Brockopp 2000.

²² For example, in al-Andalus its transmission is attested in the 7th/13th century, having been studied by Muḥammad b. Šālīḥ b. Aḥmad b. Muḥammad b. Raḥīma al-Kinānī al-Shāṭibī (614–699 H/1217–1299 CE). I have taken this information from the *Historia de los Autores y Transmisores de al-Andalus (HATA)*, available online at <http://kohepocu.cchs.csic.es/>.

²³ Al-Kindī, *Akhbār* (2012), 29.

²⁴ El Shamsy 2017.

²⁵ The complex process that led to this situation has been analyzed more thoroughly in El Shamsy 2013.

to El Shamsy, the majority of al-Shāfiʿī's early followers in Egypt would have been non-Arab clients (*mawālī*),

who had converted to Islam and been incorporated into the social and cultural network of an Arab tribe but whose status within the social hierarchy remained largely subordinate. As a consequence, the clients' self-image was not as closely wedded to the Maliki notion of a continuous normative communal tradition, and they were more open to the merits of al-Shafiʿī's textualist approach which, in effect, leveled the playing field between Arabs and non-Arabs.²⁶

In El Shamsy's view, the eventual loss of power and influence on the part of the Mālikīs – both to the Ḥanafīs and the Shāfiʿīs – was thus connected to the loss of power of the old Arab elites. As tribal loyalties dissolved, non-Arabs rose to prominence, and the centralizing ʿAbbāsīd policies undermined local autonomy. Shāfiʿism in particular “offered several advantages in this context: it was allied with neither the imperial centre nor the old Egyptian social order, and its textualism, which divorced law from particular local settings and located the fount of normativity in a disembodied corpus of canonical texts, fitted the needs of the essentially rootless Turkic newcomers”, such as the Ṭūlūnids, who “sought not only political independence but also an independent basis of Islamic legitimacy, which was ideally provided by Shafiʿī doctrine”.²⁷

To my knowledge, there is no study comparing the numbers of Mālikī scholars in Egypt with those of Ḥanafīs and Shāfiʿīs for this early period, but I take from El Shamsy's study that the Shāfiʿīs began to outnumber the Mālikīs by as early as the 4th/10th century. If this is correct, Mālikīs' numbers would have already begun to decline even before the establishment of the Fāṭimid caliphate in Egypt. However, when Fāṭimid caliph al-Muʿizz moved to Egypt in 362 H/973 CE, the judge in old Cairo was still a Mālikī, Abū al-Ṭāhir al-Dhuhli (d. 368 H/978 CE), and he was left in his post. After his death, the Ismāʿīlī Qāḍī al-Nuʿmān became judge of Egypt, and there would be no further Mālikī judges in Egypt until the collapse of the Fāṭimid caliphate, except for the brief initiative by al-Afdal Kutayfāt mentioned above.

²⁶ El Shamsy 2017.

²⁷ El Shamsy 2017. The decline of Mālikism in Egypt under the Ṭūlūnids (254–292 H/868–905 CE) was not paralleled in the central lands of the ʿAbbāsīd caliphate, as evidenced by the cases of Mālikī jurists such as the famous Qāḍī Ismāʿīl al-Baghdādī (199–282 H/815–895 CE), al-Abharī (d. 395 H/1004 CE) and al-Bāqillānī (d. 403 H/1013 CE). Another important figure in Eastern Mālikism during this period was Ibn al-Jallāb al-Baṣrī (d. 378 H/988 CE).

During the Fāṭimid period, both Shāfi'īs and Mālikīs survived, as shown by the studies of Thierry Bianquis and Delia Cortese.²⁸ Each of these schools boasted an important non-Egyptian figure, both of whom settled in Alexandria:²⁹ the Iranian Shāfi'ī Abū al-Ṭāhir al-Silafī (d. 576 H/1180 CE),³⁰ and the Andalusī Mālikī Abū Bakr al-Ṭurṭūshī (d. 520 H/1126 CE). Abū Bakr al-Ṭurṭūshī, as mentioned above,³¹ campaigned for the Sunnī population of Fāṭimid Egypt to be allowed to follow their own inheritance practices, and became a popular teacher credited with spreading Mālikism in Alexandria. He is moreover said to have merged the Eastern and Western branches of the Mālikī legal school.³²

Mālikism continued to prosper under the Ayyūbids, who ruled Egypt between 567 H/1171 CE and 648 H/1250 CE.³³ Ṣalāḥ al-Dīn (Saladin) himself visited Alexandria with his two sons to hear local Mālikī scholar Ibn 'Awf (d. 581 H/1185 CE), a student of al-Ṭurṭūshī, who taught and commented on Mālik's *Muwatṭa'*. Ṣalāḥ al-Dīn's famous secretary al-Qāḍī al-Fāḍil compared the visit to Hārūn al-Rashīd's trip to Medina with his two sons al-Amīn and al-Ma'mūn to hear the *Muwatṭa'* from Mālik himself.³⁴ In this period, an Egyptian scholar, Jalāl al-Dīn 'Abd Allāh b. Najm al-Dīn Muḥammad Ibn Shāsh al-Judhāmī al-Sa'dī (d. 616 H/1219 CE),³⁵ wrote a work on Mālikī positive law, the *Kitāb al-Jawāhir al-thamīna fī madhhab 'ālim al-madīna*. The book drew heavily on Andalusī and Maghribī Mālikī sources, with which the author was obviously familiar.³⁶ Maghribī and Andalusī scholars such as the aforementioned Ibn Muzayn al-Qurṭubī³⁷ settled in Egypt at a time when significant numbers of religious figures – not only jurists but also traditionists, Qur'ānic readers, grammarians and specialists in other disciplines, as well as Ṣūfis – were making Egypt their new home.³⁸ As Denis Gril has stated: "*Après avoir beaucoup reçu jadis de l'Orient, al-Andalus et*

²⁸ Bianquis 1975; Cortese 2012.

²⁹ Leiser 1999; Walker 2014.

³⁰ Ṣālīḥ 1977. Many were the Andalusī and Maghribī scholars who attended his classes, as Alexandria was situated along the pilgrimage routes from the Maghrib; see Ibn Azzuz 1432/2011.

³¹ See note 14.

³² On al-Ṭurṭūshī's biography see the introductory study in Fierro 1993. On how his tract against innovations reflects a Mālikī rejection of Fāṭimid practices, see Fierro 2017.

³³ El Shamsy 2013, 144.

³⁴ Abū Shāma, *al-Rawḍatayn* (1956), 1/2: 24; Leiser 1976, 138–140.

³⁵ Ibn Farḥūn (d. 799 H/1397 CE) includes his biography in *al-Dibāj al-mudhhab fī ma'rifat a'yān 'ulamā' al-madhhab*. See Ibn Farḥūn, *al-Dibāj* (1972), 1: 290–291; see also Kaḥḥāla 1957–61, 6: 158; Brockelmann 1943–49, SI: 538.

³⁶ As can be corroborated in Ibn Shās, *Iqd al-jawāhir* (1995; repr. 2003).

³⁷ See note 3.

³⁸ Hofer 2015; McGregor 2004; Zouihel 2017.

le Magreb donnent naissance à des foyers de spiritualité qui irradient à leur tour vers leur origine".³⁹ Again, Ṣalāḥ al-Dīn's religious policies were crucial in this trend.⁴⁰

Ḥanafis and Ḥanbalis were a minority under the Ayyūbids, and the Ḥanbalis continued to be under the Mamlūks. However, the numbers of Ḥanafis increased, especially after the Mongol conquest of Baghdad (656 H/1258 CE), when many Eastern refugees fled to Egypt. Mālikīs still outnumbered Ḥanafis in the early Baḥrī Mamlūk period, but the numbers of Ḥanafis increased due to the fact that the Mamlūks themselves were followers of the school considered to have been founded by the Iraqi Abū Ḥanīfa (d. 150 H/767 CE). For the 9th/15th century, although we do not have statistics that specifically address the representation of the *madhhabs* in the Egyptian legal domain,⁴¹ the available evidence – such as Salibi's study on the affiliation of the chief judges of Mamlūk Egypt – indicates the predominance of Shāfi'īs and the growing number of Ḥanafis. This situation explains al-Rā'ī's interest and effort in promoting the Mālikī legal school.

The Ottomans began to rule Egypt in 922 H/1517 CE, sixty-seven years after al-Rā'ī's death. According to Michael Winter, the Mālikī *madhhab* in Egypt was at that time an extension of North African Mālikism, being largely associated with populations which were either foreign (the Maghribis)⁴² or lived in outlying provinces, such as the Sa'īd (Upper Egypt).⁴³

The shifting fortunes of Mālikism in Egypt can be quantitatively traced through the information provided by two Mālikī *ṭabaqāt* works:⁴⁴

- *Tartīb al-madārik li-ma'rifat a'lām madhhab Mālik*, by the North African Qāḍī 'Iyāḍ (d. 544 H/1149 CE).⁴⁵ It records 1569 biographies from the early period to the time of its author, of which 1149 are from the Maghrib⁴⁶ and al-Andalus, and 194 from Egypt.

³⁹ Gril 1986, 26–27.

⁴⁰ Hofer 2017, 53–54.

⁴¹ Such representation is absent from Petry 1981.

⁴² On the long-lasting presence of Maghribis in Egypt see Walker 2008; Ḥanafī 2005; Mus'ad 2002.

⁴³ Winter 1992, 110–111.

⁴⁴ Although it is debatable whether some of the scholars included in the list should rightly be considered Mālikis; see above note 20 and below on the case of Ḥumayd.

⁴⁵ Qāḍī 'Iyāḍ, *Tartīb al-madārik* (1403/1983).

⁴⁶ The Maghrib refers to North Africa, including Ifriqiya (Tunis), al-Maghrib al-awsaṭ (Algeria) and al-Maghrib al-aqṣā (Morocco).

- *Al-Dibāj al-mudhhab fī maʿrifat aʿyān ʿulamāʾ al-madhhab* by the Medinese jurist of Maghribi origin Ibn Farḥūn (d. 799 H/1397 CE).⁴⁷ It records 630 biographies from the early period to the time of its author,⁴⁸ of which 62 are Egyptians, and 447 from the Maghrib (125) and al-Andalus (322).

In the case of Qāḍī ʿIyāḍ, the decline in the number of Mālikīs in Egypt after al-Shāfiʿī and after the Fāṭimid conquest is very clearly reflected (see Fig. 1 below).⁴⁹ In the case of Ibn Farḥūn, although he includes a much smaller number of entries than Qāḍī ʿIyāḍ, his results for the period until 470 H are equivalent, with an almost complete absence of Mālikīs in Egypt during the pre-Ṭurṭūshī Fāṭimid period, and a noticeable increase from the period 530–560 H onwards, with two peaks: the period 620–650 H (late Ayyūbid) and 680–710 H (under the Baḥrī Mamlūks) (see Fig. 2 below).⁵⁰

But who were the Mālikīs active in Egypt after al-Ṭurṭūshī? Were they from Egypt or did they migrate there? And in the latter case, where did they come from? I will concentrate here on the information found in Ibn Farḥūn's work. For the period between 530 H and 790 H, the total number of Egyptian jurists (scholars who were born and died in Egypt) is 31.⁵¹ They are distributed as follows:

1. *Ṭabaqa* XIII (6th/12th century, died between 530–560 H) Egypt: 1
2. *Ṭabaqa* XIV (6th/12th century, died between 560–590 H) Egypt: 1
3. *Ṭabaqa* XV (6th–7th/12th–13th century, died between 590–620 H) Egypt: 3
4. *Ṭabaqa* XVI (7th/13th century, died between 620–650 H) Egypt: 5
5. *Ṭabaqa* XVII (7th/13th century, died between 650–680 H) Egypt: 2
6. *Ṭabaqa* XVIII (7th–8th/13th–14th century, died between 680–710 H) Egypt: 7
7. *Ṭabaqa* XIX (8th/14th century, died between 710–740 H) Egypt: 5

⁴⁷ Ibn Farḥūn, *al-Dibāj* (1423/2003). In the following notes I refer to the 1423/2003 edition of Ibn Farḥūn's *Dibāj* as DM.

⁴⁸ Ibn Farḥūn's contemporary Ibn Khaldūn (732–808 H/1332–1406 CE) is not included. On Ibn Khaldūn's views on the legal situation in Egypt see Morimoto 2002.

⁴⁹ I wish to thank Luis Molina for his help in preparing the charts. For the early period, the results offered here can be put into the wider perspective presented by Bernards/Nawas 2003.

⁵⁰ When referring to the scholars belonging to these *ṭabaqāt* only Hijri dates are given.

⁵¹ DM, 1: 123–124, no. 28; 205–208, no. 123; 209, no. 124; 211–213, no. 126; 213, no. 127; 217, no. 131; 218, no. 132; 224, no. 140; 225–226, no. 141; 253–254, no. 256; 257–259, no. 169; 272–273, no. 184; 291, no. 201; 312–313, no. 223; 349–351, no. 253; 390, no. 283; 394–395, no. 289; 396, no. 290; DM, 2: 21, no. 333; 40, no. 345; 57–58, no. 358; 68, no. 364; 73–74, no. 368; 77–82, no. 375; 110–111, no. 407; 111–112, no. 409; 297–298, no. 564; 300, no. 567; 300, no. 568; 302, no. 570; 305–306, no. 576.

8. *Ṭabaqa* XX (8th/14th century, died between 740–790 H) Egypt: 7

Of these 31 Egyptian Mālikīs, four of them are of Maghribi origin:⁵² Ibn al-Qaṣṭallānī (d. 636 H),⁵³ al-Qarāfī (d. 684 H),⁵⁴ Jamāl al-Dīn ‘Abd Allāh b. Muḥammad al-Masīlī (d. 744 H),⁵⁵ and ‘Īsā b. Makhluṭ b. ‘Īsā al-Maghīlī (d. 746 H).⁵⁶ Nothing is said about their ancestors who came from the Maghrib, nor the circumstances that brought them to Egypt and made them settle there. Given the close connections of the Fāṭimids with North Africa and also the Ayyūbids’ intervention in the area,⁵⁷ these North African origins are not surprising. More striking is that none of these Egyptian Mālikīs have Andalusī origins, which seems to indicate that the Andalusīs who settled in Egypt did not produce local scholars, at least not of any renown.⁵⁸

52 Perhaps also Idrīs b. ‘Abd al-Malik al-Ṣanhājī, given the fact that his *nisba* refers to a North African Berber tribe: DM, 1: 269, no. 180.

53 DM, 1: 209, no. 124. He is not to be confused with the famous author of a commentary on al-Bukhārī who died in 923 H/1517 CE.

54 DM, 1: 205–208, no. 123. He is one of the most important Mālikī Egyptian scholars of the post-Fāṭimid period; see al-Sulamī 1990; al-Wakīlī 1996; Jackson 1996. One of his works, *al-Iḥkām fī tamyiz al-Fatāwā ‘an al-aḥkām wa-taṣarrufāt al-qāḍī wa-l-imām*, has been translated into English by Mohammad H. Fadel with the title *The Criterion for Distinguishing Legal Opinions from Judicial Rulings and the Administrative Acts of Judges and Rulers*. His ancestors belonged to the Ṣanhāja Berber tribe and perhaps arrived in Egypt during the period of Ṣalāḥ al-Dīn’s alliance with the Banū Ghāniya, the Ṣanhāja Almoravids who long held out against the Almohads in southern Ifrīqiya. Al-Qarāfī attended a Mālikī *madrasa* in Cairo, studying with Muḥammad b. ‘Umrān b. Mūsā, known as al-Sharīf al-Karakī (d. 688 H/1289 CE), a Mālikī jurist from Fez who had settled in Egypt, and ‘Uthmān b. Abī Bakr Ibn al-Ḥājib (d. 646 H/1249 CE) (see on him below note 76). He also had Shāfi‘ī and Ḥanbalī teachers, the most influential being the Shāfi‘ī ‘Izz al-Dīn Ibn ‘Abd al-Salām (d. 660 H/1262 CE), who was from Damascus but settled in Egypt, and wrote a work on legal canons that was imitated by al-Qarāfī in his *Qawā‘id*.

55 DM, 1: 396, no. 290.

56 DM, 2: 68, no. 364.

57 On this topic see Baadj 2015, and see also note 42 above. The Ayyūbids’ significant interest in Maghribi politics involved a number of aspects not limited to economic and military matters that deserve to be studied.

58 This is striking because in the Andalusī scholarly milieu one finds a large number of ‘*ulamā*’ families spanning several generations, indicating entrenched cultural practices that allowed fathers to successfully transmit their cultural and social capital to their descendants. The extent to which they were able to maintain such practices in a migratory context will be the object of another study.

The number of Maghribis mentioned by Ibn Farḥūn who settled in Egypt in the period considered here is nine.⁵⁹ Some among them were particularly productive and/or influential jurists such as Ibn al-Ḥājj al-‘Abdarī (d. 737 H/1336 CE), the author of the famous treatise against innovations, *Madkhal al-shar‘ al-sharīf (al-Madkhal)*, and al-Rahūnī (d. 775 H), who taught at *madrasas* in Cairo and wrote a commentary on Ibn al-Ḥājj’s *mukhtaṣar* (on which, see below). Ibn Jumayl (d. 715 H), in turn, acted as judge in both Alexandria and Cairo, where he died, while al-Zawāwī (d. 717 H) lived in Egypt and was later a judge in Damascus. Al-Zawāwī al-Manklātī, from Tunis (d. 743 H), appears to have been the most successful of all of them: he was a judge in Damascus and also in Egypt (judge delegate of Zayn al-Dīn Ibn Makhlūf and Taqī al-Dīn al-Ijnā‘ī), wrote several books (a commentary on Muslim, a commentary on Ibn al-Ḥājj’s *mukhtaṣar*, a summary of a commentary of the *Mudawwana*, a work on *wathā’iq*, a refutation of Ibn Taymiyya regarding *ṭalāq*, *Manāqib Mālik*, and a historical work), and was considered a leader in issuing *fatāwā* according to the Mālikī legal school.

Ibn Farḥūn mentions a total of six Andalusis who settled in Egypt.⁶⁰ While some are clearly Mālikīs, Ibn Farḥūn’s decision to classify others as Mālikīs can be challenged, especially those educated under the Almohads (513–667 H/1120–1269 CE), rulers who had opposed Mālikism and promoted legal alternatives to it. This is the case of Aḥmad b. ‘Abd Allāh b. al-Ḥasan al-Anṣārī, known as Ḥumayd (607–652 H/1210–1254 CE).⁶¹ He was the son of a famous traditionist, Abū Muḥammad Ibn al-Qurṭubī (d. 611 H/1214 CE). Born in Málaga to a family originally from Córdoba, Ḥumayd studied in al-Andalus with scholars such as Ibn ‘Askar (584–636 H/1188–1239 CE) and Abū Muḥammad Ibn ‘Aṭiyya (573–646 H/1177–1248 CE), and received his *ijāza* from scholars in both the Maghrib and the Mashriq, among them the famous specialist in *ḥadīth* sciences ‘Uthmān b. ‘Abd al-Raḥmān Ibn al-Ṣalāḥ al-Kurdī al-Shahrazūrī al-Mawṣili (577–643 H/1181–1243 CE). Ḥumayd became a Qur’ānic reader, jurist, traditionist, grammarian and

⁵⁹ DM, 1: 216–217, no. 130; 397–398, no. 291; DM, 2: 23, no. 338; 67–68, no. 363; 296, no. 563; 299, no. 566; 301, no. 569; 302, no. 571; 343–344, no. 620. Some Maghribis studied in Egypt and then returned to North Africa, or settled elsewhere in the East: DM, 1: 223, no. 138; 223–224, no. 139; 271–272, no. 183; DM, 2: 25, no. 340. Salibi mentions a Mālikī judge during the period 794–801 H/1392–1399 CE who was from Tlemcen, and two brothers born in the Maghrib who held judicial positions between 861 H/1457 CE and 873 H/1469 CE.

⁶⁰ DM, 1: 177–191, no. 86; 198, no. 113; 210, no. 125; 215–216, no. 129; DM, 2: 136–138, no. 428; 287–288, no. 547. Ibn Suḥmān (d. 685 H) was both Mālikī and Shāfi‘ī (DM, 2: 298–299, no. 565) and al-Baqūrī (d. 707 H) eventually returned to Marrakesh, where remained until his death (DM, 2: 295, no. 562).

⁶¹ DM, 1: 177–179, no. 86. For other references see Rodríguez Figueroa 2006.

litterateur. He also grew famous for his piety and asceticism: he never laughed, apologized for smiling, and was constantly crying; in his poems dealing with *ḥikam*, he never included a *nasīb*. In the year 649 H/1251 CE, when he was 42 years old, Ḥumayd left al-Andalus in order to perform the pilgrimage, probably motivated by problems with the post-Almohad ruler Abū ‘Abd Allāh Muḥammad I *al-Ghālīb bi-Llāh* (r. 629–671 H/1232–1273 CE), founder of the Naṣrid dynasty. However, according to Ibn Farḥūn, once he had arrived in Egypt, his purity, intelligence and many virtues had become so proverbial that he was asked to stay on.⁶² He accepted, but fell ill in 652 H/1254 CE. He arrived in Egypt shortly after the fall of the Ayyūbid dynasty and the beginning of the Mamlūk sultanate in 648 H/1251 CE. It is said that the second Mamlūk sultan, al-Mu‘izz ‘Izz al-Dīn Aybak al-Turkmānī al-Ṣāliḥī (r. 648–655 H/1250–1257 CE), tried to visit him in order to obtain his blessing, but Ḥumayd refused. Only after the sultan insisted did Ḥumayd allow the sultan to visit him, but rejected his gifts. Ḥumayd died shortly afterwards and his funeral was attended by a great number of people, including the sultan. He was buried in the *rawḍa* of Abū Bakr al-Khazrajī.

It is not clear on what basis Ibn Farḥūn decided that Ḥumayd was a Mālikī. In Ḥumayd’s time Mālikism had been marginalized in the Maghrib, as well as in al-Andalus after its incorporation into the Almohad empire. More specifically, Ḥumayd lived under the Almohad/Mu’minid caliphate established by ‘Abd al-Mu’mīn (r. 527–558 H/1133–1163 CE) after he succeeded the Berber Maḥdī Ibn Tūmart (d. 524 H/1130 CE). The Almohad movement that Ibn Tūmart had founded was, in its early stages, a revolutionary movement that imposed unified belief on the people living in Almohad territory, where everybody (Jews, Christians and Muslims) had to follow Ibn Tūmart’s creed. In the legal sphere, the Almohads rejected traditional Mālikism, with its strong reliance on casuistry and *taqlīd*. Eventually, a *retour aux sources* was promoted that privileged the study of Qur’ān and *ḥadīth*. The new rulers created the *ṭalaba*, salaried doctrinarians trained to cater to the intellectual and religious needs of the Almohad empire, who were closer to Ismā‘īlī *du‘āt* than to Sunnī *‘ulamā’*. The Mu’minid caliphs sought alternatives to Mālikism and, after an initial attraction to Ibn Ḥazm’s Ṣāḥirism, they eventually asked Ibn Rushd al-Ḥafīd (Averroes) to collect the existing divergent legal views on positive law (*furū’*) – regardless of the legal school – the result of which was his *Bidāyat al-mujtahid*. This work – as I have argued elsewhere – can be taken as a first step towards a legal codification that would have been issued by the third Almohad caliph, as the Fāṭimids had done in the 4th/10th century under al-

⁶² Similar situations are recorded regarding other Andalusī and Maghribī travelers, as in the case of Abū Marwān al-Bājī; see Marín 1994.

Mu'izz. However, this last step never came to pass, due to internal divisions among the Almohads.⁶³ Thus, it seems that Ibn Farḥūn chose to include Ḥumayd in his biographical dictionary of Mālikīs based only on the fact that he was an Andalusī; indeed, nothing in his biography allows us to ascertain his legal affiliation. The same can be said of two other, more important scholarly figures, Ibn Muzayn al-Qurṭubī al-kabīr (578–656 H/1182–1258 CE)⁶⁴ and Muḥammad b. Aḥmad b. Abī Bakr b. Farḥ al-Qurṭubī al-ṣaghīr (d. 671 H/1273 CE), author of a famous *Tafsīr*.⁶⁵ These two figures, again, reflect the type of scholars trained in Almohad times whose education and writings transcended traditional legal affiliations.⁶⁶

I have mentioned above that the Maghribī and Andalusī scholars trained in Almohad times developed specific skills for writing didactic poems and works of an encyclopaedic character that helped them negotiate the 'job market' once they emigrated. They also brought with them their knowledge of the local Maghribī and, especially, Andalusī intellectual production⁶⁷ in every field, for example: Qur'ānic readings, as in the case of Abū al-Qāsim al-Shāṭibī (538–590 H/1143–1194 CE); history, as in the case of Ibn Khaldūn (732–808 H/1332–1406 CE); and grammar, as in the case of Abū Ḥayyān al-Gharnāṭī (654–745 H/1256–1344 CE).⁶⁸ The commentary on al-Bukhārī's *Ṣaḥīḥ* by the Andalusī Mālikī Ibn Baṭṭāl (d.

⁶³ Fierro 1999; Fierro 2014; Fierro 2018.

⁶⁴ For more on him, see above note 3, and DM, 1: 210, no. 125. He had written a refutation against the Christians that he took with him to Egypt and was one of the sources for al-Qarāfi's polemical work on Christianity; see Sarrió Cucarella 2015. Ibn Muzayn's *Ikhtisār Ṣaḥīḥ al-Bukhārī* and his *Mufhim* on Muslim's *ḥadīth* collection are quoted by Ibn Ḥajar al-'Asqalānī (see Khaoula Trad's paper in this volume).

⁶⁵ Arnaldez, "al-Qurṭubī", *EF*; Salmān 1993; Ibn Sharifa (Bencherifa) 2010; Serrano, "al-Qurṭubī", *EQ*.

⁶⁶ This was also the type of scholar that the Ayyūbids seem to have favored among the Andalusī emigrants, as shown, for example, by the cases of al-Yasa' b. 'Isā b. Ḥazm al-Ghāfiqī (d. 575 H/1179 CE) and Ibn Dihya al-Kalbī (d. 633 H/1235 CE). See, respectively, Fierro 1995; Gallega Ortega 2004; Adang 2000, 450–453.

⁶⁷ I say 'especially' because in al-Andalus the political, social and economic context under the Umayyads had fostered developments in the religious and intellectual domains that had no parallel in the Maghrib in the same period. Ifriqiya under the Aghlabids had known similar developments, but the Fātimid caliphate and the Hilālī invasion had negative consequences.

⁶⁸ See on this topic the studies by Aḥmad 'Abd al-Laṭīf Ḥanafī and Samiya Muṣṭafā Mus'ad quoted in note 42 above, as well as Yukawa 1979 (in Japanese, which I have been unable to read). Abū Ḥayyān al-Gharnāṭī's interest in Turkish and Persian as reflected in his studies on those languages may be related to the Almohad precedent of privileging the Berber language used in the call to prayer, in prayer itself, and in the teaching of Ibn Tūmart's profession of faith.

449 H/1057 CE)⁶⁹ was quoted by both the Ḥanbalī Ibn Taymiyya (d. 728 H/1328 CE) and the Shāfiʿī Ibn Ḥajar al-ʿAsqalānī (d. 777 H/1375 CE), as they read in it views that they found convincing, and thus privileged over those of other scholars.⁷⁰ I have already mentioned the case of al-Ṭurṭūshī, whose teaching – along with that of other scholars with similar backgrounds – helped spread Western Mālikī works among the Egyptian Mālikīs, and also how the Egyptian Ibn Shāsh quoted extensively from Western Mālikī sources. Ahmed Fekry Ibrahim’s study on the legal regulations regarding child custody in Egypt clearly shows the impact of Mālikī doctrines on the rest of the legal schools.⁷¹

More research must be done in order to more precisely track the exchange between the Western Mālikī travelers and migrants and the local Egyptian Mālikīs. However, for the time being I would like to point out one striking difference: while in the Maghrib and al-Andalus Mālikīs wrote a great number of collections of legal opinions (*fatāwā*), to my knowledge none is extant from Egyptian Mālikī scholars.⁷² This of course does not mean that they did not formulate legal opinions,⁷³ but for some reason they did not collect them in compilations as the Western Mālikīs did.⁷⁴ Conversely, the Egyptian Mālikīs seem to have specialized in other genres, and most especially in the writing of *mukhtaṣars*.

Ibn Farḥūn was a contemporary of the Egyptian Khalīl b. Ishāq al-Jundī (d. 776 H/1374 CE), who in his *Mukhtaṣar* offered such a user-friendly synthesis of Mālikī legal doctrine that he came to enjoy great support among Mālikīs everywhere, which remains true even today.⁷⁵ Khalīl’s *Mukhtaṣar* shows a clear influence of doctrines that had developed mainly in the Maghrib and al-Andalus (for example, regarding blasphemy). Before him, the Egyptian Mālikī of Kurdish origin Ibn al-Ḥājib (d. 646 H/1249 CE) had written a *Mukhtaṣar* of Mālikī positive law, entitled *Jāmiʿ al-ummahāt*. Born in Upper Egypt, after studying with Abū al-Qāsim al-Shāṭibī, among others, he taught in Cairo before leaving for Damascus ca. 616 H/1219-20 CE, where he taught in the Mālikī *zāwiya* of the Great Mosque.

⁶⁹ Ibn Baṭṭāl, *Sharḥ al-Bukhārī* (2003).

⁷⁰ For the case of Ibn Ḥajar al-ʿAsqalānī see Holtzman 2019, 304–306 (I thank the author for letting me consult her paper before publication). For the case of Ibn Taymiyya see Holtzman 2016, 577.

⁷¹ Ibrahim 2018.

⁷² Compilations do exist from scholars other than Mālikīs, as in the case of Taqī al-Dīn al-Subkī’s (d. 756 H/1355 CE) *Fatāwā*.

⁷³ See above the case of al-Zawāwī al-Manklāti.

⁷⁴ Fierro 2020. What follows is taken from the last section of this article, with the permission of the journal.

⁷⁵ Ben Cheneb, “Khalīl b. Ishāq”, *EF*.

A dispute with Ayyūbid ruler Ismāʿīl al-Ṣāliḥ saw him banished from Damascus in 639 H/1241 CE, whereupon he returned to Cairo, eventually settling in Alexandria till his death. Ibn al-Ḥājjib's work, which combined both grammar and law, was very similar to the scholarly model found in the Maghrib and al-Andalus during Almohad times. As a grammarian, he wrote a very short condensed tract on morphology, *al-Shāfiya*, and another on syntax, *al-Kāfiya*, both of which became very popular. He also wrote a treatise on the sources of law according to the Mālikī school, entitled *Muntahā al-suʿāl wa-l-amal fī ʿilmay al-uṣūl wa-l-jadal*. Its abridgement or *Mukhtaṣar* (= *al-Mukhtaṣar al-aṣli*) became extremely popular and was the subject of numerous commentaries, glosses on the commentaries, and super-glosses. Ibn al-Ḥājjib was also the author of a compendium of Mālikī law, *al-Mukhtaṣar fī al-furūʿ* or *Jāmiʿ al-Ummahāt*, also known as *al-Mukhtaṣar al-farʿī*, commented among others by Khalīl b. Ishāq al-Jundī, who used it as a model for his own *Mukhtaṣar*.⁷⁶ One of Ibn al-Ḥājjib's students was the Egyptian jurist of Maghribi origin mentioned above, Shihāb al-Dīn Abū al-ʿAbbās Aḥmad b. Idrīs b. ʿAbd al-Raḥmān b. ʿAbd Allāh al-Qarāfi al-Ṣanhājī (626–684 H/1228–1285 CE), who wrote his *Tamyīz al-fatāwā ʿan al-aḥkām wa-taṣarrufāt al-qāḍī wa-l-imām* to counteract the policy of the Shāfiʿī judge Ibn Bint al-Aʿazz, who held that no sentence could be implemented if it went against the doctrine of the Shāfiʿī school.⁷⁷

I have asked elsewhere why the *mukhtaṣars* were initially written by scholars from Egypt, where Mālikism was not dominant, and if perhaps the lack of qualified *muftīs* required such works to be composed as an aid for the Mālikī judges. Likewise, I have asked what consequences arose from their reception by Maghribi and Andalusī scholars. It seems clear that the importance acquired by the *mukhtaṣar* genre in the Mālikī legal school was an Egyptian phenomenon that must be closely linked to Baybars's aforementioned decision in 665 H/1265 CE to establish four judgeships. As studied by Mohamed Fadel,⁷⁸ this genre represented an effort to “formalize” the doctrine of the legal schools by systematically classifying the opinions of each school, clarifying their authoritative rules and offering a set of formal norms. This was no small task, given the rich and often contradictory legal heritage of the four schools, the Mālikīs included. Especially crucial was the concept of the *mashhūr*: confronted with a choice between competing opinions within the Mālikī legal school, Ibn al-Ḥājjib offered the *muqallid* what was considered to be the ‘acknowledged’ doctrine of the school so as to save him the difficulty of extracting it from the school's primary texts (*ummahāt*). Ibn al-

76 DM, 2: 77–82, no. 375; Fleisch, “Ibn al-Ḥājjib”, *EF*.

77 See above note 54.

78 Fadel 1996 and 1997.

Ḥājib also addressed the more advanced jurists who could use non-*mashhūr* opinions in their *ijtihād*, opinions always based on the original texts of the school. This complex arrangement did not make Ibn al-Ḥājib's work user-friendly, and did not resolve the problem of legal indeterminacy. Khalīl b. Ishāq al-Jundī offered a more univocal expression of Mālikī doctrine in his *Mukhtaṣar*, i.e. he limited himself to the *mashhūr* opinion.

The *mukhtaṣars* made sense in the Egyptian context, where the Mālikīs had to compete with other legal schools and where their doctrine likewise needed to be easily accessible to non-Mālikī judges and jurists. However, they also proved popular in the Maghrib and al-Andalus after being studied by Maghribi and Andalusī travelers, who felt attracted to their systematization and user-friendly organization of Mālikī doctrines. Upon returning to their homeland, these travelers took what they had learned with them, and so the *mukhtaṣars* of Ibn al-Ḥājib and Khalīl b. Ishāq soon spread beyond the confines of Egypt.

The scholar from Tlemcen Abū Sālim Ibrāhīm b. Qāsim al-ʿUqbānī (808–880 H/1405–1475 CE), who wrote a *Taʿlīq ʿalā Ibn al-Ḥājib*, was once asked if the jurists and judges could issue *fatāwā* and rulings on the basis of 'weak' opinions departing from the *mashhūr*, and his answer was negative (although with some qualifications). He used the precedent of al-Māzarī (d. 536 H/1141 CE), a *mujtahid* who lived till the age of 83 but never issued a single *fatwā* that departed from the *mashhūr*.⁷⁹ On the other hand, Fadel has also shown that although in 9th/15th-century Granada around 50% of the *fatāwā* recorded in *al-Ḥadiqa* follow the explicit wording of the *Mukhtaṣar*, a significant portion of the opinions – approximately 20–25% – contradict the school's doctrine as a result of the individual *muftī*'s discretion.⁸⁰ This indicates that Khalīl's *Mukhtaṣar* did not really function as a strict code.⁸¹ Jacques Berque has also noted that in the compilation by Yaḥyā b. Abī ʿImrān al-Maghīlī al-Māzūnī (d. 883 H/1478 CE), *Nawāzil Māzūna*, Khalīl's *Mukhtaṣar* is scarcely mentioned.⁸² For all these reasons I have tentatively suggested that the flourishing of *fatāwā* compilation activities in the 9th/15th century was an attempt to deflect the tendency towards 'codification' as represented by the rise of the *mukhtaṣar* genre in Egypt.⁸³ If we connect the rise of the *mukhtaṣar* (in Egypt) with the efforts to compile *fatāwā* (in the Maghrib and al-Andalus), the latter can perhaps be understood as a result of the former: against

⁷⁹ Al-Wansharīsī (d. 914 H/1508 CE), *al-Miʿyār* (1401/1981), 12: 5–7.

⁸⁰ Fadel 1997, 53.

⁸¹ Vikor 2005, 131.

⁸² Berque 1970.

⁸³ See my article quoted in note 74.

the restrictions proposed by the *mukhtaṣars*, the *fatāwā* compilations revealed the variety of cases in which the interpretative activity of the *muftīs* continued to be necessary, and by doing so also exposed the limits of the *mukhtaṣars*.

Denis Gril, as we have seen,⁸⁴ has noted that the impact of Maghribi and Andalusī Sūfis in Egypt, and in the East more generally, was not unidirectional, but a ‘round-trip’ phenomenon. The same can be applied to Mālikism. Andalusī and Maghribī Mālikī scholars were always in contact with their peers in other Islamic regions, especially Egypt, which had played a crucial role in the early development of Mālikism as evidenced by the role Mālik’s Egyptian students had in the legal works composed in Ifriqiya and al-Andalus. Later, in the period considered here, the teachings of Andalusī and Maghribī jurists were crucial in reviving the Egyptian Mālikī legal school in ways that are still to be mapped and analyzed. The Egyptian context, especially Baybars’s legal innovation of the four judge-ships, determined new developments such as what Mohamed Fadel has termed “the rise of the *mukhtaṣar*”. This genre, which had a powerful impact in the Maghrib and al-Andalus, was inevitably adapted to local contexts, as it seems to have given ‘rise’ in turn to a striking effort to compile *fatāwā* materials. It is worth noting that such innovative trends do not necessarily go hand in hand with the number of adherents on the ground. For all the flourishing of Mālikism in post-Fāṭimid Egypt, there were still few Mālikīs as compared to the Islamic West.⁸⁵ However, the political context in which they operated forced them to think up new ways of being Mālikī, and thus to re-think their legal tradition. The fact that their school had to share the legal sphere with others was decisive in this respect. Although I have so far found no specific comment addressing this fact on the part of the Mālikīs west of Egypt – for whom this was an unusual feature – al-Rā’ī’s work quoted at the outset of this chapter bears witness to the extremes they felt they had to go to in order to substantiate their claims to superiority.⁸⁶

⁸⁴ See above note 39.

⁸⁵ However, the Almohad period greatly disrupted the Mālikī legal school in the territories under the control of the Mu’minid caliphs, a process whose extent and ramifications must still be fully understood.

⁸⁶ As an Andalusī, al-Rā’ī could rely on precedents in praising the school through the figure of its eponym; see Turki 1971.

Fig. 1: Qāḍī ‘Iyāḍ (d. 544 H/1149 CE), *Tartīb al-madārik li-ma’rifat a’lām madhhab Mālik*: a comparison of the numbers of Egyptian, Maghribi and Andalusī scholars from ca. 230 H to 470 H.

Fig. 2: Ibn Farḥūn (d. 799 H/1397 CE), *al-Dibāj al-mudhhab fī ma'rifat a'yān 'ulamā' al-madhhab*: a comparison of the numbers of Egyptian, Maghribi and Andalusī scholars from ca. 230 H to 740–750 H.

Bibliography

Primary sources

- Abū Shāma (1956), *Kitāb al-Rawḍatayn fī akhbār al-dawlatayn al-Nūriyya wa-l-Ṣalāhiyya*, ed. by Muḥammad Ḥilmī Muḥammad Aḥmad, Cairo: Lajnat al-Ta'lif wa-l-Tarjama wa-l-Nashr.
- Al-Ḥumaydī (1952), *Jadhwat al-muqtabis*, ed. by Muḥammad b. Tāwīt al-Ṭanjī, Cairo: Maktabat Nashr al-Thaqāfa al-Islamiyya, 1952.
- Ibn Baṭṭāl (2003), *Sharḥ al-Bukhārī*, ed. by Abū Tamīm Yāsir b. Ibrāhīm, 10 vols., Riyadh: Maktabat al-Rushd.
- Ibn Farḥūn (1972), *al-Dibāj al-mudhhab fī ma'rifat a'yān 'ulamā' al-madhhab*, ed. by Muḥammad al-Aḥmadī Abū al-Nūr, 2 vols., Cairo: Dār al-Turāth, 1972.
- Ibn Farḥūn (1423/2003), *al-Dibāj al-mudhhab fī ma'rifat a'yān 'ulamā' al-madhhab*, ed. by 'Alī 'Umar, 2 vols., Cairo: Dār al-Thaqāfa al-Dīniyya.
- Ibn al-Ḥāj al-'Abdarī al-Fāsī (1348/1929-30), Abū 'Abd Allāh Muḥammad b. Muḥammad, *Madkhal al-shar' al-sharīf*, ed. n.n., 4 vols. in 2, Cairo.

- Ibn Shās (1995; repr. 2003), *ʿIqd al-jawāhir al-thamīna fī madhhab ʿālim al-Madīna*, ed. by Muḥammad Abū al-Ajḡān and ʿAbd al-Ḥafīẓ Maṣṣūr, revised by Muḥammad al-Ḥabīb b. al-Khūjah and Bakr b. ʿAbd Allāh Abū Zayd, 3 vols., Beirut: Dār al-Gharb al-Islāmī.
- Al-Kindī (2012), *Aḥbār quḡāt Miṣr*, trans. by Mathieu Tillier, *Histoire des cadis égyptiens. Aḥbār quḡāt Miṣr*, Cairo: Institut français d'archéologie orientale.
- Qāḡī ʿIyāḡ (1403/1983), *Tartīb al-madārik li-maʿrifat aʿlām madhhab Mālik*, 8 vols., ed. by Muḥammad Ibn Sharīfa *et al.*, Rabat: Wizārat al-Awqāf wa-l-Shuʿūn al-Islāmīyya.
- Al-Qarāfī (2017), *al-lḥkām fī tamyīz al-fatāwā ʿan al-aḥkām wa-taṣarrufāt al-qāḡī wa-l-imām*, trans. by Mohammad H. Fadel, *The Criterion for Distinguishing Legal Opinions from Judicial Rulings and the Administrative Acts of Judges and Rulers*, New Haven, Connecticut: Yale University Press.
- Al-Rāʿī al-Gharnāṡī (1981), *Intiṣār al-faqīr al-sālik li-tarjīḥ madhhab al-imām al-kabīr Mālik*, ed. by Muḥammad Abū al-Ajḡān, Beirut: Dār al-Gharb al-Islāmī.
- Al-Rāʿī al-Gharnāṡī (2007), *Intiṣār al-faqīr al-sālik li-tarjīḥ madhhab al-imām al-kabīr Mālik*, trans. by Yasin Dutton, *Original Islam. Malik and the madhhab of Madina*, London – New York: Routledge.
- Al-Subkī, Taqī al-Dīn (2015), *Fatāwā al-Subkī fī furūʿ al-fiqḥ al-shāfiʿī*, ed. by Muḥammad ʿAbd al-Salām Shāḥīn, 2 vols., Beirut: Dār al-Kutub al-ʿIlmiyya.
- Al-Ṭurṡūshī, Abū Bakr (1993), *Kitāb al-Ḥawādīth wa-l-bidaʿ*, trans. by Maribel Fierro, *Kitāb al-Ḥawādīth wa-l-bidaʿ (El libro de las novedades y las innovaciones)*, Madrid: CSIC.
- Al-Wansharīsī (1401/1981), *al-Mīyār al-muʿrib wa-l-jāmiʿ al-mughrib ʿan fatāwī ahl Ifrīqiya wa-l-Andalus wa-l-Maghrib*, ed. by Muḥammad Ḥajjī, 13 vols., Rabat: Wizārat al-Awqāf wa-l-Shuʿūn al-Islāmīyya.

Secondary sources

- Adang, Camilla (2000), “Zahiris of Almohad Times”, in: M. L. Ávila and M. Fierro, eds., *Estudios onomástico-biográficos de al-Andalus 10. Biografías almohades II*, Madrid – Granada: CSIC, 413–479.
- Allouche, A. (1985), “The establishment of four chief judgeships in Fatimid Egypt”, *Journal of the American Oriental Society* 105, 317–320.
- Arnaldez, R., “al-Qurṡubī”, *The Encyclopaedia of Islam*, 2nd ed., 5: 516.
- Ávila, María Luisa (2002), “The search for knowledge: Andalusī scholars and their travels to the Islamic East”, *Medieval Prosopography* 23, 125–140.
- Baadj, Amar (2015), *Saladin, the Almohads and the Banu Ghaniya: the contest for North Africa (12th and 13th centuries)*, Leiden – Boston: Brill.
- Bekir, Ahmed (1962), *Histoire de l'École malikite en Orient jusqu'à la fin du moyen age*, Tunis: Imprimerie de L'U.G.T.T.
- Belaïd, A. Ait / Kaddouri, S. (2012), “al-Qurṡubī, Abū l-ʿAbbās”, in: Jorge Lirola Delgado, ed., *Bi-blioteca de al-Andalus 7: De al-Qabrīrī a Zumurrud*, 117–125, no. 1632.
- Ben Cheneb, M., “Khalīl b. Iṣḥāḡ”, *The Encyclopaedia of Islam*, 2nd ed., Brill Online.
- Bernards, Monique / Nawas, John (2003), “The Geographic Distribution of Muslim Jurists during the First Four Centuries AH”, *Islamic Law and Society* 10/2, 168–181.
- Berque, Jacques (1970), “En lisant les Nawazil Mazouna”, *Studia Islamica* 32, 31–39.

- Bianquis, Thierry (1975), “‘Abd al-Ġanī b. Sa‘īd, un savant Sunnite au service des Fāṭimīds”, in: *Actes du XXIX^e Congrès international des orientalistes. Études arabes et islamiques. 1. Histoire et civilisation*, Paris: L’Asiathèque, 39–47.
- Brockelmann, Carl (1943–1949), *Geschichte der arabischen Litteratur*, 2 vols. + 3 vols.: Supplementenbänden (2nd ed.), Leiden: E. J. Brill.
- Brockopp, Jonathan (2000), *Early Mālikī Law: Ibn ‘Abd al-Ḥakam and his Major Compendium of Jurisprudence*, Leiden – Boston: Brill.
- Brockopp, Jonathan (2011), “The formation of Islamic law: The Egyptian school (750–900)”, *Annales Islamologiques* 45, 123–140.
- Brunschvig, Robert (1950), “Polémiques médiévales autour du rite de Malik”, *Al-Andalus* 15, 377–435.
- Cortese, Delia (2012), “Voices of the silent majority: the transmission of Sunnī learning in Fāṭimī Egypt”, *Jerusalem Studies in Arabic and Islam* 39, 345–366.
- El Bazī, M. Aziz (2012), “al-Rā‘ī, Abū ‘Abd Allāh”, in: Jorge Lirola Delgado, ed., *Biblioteca de al-Andalus 7: De al-Qabrīrī a Zumurrud*, Almería: Fundación Ibn Tufayl de Estudios Árabes, 142–147, no. 1646.
- El Shamsy, Ahmed (2013), *The canonization of early Islamic law: a social and intellectual history*, Cambridge: Cambridge University Press.
- El Shamsy, Ahmed (2017), “Islamic Law in Social Context: the Case of Early Islamic Egypt”, *Maydan* (February 9, 2017), <https://www.themaydan.com/2017/02/islamic-law-social-context-case-early-islamic-egypt/> (accessed Jan. 4, 2020).
- Escovitz, Joseph H. (1982), “The establishment of four chief judgeships in the Mamluk empire”, *Journal of the American Oriental Society* 102, 529–531.
- Fadel, Mohamed (1996), “The Social Logic of *Taqlīd* and the Rise of the *Mukhtaṣar*”, *Islamic Law and Society* 3/2, 193–233.
- Fadel, Mohamed (1997), “Rules, Judicial Discretion, and the Rule of Law in Naṣrid Granada: An Analysis of *al-Ḥadiqa al-mustaḥilla al-naḍra fī al-fatāwā al-ṣādira ‘an ‘ulamā’ al-ḥaḍra*”, in: R. Gleave and E. Kermeli, eds., *Islamic Law: theory and practice*, London – New York: I.B. Tauris, 49–86.
- Fierro, Maribel (1993), “Estudio”, in: *Abū Bakr al-Ṭurṭūṣī (m. 520/1126). Kitāb al-ḥawādīṭ wa-l-bida’ (El libro de las novedades y las innovaciones)*, Madrid: CSIC.
- Fierro, Maribel (1995), “La falsificación de la historia: al-Yasa‘ b. Ḥazm y su *Kitāb al-mugrib*”, *Al-Qanṭara* 16, 15–38.
- Fierro, Maribel (1997), “La religión”, in: M. J. Viguera, ed., *Historia de España Menéndez Pidal VIII-2. El retroceso territorial de al-Andalus. Almorávides y Almohades, siglos XI al XIII*, Madrid: Espasa Calpe, 435–546.
- Fierro, Maribel (1999), “The legal policies of the Almohad caliphs and Ibn Rushd’s *Bidāyat al-mujtahid*”, *Journal of Islamic Studies* 10/3, 226–248; repr. in: Carool Kersten, ed., *The Caliphate and Islamic Statehood. Formation, Fragmentation and Modern Interpretations*, 3 vols., Berlin – London: Gerlach Press, 2015, 3: 252–271.
- Fierro, Maribel (2005), “Proto-Mālikīs, Mālikīs and reformed Mālikīs”, in: P. Bearman, R. Peters and F. E. Vogel, eds., *The Islamic School of Law: Evolution, Devolution, and Progress*, Cambridge, Mass.: Harvard University Press, 57–76.
- Fierro, Maribel (2014), “Codifying the law: the case of the Medieval Islamic West”, in: John Hudson and Ana Rodríguez, eds., *Diverging paths? The shapes of power and institutions in Medieval Christendom and Islam*, Leiden: Brill, 98–118.

- Fierro, Maribel (2017), "Al-Ṭurtūshī and the Fatimids", in: Farhad Daftary and Shainool Jiwa, eds., *The Fatimid Caliphate. Diversity of traditions*, London – New York: IB Tauris and the Institute of Ismaili Studies, 118–162.
- Fierro, Maribel (2018), "Averroes' 'disgrace' and his relations with the Almohads", in: Abdelkader Al Ghouz, ed., *Islamic Philosophy from the 12th till the 14th Century*, Bonn: Bonn University Press bei V&R unipress, 73–118.
- Fierro, Maribel (2020), "Compiling *fatāwā* in the Islamic West (third/ninth-ninth/fifteenth centuries)", *Jerusalem Studies in Arabic and Islam* 48 (in press).
- Fleisch, H., "Ibn al-Ḥādjib", *The Encyclopaedia of Islam*, 2nd ed., Brill Online.
- Gallega Ortega, T. (2004), "Ibn Dihya, Abū l-Jaṭṭāb", in: Jorge Lirola Delgado and José Miguel Puerta Vilchez, eds., *Biblioteca de al-Andalus 3: De Ibn al-Dabbāg a Ibn Kurz*, Almería: Fundación Ibn Tufayl de Estudios Árabes, 63–69, no. 435.
- Gellens, Sam I. (1990), "The search for knowledge in medieval Muslim societies: a comparative approach", in: D. F. Eickelman and J. Piscatori, eds., *Muslim Travellers. Pilgrimage, migration and the religious imagination*, London: Routledge, 50–65.
- Gril, Denis (1986), *Risālat Ṣafī al-Dīn ibn Abī al-Manṣūr. Biographies des maîtres spirituels connus par un cheikh égyptien du VIIe/XIIIe siècle*, Cairo: al-Ma'had al-'Ilmī al-Faransī li-l-Āthār al-Sharqiyya.
- Ḥanafī, Aḥmad 'Abd al-Laṭīf (2005), *al-Maghāriba wa-l-andalusiyyūn fī Miṣr al-islāmiyya min 'aṣr al-wulāt ḥattā nihāyat al-'aṣr al-fāṭimī 21–567/642–1171*, 2 vols., Cairo: al-Hay'a al-Miṣriyya al-Āmma li-l-Kitāb.
- Historia de los Autores y Transmisores de al-Andalus (HATA)*, dir. M. Fierro, available online at <http://kohepocu.cchs.csic.es/>.
- Hofer, Nathan (2015), *The Popularisation of Sufism in Ayyubid and Mamluk Egypt*, Edinburgh: Edinburgh University Press.
- Hofer, Nathan (2017), "Sufism in Fatimid Egypt and the problem of historiographical inertia", *Journal of Islamic Studies* 28/1, 28–67.
- Holtzman, Livnat (2016), "Accused of Anthropomorphism: Ibn Taymiyya's *Miḥan* as Reflected in Ibn Qayyim al-Jawziyya's *al-Kāfiya al-Shāfiya*", *The Muslim World* 106/3, 561–587.
- Holtzman, Livnat (2019), "Gestures in the Process of Ḥadīth Transmission: A Case-Study from *Aḥādīth al-Ṣifāt*", *Jerusalem Studies of Arabic and Islam* 46, 291–357.
- Ibn Azzuz, Moḥammad (1432/2011), *'Ulamā' al-Maghrib wa-l-Andalus fī majālis al-Ḥāfiẓ Abī Ṭāhir al-Silāfi bi-l-Iskandariyya*, Casablanca: Markaz al-Turāth al-Thaqāfi al-Maghribī.
- Ibn Sharīfa (Bencherifa), Muḥammad (2010), *al-Imām al-Qurṭubī al-mufasssīr: sirātuḥu min ta'līfihī, t. 671 H.*, Rabat: Markaz al-Dirāsāt wa-l-Abḥāth wa-l-ḥyā' al-Turāth – al-Rābiṭa al-Muḥammadiyya li-l-'Ulamā'.
- Ibrahim, Ahmed Fekry (2018), *Child Custody in Islamic Law: Theory and Practice in Egypt since the Sixteenth Century*, Cambridge: Cambridge University Press.
- Jackson, Sherman A. (1995), "The primacy of domestic politics: Ibn Bint al-A'azz and the establishment of the four chief judgeships in Mamluk Egypt", *Journal of the American Oriental Society* 115/1, 52–65.
- Jackson, Sherman A. (1996), *Islamic law and the state: the constitutional jurisprudence of Shihāb al-Dīn al-Qarāfi*, Leiden – New York: Brill.
- Kaddouri, Samir (2005–2006), "Riḥlāt Aḥmad b. 'Umar al-Anṣārī al-Qurṭubī (t. 656h.) fī al-Maghrib wa-l-Mashriq wa-um'allafātuḥu al-'ilmiyya", *Majallat Maktabat al-Malik Fahd al-waṭaniyya* 12/2, 160–207.

- Kaḥḥāla, 'Umar Riḍā (1957–1961), *Muʿjam al-muʿallifin. Tarājim muṣannifī al-kutub al-ʿarabiyya*, 15 vols., Beirut: Maktabat al-Muthannā.
- Leiser, Gary (1976), *The Restoration of Sunnism in Egypt*, Ph.D. Dissertation, University of Pennsylvania.
- Leiser, Gary (1999), “Muslims from al-Andalus in the madrasas of late Fāṭimid and Aiyūbid Egypt”, *Al-Qanṭara* 20, 137–160.
- Lev, Yaacov (1991), *State and society in Fatimid Egypt*, Leiden: Brill.
- Lirola Delgado, Jorge / Navarro Oltra, Vicente Carlos / Garijo Galán, Ildefonso / Rodríguez Figueroa, Antonio / Villuendas Sabaté, Blanca (2013), *La producción intelectual andalusí: balance de resultados e índices*, Almería: Fundación Ibn Tufayl de Estudios Árabes.
- Marín, Manuela (1994), “El viaje a Oriente de Abū Marwān al-Bāṣī (m. 635/1237)”, in: Manuela Marín, ed., *Estudios Onomástico-Biográficos de al-Andalus 6 (Homenaje a José M.ª Fórneas)*, Madrid: CSIC, 273–304.
- Marín, Manuela (1995), “Des migrations forcées: les savants d’al-Andalus face à la conquête chrétienne”, in: Mohammed Hammam, ed., *La Méditerranée occidentale au Moyen Age*, Rabat, 43–59.
- McGregor, Richard J. A. (2004), *Sanctity and Mysticism in Medieval Egypt: The Wafāʾ Sufi Order and the Legacy of Ibn ʿArabī*, Albany: SUNY University Press.
- Melchert, Christopher (1997), *The formation of the Sunnī schools of law, 9th-10th centuries C.E.*, Leiden: Brill.
- Morimoto, Kosei (2002), “What Ibn Khaldūn Saw: The Judiciary of Mamluk Egypt”, *Mamlūk Studies Review* 6, 109–131.
- Musʿad, Samiya Muṣṭafā (2002), *al-Maghāriba wa-dawruhum al-thaqafī fī Miṣr - ʿaṣr salaṭīn al-mamālīk*, Cairo.
- Petry, Carl F. (1981), *The Civilian Elite of Cairo in the Later Middle Ages*, Princeton: Princeton University Press.
- Pouzet, L. (1975), “Maghrébins à Damas au VIIe/XIIIe siècle”, *Bulletin d'Études Orientales* 28, 167–191.
- Prosopografía de los ulemas andalusíes (PUA)*, dir. M.ª Luisa Ávila, accessible online at <https://www.eea.csic.es/pua/>.
- Rapoport, Yossef (2003), “Legal Diversity in the Age of *Taqīd*: The Four Chief Qāḍīs under the Mamluks”, *Islamic Law and Society* 10/2, 210–228.
- Rodríguez Figueroa, A. (2006), “Ibn al-Qurṭubī, Abū Bakr”, in: Jorge Lirola Delgado, ed., *Biblioteca de al-Andalus 4: De Ibn al-Labbāna a Ibn al-Ruyūlī*, Almería: Fundación Ibn Tufayl de Estudios Árabes, 406–407, no. 965.
- Romero, C. (1989), “Emigrados andalusíes en la *Jadhwa* al-*iqtibās* de Ibn al-Qāḍī”, in: M. L. Ávila, ed., *Estudios onomástico-biográficos de al-Andalus 2*, Granada: CSIC, 307–327.
- Salibi, K. S. (1957), “Listes chronologiques des grands cadis d’Egypte sous les Mamelouks”, *Revue des Études Islamiques* 25, 81–125.
- Šāliḥ, Ḥasan ʿAbd al-Ḥamīd (1977), *al-Ḥāfiẓ Abū Ṭāhir al-Silafī (475–576 H.)*, Beirut: al-Maktab al-Islāmī.
- Salmān, Mashḥūr Ḥasan Maḥmūd (1993), *al-Imām al-Qurṭubī, shaykh aʿimmat al-tafsīr*, Damascus: Dār al-Qalam.
- Sarrió Cucarella, Diego R. (2015), *Muslim-Christian Polemics across the Mediterranean. The Splendid Replies of Shihāb al-Dīn al-Qarāfī (d. 684/1285)*, Leiden: Brill.
- Serrano, Delfina, “al-Qurṭubī”, *Encyclopaedia of the Qurʾān*.

- Al-Sulamī, ‘Iyāḍ ibn Nāmī (1990), *Shihāb al-Dīn al-Qarāfi, ḥayātuhu wa-ārā’uhu al-uṣūliyya*, Riyadh: Maṭābi‘ al-Sharq al-Awsaṭ.
- Turki, Abdel Magid (1971), “La vénération pour Mālik et la physionomie du mākilisme andalou”, *Studia Islamica* 33, 41–65.
- Vikor, Knut (2005), *Between God and the sultan: a history of Islamic law*, London: Hurst.
- Al-Wakīlī, al-Ṣaghīr ibn ‘Abd al-Salām (1996), *al-Imām al-Shihāb al-Qarāfi, ḥalqat waṣl bayna al-Mashriq wa-l-Maghrib fī madhhab Mālik fī al-qarn al-sābi‘*, 2 vols., [Rabat]: Wizārat al-Awqāf wa-l-Shu‘ūn al-Islāmiyya.
- Walker, P. E. (2008), “Kutāma, Kalbids and Other Westerners: The Maghāriba in Cairo”, in: *Atti del Convegno I Fatimidi e il Mediterraneo. Il sistema di relazioni nel mondo dell’Islam e nell’area del Mediterraneo nel periodo della da’wa fatimide (sec. X-XI): istituzioni, società e cultura (Palermo, 3-6 Dicembre 2008)*, Palermo: Accademia Libica, Università degli Studi, 45–56.
- Walker, P. E. (2014), “Fāṭimid Alexandria as an Entrepôt in the East–West Exchange of Islamic Scholarship”, *Al-Masāq* 26/1, 36–48.
- Winter, Michael (1992), *Egyptian society under Ottoman rule 1517–1798*, London – New York: Routledge.
- Winter, Michael (2001), “Inter-madhhab competition in Mamluk Damascus: al-Tarsusi’s counsel for the Turkish sultans”, *Jerusalem Studies in Arabic and Islam* 25, 195–211.
- Yukawa, Takeshi (1979), “The activities and influences of Maghribi and Andalusī ‘ulama’ in Egypt. A study of the geographical mobility of the ‘ulama’ in medieval Islam”, *Bulletin of the Society for Near Eastern Studies in Japan* 22/2, 57–74 (in Japanese; abstract in English).
- Zouihal, Motia (2017), *Le pouvoir et les soufis en Syrie et en Égypte sous Nūr al-Dīn, Saladin et les premiers Ayyoubides de 549/1154 à 596/1200*, PhD Dissertation, Paris, École pratiques des hautes études.