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Shams al-Dīn Muḥammad ibn Makkī "al-Shahīd al-Awwal" (d. 1384) and the Shi'ah of Syria

THE "FIRST MARTYR"

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

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

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¹Āghā Buzurg al-Ṭīhrānī, *al-Dharī'ah ilā Taṣānīf al-Shī'ah* (Najaf, 1936-78), 1:427-28, 3:173-74, 5:43-44, 8:145-46, 10:40, 16:17, 17:193-94, 18:352, 20:322; Hossein Modarressi Tabataba'i, *An Introduction to Shī'ī Law* (London, 1984), 48-50, *passim*.

²Norman Calder, "Zakāt in Imāmī Shī'ī Jurisprudence from the Tenth to the Sixteenth Century A.D.," *Bulletin of the School of Oriental and African Studies* 44 (1981): 468-80; and "Khums in Imāmī Shī'ī Jurisprudence from the Tenth to the Sixteenth Century A.D.," *BSOAS* 45 (1982): 39-47; Devin Stewart, "Twelver Shī'ī Jurisprudence and its Struggle with Sunnī Consensus" (Ph.D. diss., University of Pennsylvania, 1991), 164-71, *passim*.

Article: http://mamluk.uchicago.edu/MSR_III_1999-Winter.pdf

Full volume: http://mamluk.uchicago.edu/MamlukStudiesReview_III_1999.pdf



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contemporary account of Ibn Makkī's death with emendations either from family archives or from imagination.³

The significance of Ibn Makkī extends beyond the endogenous scholarly heritage of Shi'ism. He is noted in several Sunni sources, particularly the local history of the Damascene cleric Ibn Qāḍī Shuhbah.⁴ Ibn Makkī was but the most prominent of several Imāmīs executed in fourteenth-century Damascus for *rafḍ*, an ill-defined notion of heresy frequently invoked by Sunni authorities to justify persecuting individuals of the Shi'i sects. The picture Ibn Kathīr paints of ubiquitous religious persecution in Egypt and Syria has led some historians to surmise a highly organized, government-run "inquisition in the Mamluk state."⁵ Michael Chamberlain's excellent analysis in *Knowledge and Social Practice in Medieval Damascus*, however, presents heretication as one strategy of the 'ulamā' (clerics) to exercise or defend their social power.⁶ This essay will begin by examining official Mamuk attitudes toward Shi'ism, and turn later to individual cases of persecution in Damascus. The author hopes that a discussion of Ibn Makkī's career and execution, set in this wider framework of Shi'ism under the Mamluks, may serve also to illustrate medieval Syrian society's perceptions of deviance and orthodoxy.

THE SHI'AH OF QALAWUNID SYRIA

Any discussion of Shi'ism in fourteenth-century Syria must begin of necessity with the Kisrawān campaigns. Between 1292 and 1305, the Mamluks carried out a series of three punitive expeditions against the predominantly Shi'i populations of the Kisrawān (and Jird) region in the Lebanese mountains immediately east of Beirut. The circumstances are well known and need not detain us for long.⁷ The final, devastating campaign in the summer of 1305 was attended by the famous Ḥanbalī evangelist Aḥmad ibn Taymīyah, and succeeded, in the course of two

³Muḥammad ibn al-Ḥasan al-Ḥurr al-'Āmilī (d. 1692), *Amal al-Āmil fī 'Ulamā' Jabal 'Āmil*, 2 vols. (Beirut, 1983); Yūsuf ibn Aḥmad al-Baḥrānī (d. 1772), *Lu'lu'at al-Baḥrayn fī al-Ijāzāt wa-Tarājim Rijāl al-Ḥadīth* (Beirut, 1986); Muḥammad Bāqir al-Khwānsārī (d. 1895), *Rawḍāt al-Jannāt fī Aḥwāl al-'Ulamā' wa-al-Sādāt* (Qom, 1971); Muḥsin al-Amīn (d. 1952), *A'yān al-Shī'ah*, 10 vols. (Beirut, 1986).

⁴Abū Bakr ibn Qāḍī Shuhbah (d. 1448), *Ta'rīkh*, 4 vols. (Damascus, 1977-97).

⁵Eliyahu Ashtor, "L'inquisition dans l'État Mamlouk," *Rivista degli Studi Orientali* 25 (1950): 11-26.

⁶Michael Chamberlain, *Knowledge and Social Practice in Medieval Damascus, 1190-1350* (Cambridge, 1994), 167-75.

⁷The best survey remains Henri Laoust's "Remarques sur les expéditions du Kasrawān sous les premiers Mamluks," *Bulletin du Musée de Beyrouth* 4 (1940): 93-115.

weeks of plunder and bloodshed, in wiping out the Shi'i communities of the region.

Many modern historians, both western and Arab, have sought to explain the Kisrawān campaigns as part of the fledgling Mamluk regime's intolerant drive to stamp out religious heterodoxy.⁸ Fewer have argued that the raids were connected only to the Kisrawānīs' alleged complicity with the Mongols in 1300 and with the crusaders before that, and that the Mamluks in fact possessed no religious policy of the sort.⁹ As far as the victims of the campaigns are concerned, Kamal Salibi has shown that the Maronites were as much the target of the Mamluks' wrath as were the Shi'is. The Maronite communities organized resistance against the state armies, but were also overwhelmed and eradicated in 1305.¹⁰ How permanent the exile was is questionable, and a local dispute between Maronites and Twelver Shi'is in 1671 shows that the Shi'is once again enjoyed a position of primacy in at least a part of the Kisrawān.¹¹ As for the perpetrators, Salibi's work has also served to underline the role in 1305 of the Buhturids, a local dynasty that ruled the Gharb mountains on behalf of the Mamluk Sultanate. Buhturid amirs were recruited on more than one occasion to quell revolts in the Kisrawān, in return for fief rights and a modest rank in the Syrian provincial *ḥalqah* corps. The Buhturids belonged in fact to the Druze sect.¹²

Nevertheless, some uncertainty remains in the literature over the identity of the Shi'i groups that were being pursued in the Kisrawān. Many contemporary observers believed the expeditions were sent to chastise the Druze. Also, Ibn Taymiyah's notorious *fatwā* calling for violence against the Nuṣayrīs, or 'Alawīs, has frequently been cited in association with the campaigns, but it seems actually to be of a slightly later date and has no bearing on the Kisrawān.¹³

⁸Philip Hitti, *Lebanon in History* (London, 1957), 325; Muḥammad 'Alī Makkī, *Lubnān 635-1516: Min al-Fatḥ al-'Arabī ilā al-Fatḥ al-'Uthmānī*, 4th ed. (Beirut, 1991), 213-32, may be seen as representative.

⁹Laoust, "Remarques;" Urbain Vermeulen, "Some Remarks on a Rescript of an-Nāṣir Muḥammad b. Qalā'ūn on the Abolition of Taxes and the Nuṣayrīs (Mamlaka of Tripoli 717/1317)," *Orientalia Lovaniensia Periodica* 1 (1970): 195-201.

¹⁰Kamal Salibi, "The Maronites of Lebanon under Frankish and Mamluk Rule (1099-1516)," *Arabica* 4 (1957): 288-303.

¹¹Malouf Liman, Haifa Mikhael [Jirjis Zghayb], "A Troubled Period in the History of Kisrawān from an Original Lebanese Manuscript," *Arab Historical Review for Ottoman Studies* 11-12 (1995): 145-77.

¹²Kamal Salibi, "The Buhturids of the Ġarb: Mediaeval Lords of Beirut and of Southern Lebanon," *Arabica* 8 (1961): 74-97; see also Nadīm Nāyif Ḥamzah, *al-Tanūkhīyūn: Ajdād al-Muwahḥidīn (al-Durūz) wa-Dawruhum fī Jabal Lubnān* (Beirut, 1984), 125-32.

¹³*Majmū' Fatāwā Shaykh al-Islām Aḥmad ibn Taymiyah* (Riyadh, 1961-66), 5:149-60; Laoust, "Remarques," 108.

Ibn Taymīyah was certainly aware at this time of the variety of Shi‘i denominations, clearly differentiating between the Twelvers and the antinomian ‘Ismā‘īliyah, Nuṣayrīyah, Ḥākīmīyah, and Bāṭinīyah, who are worse infidels than the Jews and Christians.¹⁴ Nonetheless, in a lengthy letter to Sultan al-Nāṣir Muḥammad, in which he sought to justify the carnage after the fact, Ibn Taymīyah demonstrates beyond any doubt that the final Kisrawān campaign was directed against Imāmī or Twelver Shi‘is. After blaming the entire Mongol scourge from the rise of Jenghiz Khan to the 1300 sack of the town of Ṣāliḥīyah on Shi‘ism, he goes on to enumerate their heretical views: they, the Shi‘is, hold anyone who touches the forehead on the ground (rather than on a prayer tablet), who forbids *mut‘ah* temporary marriage, or who loves Abū Bakr, ‘Umar, ‘Uthmān and all the other Companions, to be apostate.

And whoever does not believe in their Awaited [Imām] is considered an apostate. This Awaited One is a boy of two or three or five years, and they claim that he went into a subterranean vault in Samarra over four hundred years ago. He knows everything and is God’s proof [*ḥujjah*] to mankind. . . . And according to them, whoever believes in the truth of God’s names and physical attributes.. is an apostate.

This is the *madhhab* dictated to them by their shaykhs, such as the Banū ‘Awd. They are the shaykhs of the people of this mountain, and they were the ones who ordered them by a *fatwā* to fight the [fleeing Mamluk] Muslims. A number of their books, written by Ibn al-‘Awd and others, fell into the Muslims’ hands, and they contain all of the above and worse.¹⁵

Such a pronouncement creates the impression that the Kisrawān campaigns were part of an official policy against Shi‘ism in Syria *per se*, which is exactly what Ibn Taymīyah was urging Sultan al-Nāṣir to adopt. However, the campaigns were not Ibn Taymīyah’s private initiative. As stated, the 1300 expedition was launched in direct reaction to the Mongol occupation of Damascus, while that of 1305 seems to have been precipitated by a revolt of the Shi‘is against their Buhturid overlords.¹⁶ Furthermore, in Dhū al-Ḥijjah 704/June 1305 the Mamluk

¹⁴Muḥammad ibn Aḥmad ibn ‘Abd al-Hādī (d. 1344), *al-‘Uqūd al-Durrīyah min Manāqib Shaykh al-Islām Aḥmad ibn Taymīyah*, ed. Muḥammad Ḥamid al-Fiqqī (Beirut, [ca. 1938]), 182-94.

¹⁵*Ibid.*, 185-86.

¹⁶Iṣṭfān al-Duwayhī (d. 1704), *Ta’rīkh al-Azminah* (Jounieh, 1976), 286; Kamal Salibi, *Maronite Historians of Mediaeval Lebanon* (Beirut, 1959), 117, 218-19.

governor of Damascus, Aqqūsh al-Afram, sent a mediator to the Kisrawān in an effort to resolve the dispute and to "return them to obedience" to the legitimate authority.¹⁷ The mediator was Zayn al-Dīn Muḥammad ibn 'Adnān al-Ḥusaynī (d. 1308), the *naqīb al-ashrāf*—and thus the lay official representing the Twelver Shi'is—of Damascus.¹⁸

The confessional identity of the *ashrāf*, the descendants of the Prophet Muḥammad through the Imāms Ḥasan and Ḥusayn, has not yet received its due share of scholarly attention. The *ashrāf* as a corporation enjoyed certain fiscal privileges within Islamic society, which the *naqīb* or syndic was in charge of administrating. In Mamluk Cairo, the *naqīb* was likely to be of the Shāfi'ī legal school;¹⁹ the Zuhrid family of Aleppo, which monopolized the post there for many years, was unmistakably Twelver Shi'i. Recent work by Richard Mortel has shown that the Sharifs of Mecca, the guardians of Islam's holiest shrine, remained committed to the politically quietist Zaydī branch of Shi'ism until the latter fourteenth century.²⁰

The community of *ashrāf* in Damascus was rather small and primarily associated with the prestigious Husaynid shrines at the Bāb al-Ṣaghīr cemetery, and as such enjoyed an excellent reputation within Damascene society.²¹ There are some indications that the Banū 'Adnān, who held the post of *naqīb* for much of the fourteenth century, tended toward Twelver Shi'ism, but the question demands further research. At the very least, their ideal devotion to the line of Imāms can be construed as a "mild" Shi'ism, inasmuch as it did not openly contest the validity of the Sunni caliphate and was perfectly compatible with loyalty to the Mamluk state. When Aqqūsh al-Afram issued a call to arms to the citizens of Damascus to defend against a renewed Mongol threat in 1300, the corporation of *ashrāf* also presented itself for review.²² Already in Fatimid times, with Shi'ism finding few converts in staunchly conservative Damascus, the rulers had made a policy of appointing 'Alid *qāḍīs* as an acceptable medium between the needs of Ismā'īlī ideology and of the Sunni populace.²³ Sending the *naqīb al-ashrāf* to negotiate

¹⁷ Ṣāliḥ ibn Yaḥyá (d. 1436), *Ta' rīkh Bayrūt* (Beirut, 1969), 27.

¹⁸ al-Amīn, *A'yān al-Shī'ah*, 6:157.

¹⁹ Ibn al-'Irāqī (d. 1423), *al-Dhayl 'alá al-'Ibar fī Khabar man 'Abar* (Beirut, 1989), 69, 109.

²⁰ Richard Mortel, "Zaydi Shi'ism and the Ḥasanid Sharifs of Mecca," *International Journal of Middle East Studies* 19 (1987): 455-72; see also idem, "The Husaynid Amirate of Madīna during the Mamlūk Period," *Studia Islamica* 80 (1994): 97-123.

²¹ Louis Pouzet, *Damas au VIIIe/XIIIe siècle: Vie et structures religieuses d'une métropole islamique* (Beirut, 1988), 200, 245-62.

²² Ibn Kathīr, *al-Bidāyah wa-al-Nihāyah fī al-Ta' rīkh* (Beirut, 1985), 14:14; Li Guo, *Early Mamluk Syrian Historiography: Al-Yūnīn's Dhayl Mir' at al-Zamān* (Leiden, 1998), 1:171, 2:130-31.

²³ Thierry Bianquis, *Damas et la Syrie sous la domination Fatimide* (Damascus, 1986-89), 211-12, 340-42, 684.

with the Shi'is of the Kisrawān was, both in substance and in style, an honest effort on Aqqūsh al-Afram's part to find a mutually salutary way to subject the Shi'is to Mamluk sovereignty. It is only after Zayn al-Dīn's failure that the course of relations with the Kisrawān was left over to the adepts of intolerance.

Ibn Taymīyah would not have had trouble finding piety-minded fanatics for his crusade against the heterodox. Already the twelfth-century traveler Ibn Jubayr (d. 1217) writes of a sort of *futuwwah* youth organization in Damascus that "kills these *rāfiḍīs*, wherever they find them," and Ibn Taymīyah's biographer 'Abd al-Hādī (d. 1344) claims that there was wide public support for the endeavour.²⁴ However, the seminal interpretations of the Kisrawān campaigns as an anti-heresy drive are above all the products of historians of the piety-minded 'ulamā' class. A quick survey of Donald Little's *Introduction to Mamlūk Historiography* shows clearly that the important Muslim historians who cite revenge for the Kisrawānīs' political sedition as the grounds for the campaigns (Baybars al-Manṣūrī, al-Nuwayrī) belonged to the Mamluk military and bureaucratic apparatus, while those who cite their "foul beliefs" (al-Birzālī, Ibn Kathīr, and especially al-Maqrīzī) were 'ulamā'.²⁵ As is equally true for medievalism in the European context, it is the historiography of the clerical class that ultimately gained the wider currency. The moralist prejudice of an al-Maqrīzī, however, did not necessarily coincide with the day-to-day concerns of the actual Mamluk administration in Damascus. (Aqqūsh al-Afram, incidentally, later defected to Persia and ended his career as governor of Hamadān for the Shi'i Ilkhanid monarch Öljeitü.²⁶)

The Buhturids certainly continued to flourish as vassals of the Syrian Mamluk governate, their degree of leverage in Damascus illustrated by the amendment in their favor of the 1313 sultanic land cadastre (*rawk*) for Syria.²⁷ The Syrian Ismā'īlīs, though incriminated for their political role during the crusades, were given tax reprieves and were relied upon by the Mamluk Sultanate to carry out covert missions in Mongol Persia.²⁸ There is little cause to think that the Twelver Shi'is of middle Syria, on whom we shall concentrate here, fared any worse. In his seminal *Ta'rikh Jabal 'Āmil*, the old-guard *za'im*-class author MuḤammad Jābir

²⁴MuḤammad ibn Aḥmad ibn Jubayr, *Riḥlat ibn Jubayr* (Cairo, 1992), 352-53; Ibn 'Abd al-Hādī, *al-'Uqūd al-Durriyah*, 179-80. Ibn Jubayr appears to exclude Twelvers from the term *rāfiḍīs*.

²⁵Donald Little, *An Introduction to Mamlūk Historiography* (Wiesbaden, 1970), passim. An important exception is Abū al-Fidā', the religiously educated Ayyubid governor of Ḥamāh, who counts heresy as one of several grounds for the campaigns.

²⁶Charles Melville, "Sometimes by the Sword, Sometimes by the Dagger': The Role of the Isma'ilis in Mamlūk-Mongol Relations in the 8th/14th Century," *Medieval Isma'ili History and Thought*, ed. Farhad Daftary (Cambridge, 1996), 247-63, 249-50.

²⁷Salibi, "Buhturids of the Ġarb," 90-91.

²⁸Melville, "Sometimes by the Sword."

Āl Ṣafā (d. 1945) argues that "the land had lived in peace and security" under the Mamluk regime. The context of this assessment is an impassioned apologia, much in the spirit of the pre-Aḥmad Pasha al-Jazzār (d. 1804) "Golden Age" Shi'i historiography described by Fouad Ajami, for the justice and merit of the feudal system in the virtually autonomous medieval Jabal.²⁹

The Sultanate in Cairo never adopted a uniform policy on Shi'ism in the empire. Ibn Faḍl Allāh al-'Umarī (d. 1349), head of the Mamluk chancery in Cairo and author of an important manual of government, differentiated very well between the various Shi'i sects and accepted the Twelvers as part of the community of the Muslim faithful with only minor reservations.³⁰ Al-Qalqashandī's famous chancery manual contains a copy of a decree issued in 1317, ordering the Nuṣayrīs of the province of Tripoli to build and maintain mosques in their villages and prohibiting their shaykhs from speaking in public.³¹ Only the year before, Mamluk troops had had to put down a rebellion inspired by a self-proclaimed Nuṣayrī prophet in the region. Yet the order against the Nuṣayrīs is buried in a general rescript on taxation matters for Tripoli, and is relatively indifferent in tone to the actual existence of the community so long as they begin behaving outwardly like Muslims. Ibn Baṭṭūḥah's well-known anecdote about the utilization of mosques as stables in the region suggests that neither the Sultanate nor the provincial authorities seriously pursued such matters.

A second sultanic rescript from 1363 is directed unequivocally against the "rāfiḍīs and Shi'is" of Sidon, Beirut and surroundings.³² Written in a remarkable, rhyming chancery style (*inshā'*), the rescript harangues the Shi'is at length for having distorted Islamic faith and tradition, and for subscribing to abominable practises such as permitting simultaneous marriage with two sisters and cursing the Companions of the Prophet that are dear to the Sunnis. It goes on to threaten military action should the Shi'is not abjure and return to the fold of Sunnism. It is not clear what occasioned the rescript's promulgation. Urbain Vermeulen has suggested that the Cypriot incursions frequent in those years stoked fears of the Shi'is' complicity,³³ yet the rescript concerns only religious deviancy and is conspicuously devoid of any of the standard references to the external enemies of

²⁹Muḥammad Jābir Āl Ṣafā, *Ta'rīkh Jabal 'Āmil*, 2nd ed. (Beirut, 1981), 98; comically telling is the author's comparison of *iqṭā'iyah* to a mistranslated European "federalism" (p. 88); Fouad Ajami, *The Vanished Imam: Musa al Sadr and the Shia of Lebanon* (Ithaca, 1986), 52-58.

³⁰Ibn Faḍl Allāh al-'Umarī, *al-Ta'rīf bi-al-Muṣṭalah al-Sharīf* (Beirut, 1988), 196-205.

³¹Aḥmad ibn 'Alī al-Qalqashandī (d. 1418), *Ṣubḥ al-A'shā fī Ṣinā'at al-Inshā'* (Cairo, 1964), 13:30-35; see also Urbain Vermeulen, "Some Remarks."

³²Qalqashandī, *Ṣubḥ al-A'shā*, 13:13-20.

³³Urbain Vermeulen, "The Rescript against the Shi'ites and Rāfiḍites of Beirut, Saidā, and District (764 AH/1363 AD)," *Orientalia Lovaniensia Periodica* 4 (1973): 169-75.

Islam. There is evidence, as will be discussed below, that the rescript provided the context for oppressing Shi'is in the region for a number of years. Yet its geographical scope is limited to two *wilāyahs* of the province of Damascus, and can therefore not stand in for a general imperial protocol.

Where the Mamluks did pursue the formal suppression of the Shi'i faith itself was in Mecca. Ever since the Hijaz had passed under Mamluk control in the 1260s, the pre-eminence of the Sharifs' Zaydī Shi'ism around the prestigious shrine had been an embarrassment to the Sultanate.³⁴ Over the course of the second half of the fourteenth century, the Mamluks succeeded through a variety of means in pressuring the Sharifs to renounce Zaydism. However, this served the purely political purpose of consolidating the Mamluk regime's symbolically vital suzerainty over the Holy Places, and never resulted in the persecution of Zaydīs for heresy.

A cursory glance at the careers of later Mamluk governors of Damascus presents the full range of attitudes toward Shi'ism, from burning a *qādī* alive for his "*rāfiḍī*" beliefs, to official protection of Shi'i 'Āshūrā' festivities in the capital.³⁵ The treatment of Shi'is both as compact communities in the hinterland or as individuals in the Syrian capital was not dictated, from the very rise of the Qipchak Mamluk regime, by a universal policy on Islamic heterodoxy. The career of Muḥammad ibn Makkī may be illustrative of *tashayyu'* under the Mamluks.

BETWEEN JIZZĪN AND ḤILLAH

The town of Jizzīn, at the time of Muḥammad ibn Makkī's birth in 1333, was already developing into a modest haven of Shi'i learning. Situated a mere 15 km. east of Sidon but at an altitude of 1,700 m. in the northernmost part of the Jabal 'Āmil, Jizzīn was attacked only once by the crusaders, in 1217, and not taken.³⁶ It seems already to have been populated by Shi'is then, before their numbers were swelled by the influx of refugees from the Kisrawān in 1305.³⁷ Both Ibn Makkī's father and grandfather are described as '*ulamā'*'. His great-uncle (and father-in-law) Asad al-Dīn al-Ṣā'igh al-Jizzīnī, probably his first teacher, was known more for his pious devotion than as a legislator.³⁸ Little is reported of Ibn Makkī's early life,

³⁴Mortel, "Zaydi Shi'ism."

³⁵Henri Laoust, *Les gouverneurs de Damas sous les Mamlouks et les Premiers Ottomans* (Damascus, 1952), 81, 168.

³⁶Sibt ibn al-Jawzī (d. 1256), *Mir'āt al-Zamān fī Ta'rīkh al-A'yan* (Hyderabad, 1952) 8:585-86; René Grousset, *Histoire des Croisades et du Royaume Franc de Jérusalem* (Paris, 1936), 3:204-5.

³⁷Ṣāliḥ ibn Yaḥyá, *Ta'rīkh Bayrūt*, 96; Ibn 'Abd al-Hādī, *al-'Uqūd al-Durrīyah*, 185; Ja'far al-Muhājir, *al-Ta'sīs li-Ta'rīkh al-Shī'ah fī Lubnān wa-Sūrīyah* (Beirut, 1992), 150.

³⁸al-Amīn, *A'yān al-Shī'ah*, 3:281.

other than that he left the Jabal ‘Āmil at the age of sixteen or seventeen to study in Ḥillah, Iraq.

Jizzīn already had connections with the ‘*ulamā*’ of Ḥillah through the likes of Najīb al-Dīn Ibn al-‘Awd al-Asadī al-Ḥillī. A scholar of some repute, Ibn al-‘Awd had begun to make his career in Aleppo. However, he was abused and driven from town after making an unfavourable remark about the Prophet’s Companions to the local *naqīb al-ashraf*, and moved to Jizzīn where he died in 1280.³⁹ Yet another scion of the Banu ‘Awd, Shihāb al-Dīn Ismā‘īl ibn al-Ḥusayn al-‘Awdī al-Jizzīnī (d. ca. 1184) had been among the first natives of the area to travel to Ḥillah for religious studies.⁴⁰ Finally, Najm al-Dīn Ṭumān ibn Aḥmad al-‘Āmilī al-Manārī (d. ca. 1327) taught *fiqh* in Ḥillah before returning to the Jabal, where one of his students was Muḥammad ibn Makkī’s father.⁴¹

Ḥillah, in the early fourteenth century, had taken the place of Baghdad and Qom as the foremost center of religious scholarship in the Shi‘i world. Under the aegis of the Ilkhanid Sultanate, a distinctive school of theological and legal thought was forming in Ḥillah that emphasized the authority not of accumulated tradition, but of the living scholar’s independent reasoning in jurisprudence. With his writings on *ijtihād* and *taqlīd*, al-‘Allāmah al-Ḥillī Ḥasan ibn Yūsuf al-Muṭahhar (d. 1325) provided the first theoretical basis for the social and political role of the later Shi‘i clerical hierarchy.⁴²

Ibn Makkī spent his entire learned career on the articulation of this school, and he wrote numerous commentaries on the works of al-‘Allāmah al-Ḥillī and his students. Ibn Makkī’s first and most influential teacher in Ḥillah was Fakhr al-Muḥaqqiqīn Muḥammad (d. 1370), son of al-‘Allāmah al-Ḥillī and a major scholar in his own right. Fakhr al-Muḥaqqiqīn certified, in an *ijāzah*, that Ibn Makkī had studied all of his father’s works as well as many others, and reportedly praised his young pupil saying that “I benefitted more from him than he from me.” Ibn Makkī also studied under Tāj al-Dīn Muḥammad ibn al-Qāsim (Ibn Mu‘ayyah) al-Dibājī al-Ḥillī, himself a former student of both al-‘Allāmah al-Ḥillī and Fakhr al-Muḥaqqiqīn. Ibn Mu‘ayyah seems to have become a lifelong friend, for he wrote Ibn Makkī and his two sons *ijāzahs* shortly before dying, in Ḥillah, in 1374.⁴³ Ibn Makkī’s other mentors included ‘Amīd al-Dīn and Ḍiyā’ al-Dīn al-

³⁹ al-Amīn, *A’yān al-Shī‘ah*, 10:206.

⁴⁰ al-Amīn, *A’yān al-Shī‘ah*, 3:319; al-‘Āmilī, *Amal al-Āmil*, 1:41.

⁴¹ al-Bahrānī, *Lu’lu’ at al-Baḥrayn*, 205-7; al-‘Āmilī, *Amal al-Āmil*, 1:103-5; al-Amīn, *A’yān al-Shī‘ah*, 7:402.

⁴² Heinz Halm, *Shiism*, trans. Janet Watson (Edinburgh, 1991), 67-71.

⁴³ al-Amīn, *A’yān al-Shī‘ah*, 10:39-40; not the same as Abū Ja‘far Muḥammad ibn Mu‘ayyah (d. 1372/73); *ibid.*, 9:431.

Ḥusaynī al-Ḥillī, nephews of al-‘Allāmah al-Ḥillī and also commentators on his works.

From Ḥillah, Ibn Makkī traveled to Kerbala and, in 1353-54, to Mecca and Medina. On the way it seems that he also stopped in Jerusalem and al-Khalīl (Hebron), earning *ijāzahs* from other scholars in each of these places.⁴⁴ Before quitting the Iraq definitively, Ibn Makkī sojourned in Baghdad and studied at the two famous Sunni *madrāsahs* al-Niẓāmīyah and al-Mustanṣirīyah. By his own reckoning he read under “some forty Sunni shaykhs,” including Ḥanbalīs as well as some noted Egyptian scholars whom he most likely met in Iraq and Mecca. Contemporary Shi‘i writers have made much of his expertise in Sunni *ḥadīth* and *fiqh*, seeing in it his desire for a rapprochement between Sunnism and Shi‘ism along the lines of the modern “five *madhhabs*” formula.⁴⁵ Ibn Makkī was in fact rebuked by later traditionalist Shi‘i scholars precisely for his pioneer role in the adoption of rationalist Sunni legal principles.⁴⁶

Ibn Makkī began teaching other students while still in Iraq and seems also to have had followers in Medina.⁴⁷ However it is after his return to Syria, around 1357, that he began to make his mark in the development of Shi‘i scholarship. Already an accomplished *faqīh* at the age of twenty-four, he took on students in Jizzīn and is universally celebrated today as the founder of the Shi‘i scholastic tradition in the Jabal ‘Āmil.⁴⁸ It is indeed from this point onward that a significant number of ‘Āmilī scholars are recorded in the biographical dictionaries. Ibn Makkī’s many students included his eldest son Abū Ṭālib Muḥammad ibn Muḥammad, a prolific writer of *fiqh* works,⁴⁹ and al-Miqdād ibn ‘Abd Allāh al-Suyūrī al-Ḥillī (d.

⁴⁴Muḥammad Bāqir Majlisī (d. 1699), *Biḥār al-Anwār* (Tehran, 1971, 1972), 107:177-78, 181-201; 109:54-56, 70-73; Stewart, “Twelver Shī‘ī Jurisprudence,” 165-69.

⁴⁵Mahdī Faḍl Allāh, *Min A‘lām al-Fikr al-Falsafī al-Islāmī* (Beirut, 1982), 14-15, 20-21; Muḥammad Kalāntar, introduction to Zayn al-Dīn ibn ‘Alī (al-Shahīd al-Thānī), *Rawḍāt al-Bahīyah fī Sharḥ al-Lum‘ah al-Dimashqīyah* (Beirut, 1983), 1:83-84.

⁴⁶al-‘Āmilī, *Amal al-Āmil*, 1:89.

⁴⁷Ḥasan al-Amīn, “al-Shahīd al-Awwal Muḥammad ibn Makkī,” *al-Minhāj* 4 (Winter 1996): 150-72; 5 (Spring 1997): 132-58; 6 (Summer 1997): 201-12; 7 (Fall 1997): 166-75; here 6:204, 211.

⁴⁸See furthermore Āl Ṣafā, *Ta’rīkh Jabal ‘Āmil*, 233-36; Muḥammad Kāzīm Makkī, *al-Ḥarakah al-Fikrīyah wa-al-Adabīyah fī Jabal ‘Āmil* (Beirut, 1982), 29-30; Muḥammad Ḥusayn al-Amānī, *al-Shahīd al-Awwal Faqīh al-Sarbadārān*, trans. Kamāl al-Sayyid (Qom, 1995), 47-50.

⁴⁹al-Amīn, *A’yān al-Shī‘ah*, 9:407, 410-11; al-Khwānsārī, *Rawḍāt al-Jannāt*, 7:22-24.

1423), whose unique account of Ibn Makkī's trial and execution has been handed down through successive Shi'i *ṭabaqāt*.⁵⁰

Perhaps his most illustrious student, however, was his daughter, Fāṭimah.⁵¹ She received an *ijāzah* from Ibn Mu'ayyah just like her brothers, and in time came to be known as "Sitt al-Mashā'ikh," matron of the *shaykhs*, for her knowledge. A deed from Ramaḍān 823/1420 discloses that she ceded her entire share of her father's bequest, "in Jizzīn and elsewhere," to her two brothers as a pious act, in exchange for several books including a copy of the Shi'i *ḥadīth* canon "Man Lā Yaḥḍuruhu al-Faqīh" and a Quran said to have been a gift from 'Alī Mu'ayyad, ruler of Khorasan. Seventy *mujtahids* from around the Jabal 'Āmil are said to have attended her funeral. Ibn Makkī himself held her up as a model of piety and scholarship, and told the women of the area to refer to her or to his wife, another "faqīhah," on legal questions pertaining to menses and prayer.

IBN MAKKĪ'S INTELLECTUAL PRODUCTION

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

Chronologically and conceptually, Ibn Makkī is located somewhere between al-'Allāmah al-Ḥillī (d. 1325) and Zayn al-Dīn ibn 'Alī (d. 1558). The former is credited with having introduced rigorous *ḥadīth* criticism into Shi'i jurisprudence, thus laying the groundwork for the emergence of a specifically Shi'i legal methodology on a par with that of the four classical Sunni schools. At the other end of the spectrum, Zayn al-Dīn ibn 'Alī is largely responsible for originating, in his ten-volume commentary on Ibn Makkī's *al-Lum'ah al-Dimashqīyah*, the theory of the *faqīh*'s comprehensive deputyship to act as temporal leader of the Islamic

⁵⁰ al-'Amilī, *Amal al-Āmil*, 2:325; al-Bahrānī, *Lu'lu'at al-Baḥrayn*, 172-73; Carl Brockelmann, *Geschichte der arabischen Litteratur*, 2:199, S2:209; Khayr al-Dīn Zirīklī, *al-A'lām*, 11th ed. (Beirut, 1995), 7:282; further references in 'Abd al-Laṭīf al-Kūhkamarī's introduction to al-Suyūrī, *al-Tanqīḥ al-Rā'i li-Mukhtaṣṣ al-Shārī'* (Qom, 1983), 1:xxiv-xxxviii.

⁵¹ al-'Amilī, *Amal al-Āmil*, 1:193; al-Amīn, *A'yān al-Shī'ah*, 8:388-89, 10:39; al-Khwānsārī, *Rawḍāt al-Jannāt*, 7:24-25.

community. To what degree the Shi‘i jurist’s political authority is germinal in Ibn Makkī’s thought is debatable; one recent enthusiast has made him to be the very source of Ayatollah Khomeini’s *wilāyat al-faqīh* theory of state.⁵²

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

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

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

In the concisely worded corresponding passage of *al-Lum‘ah al-Dimashqīyah*, Ibn Makkī implies that payment of the *zakāt* to the jurist can also be considered as incumbent. It is this wilfully ambiguous passage which Zayn al-Dīn ibn ‘Alī, writing one and a half centuries later, interprets as signifying unequivocally the *faqīh*’s general deputyship on behalf of the Imām.⁵⁵ Ibn Makkī is similarly vague on the *khums*, a surtax on war spoils and mineral resources of which half is paid to “the Imām, when he is present, or to his deputies, when he is absent.” It is in Zayn al-Dīn ibn ‘Alī’s commentary that we are told explicitly that these deputies “are the righteous Imāmī *faqīhs* . . . as they are his agents and must perform that

⁵² Ja‘far al-Muhājir, *Sittat Fuqahā’ Abṭāl: al-Ta’sīs li-Ta’rīkh al-Shī‘ah* (2) (Beirut, 1994), 88.

⁵³ Ṭīhrānī, *al-Dharī‘ah*, 1:427-28, 10:40.

⁵⁴ Muḥammad ibn Makkī, *al-Bayān*, lithograph (Qom, n.d.), 202.

⁵⁵ Calder, “Zakāt,” 476-77.

which their *madhhab* demands.”⁵⁶ Ibn Makkī’s references to the Imām’s representative at Friday communal prayers and in *jihād* (holy war) are utilized to make the same argument.⁵⁷

One of Ibn Makkī’s own rare direct references to the executive authority of the *faqīh* occurs in the context of the fundamental Islamic precept of “enjoining the good and prohibiting the evil”:

During the Imām’s occultation, the *faqīhs* may administer the penalties (*ḥudūd*) among the people in full legality and security, by virtue of their qualities of jurisconsult (*mufṭī*) which are correct faith, righteousness, and versedness in law. . . . It is obligatory to take recourse to the *faqīhs* and, whoever does not, sins.⁵⁸

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

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

⁵⁶Zayn al-Dīn ibn ‘Alī, *Rawḍāt al-Bahīyah*, 2:78-79; see also Calder, “Khums,” 44-45.

⁵⁷Zayn al-Dīn ibn ‘Alī, *Rawḍāt al-Bahīyah*, 2:381; Norman Calder, “The Structure of Authority in Imāmī Shi’i Jurisprudence” (Ph.D. diss., School of Oriental and African Studies, 1980), 153-54; Abdulaziz Abdulhussein Sachedina, *The Just Ruler (al-Sultān al-‘Ādil) in Shi’ite Islam: The Comprehensive Authority of the Jurist in Imamite Jurisprudence* (Oxford, 1988), 187-89.

⁵⁸Muhammad ibn Makkī, *al-Lum‘ah al-Dimashqīyah fī Fiqh al-Imāmīyah* (Qom, 1990), 46; cf. the slightly variant text with commentary in Zayn al-Dīn ibn ‘Alī, *Rawḍāt al-Bahīyah*, 2:417-19.

⁵⁹Ibn Makkī, *al-Lum‘ah*, 50, 82; Zayn al-Dīn ibn ‘Alī, *Rawḍāt al-Bahīyah*, 3:61-68, 4:105-7.

the "worldview of the faithful in Imāmī Shi'ism is dominated by the question of the leadership of the Muslim community—the Imamate"⁶⁰ is ahistorical and ageographic.

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

Sufism is not simply a staff and a rosary.
Poverty does not mean the dream of exaltedness
And that you go about in tatters,
Hiding the sin of vainglory and ostentation underneath;
And that you affect to renounce the worldly,
But are addicted to it like a dog is to bones.⁶¹

In another instance, it is reported that Ibn Makkī fought a certain "charlatan" named Muḥammad al-Yālūshī, from the obscure Tower of Yālūsh near the village Brayqa'. Apparently, he had been Ibn Makkī's student but then turned his interests to the magical arts and went about the Jabal 'Āmil claiming to be a prophet.⁶² The tale of Ibn Makkī's clash with the sorcerer of the tower appears in the southern Lebanese folk tradition in several forms and must be treated with caution.⁶³ Nevertheless, the common belief that Ibn Makkī had enemies among the followers of popular religion in the Jabal, and that these contributed to his downfall in the end, should not be entirely discounted.

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

⁶⁰Sachedina, *Just Ruler*, 29.

⁶¹al-Khwānsārī, *Rawḍāt al-Jannāt*, 7:16-18; al-Amīn, *A'yān al-Shī'ah*, 10:63.

⁶²al-Khwānsārī, *Rawḍāt al-Jannāt*, 7:4; al-Amīn, *A'yān al-Shī'ah*, 10:60.

⁶³Muḥsin al-Amīn, *Khīṭaṭ Jabal 'Āmil* (Beirut, 1961), 200-201; Ibrāhīm Āl Sulaymān, *Buldān Jabal 'Āmil: Qilā'uḥu wa-Madārisuḥu wa-Jusūruḥu wa-Murūjuḥu wa-Maṭāḥinuḥu wa-Jibāluḥu wa-Mashāhiduḥu* (Beirut, 1995), 82-84.

the dervish faction, proclaiming Imāmī Shi‘ism as an ideology acceptable to all. However, the radicalism of his dervish partners soon proved to be inopportune, and ‘Alī Mu‘ayyad took to repressing the movement with force, until they succeeded in ousting him in 1376-77 with the help of the province’s Sunnis.⁶⁴ It is in the context of ‘Alī Mu‘ayyad’s quest to institutionalize a staid Twelver Shi‘ism in this period that his invitation to Ibn Makkī must be placed.

Ibn Makkī declined, penning a concise, comprehensive guide to Shi‘i law, *al-Lum‘ah al-Dimashqīyah fī Fiqh al-Imāmiyya* (*The Gleam of Light from Damascus: Imāmī Jurisprudence*) to send to him instead. Popular tradition holds that he composed the work in just seven days while he was confined in the Damascus citadel, but already some of the early *ṭabaqāt* biographers have pointed out that it must have been written earlier.⁶⁵ The invitation was conveyed by the scholar Shams al-Dīn Muḥammad al-Āwī, an intimate of the Sarbadār who had known Ibn Makkī since his days in Iraq.⁶⁶ The text of the letter, in which the sultan beseeches Ibn Makkī to come and quench their thirst for religious instruction, fearing “the wrath of God on this land for its loss of integrity and its need of guidance,” is preserved in some popular biographies.⁶⁷ However, it is contained neither in Zayn al-Dīn ibn ‘Alī’s commentary nor in the more serious *rijāl* works, and is probably another instance of the imaginative embellishment of al-Shahīd al-Awwal’s story.

Neither *al-Lum‘ah al-Dimashqīyah* nor any other of Ibn Makkī’s works was examined at his trial. Muḥammad al-Āwī is said to have prevented copies from being made, while Ibn Makkī apparently expressed relief that no one saw the book while he was writing it, despite the fact “that his sessions in Damascus at the time were usually frequented by scholars from the general public, due to his association and companionship with them.”⁶⁸ An early eighteenth-century biographer supplies the claim that Ibn Makkī taught comparative Sunni law (*mukhālifīn*) by day and Shi‘i law by night “in a special house which he had built underground” out of fear of persecution.⁶⁹ The likelihood of this is disputable, but the statement

⁶⁴John Masson Smith, *The History of the Sarbadār Dynasty 1336-1381 A.D. and Its Sources* (The Hague, 1970).

⁶⁵Mīrzā ‘Abd Allāh al-İṣfahānī (d. ca. 1718), *Riyāḍ al-‘Ulamā’ wa-Ḥiyāḍ al-Fuḍalā’* (Qom, 1980), 5:190. Zayn al-Dīn is also sceptical of the claim; see Zayn al-Dīn ibn ‘Alī, *Rawḍāt al-Bahīyah*, 1:23.

⁶⁶Zayn al-Dīn ibn ‘Alī, *Rawḍāt al-Bahīyah*, 1:23-24; Nūr Allāh ibn ‘Abd-Allāh Shushtarī, *Majālis al-Mu’minīn*, lithograph (Tehran, 1881), 406.

⁶⁷Muḥammad Riḍā Shams al-Dīn, *Ḥayāt al-Imām al-Shahīd al-Awwal* (Najaf, 1957), 4-5; al-Amānī, *al-Shahīd al-Awwal*, 85-7.

⁶⁸Zayn al-Dīn ibn ‘Alī, *Rawḍāt al-Bahīyah*, 1:24.

⁶⁹İṣfahānī, *Riyāḍ al-‘Ulamā’*, 5:189.

does underline the fact that Ibn Makkī's authorship of the work would not have been generally known in Damascus. Despite the many students who studied with Ibn Makkī, *al-Lum'ah al-Dimashqīyah* does not seem to have received particular attention in Shi'i circles in this period either. Before Zayn al-Dīn ibn 'Alī's commentary from the sixteenth century, *al-Lum'ah al-Dimashqīyah* was simply a legal primer for a marginal religious community, making its first tentative steps, in Syria as in Khorasan, to constitute itself as civil society.

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

AT DAMASCUS

To what extent and under which auspices did Muḥammad ibn Makkī pursue his scholarly career in Damascus? This question is vital to an understanding both of his eventual condemnation and of the position of the Shi'ah in Syria at this time. Ibn Makkī is generally portrayed in the Shi'i literature as a constant visitor and respected participant in the intellectual life of the capital.⁷⁰ Certainly the conspicuous reference to *Dimashq* in the title of his law manual suggests a long-standing attachment to that city. Yet there are few textual references to him in the local histories, and even Ibn Qāḍī Shuhbah identifies him mistakenly as an Iraqi who had settled in Jizzīn, or distorts his *nisbah* to read "al-Juraynī."⁷¹

Ibn Makkī was known in at least one circle of Damascene literate society, that of the Quran reciters. He studied with several disciples of Ibn al-Mu'min, the doyen of *qurrā'* of the epoch. One of them, Ibn al-Labbān al-Dimashqī (d. 1374), who rose to become the most acclaimed reciter in Damascus, reported that he taught the erudite Ibn Makkī "for a long time, and never heard him say anything at variance with (*mā yukhālifu*) Sunnism." The statement shows, of course, that Ibn al-Labbān knew very well that Ibn Makkī himself was not a Sunni. The author of the contemporary Quran reciters' *ṭabaqāt*, Muḥammad ibn al-Jazarī (1350-1429), also knew Ibn Makkī as a "shaykh of the Shi'is and *mujtahid* in their *madhhab*" and, mentioning that he was away in Egypt at the time, intimates regret over his execution.⁷²

⁷⁰See also Sulaymān Dāhir, "Ṣilat al-'Ilm bayna Dimashq wa-Jabal 'Āmil," *Majallat al-Mujtama' al-'Ilmī al-'Arabī* 9 (1929): 269-79.

⁷¹Ibn Qāḍī Shuhbah, *Ta'rikh*, 3:134, 151.

⁷²Muḥammad ibn al-Jazarī, *Ghāyat al-Nihāyah fī Ṭabaqāt al-Qurrā'* (Cairo, 1935), 2:72-73, 265.

Ibn Makkī also consorted with other Shi‘i scholars in Damascus. Muḥammad ibn al-Ḍaḥḥāk al-Shāmī (d. 1389) had been a close friend since their earliest days together in Ḥillah as students of Fakhr al-Muḥaqqiqīn.⁷³ In Ḥillah he had also studied under Amīn al-Dīn Aḥmad ibn Zuhrah of Aleppo (d. ca. 1394), and it is likely that he maintained contact with him or with other members of the illustrious Zuhra family after their return from Iraq.⁷⁴

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

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

⁷³al-Amīn, *A‘yān al-Shī‘ah*, 10:18.

⁷⁴al-Amīn, *A‘yān al-Shī‘ah*, 3:149-50; see also 9:411, 444.

⁷⁵al-‘Amilī, *Amal al-Āmil*, 2:300-301; al-Amīn, *A‘yān al-Shī‘ah*, 9:413; al-Baḥrānī, *Lu‘lu‘at al-Baḥrayn*, 194-99.

⁷⁶Majlisī, *Bihār al-Anwār*, 107:140-41.

⁷⁷Jalāl al-Dīn al-Suyūfī (d. 1505), *Bughyat al-Wu‘āt fī Ṭabaqāt al-Lughawīyīn wa-al-Nuhāt* (Cairo, 1964), 2:281; see also Jamāl al-Dīn ‘Abd-al-Raḥīm al-Isnawī (d. 1370), *Ṭabaqāt al-Shāfi‘īyah* (Baghdad, 1970), 1:322-23; Tāj al-Dīn ‘Abd-al-Waḥḥāb al-Subkī (d. 1370), *Ṭabaqāt al-Shāfi‘īyah al-Kubrā* (Cairo, 1964), 9:274-75; Aḥmad ibn Ḥajar al-‘Asqalānī (d. 1449), *al-Durar al-Kāminah fī A‘yān al-Mī‘ah al-Thāminah* (Cairo, 1966), 5:107-8.

⁷⁸Cf. the case of Aḥmad ibn al-Ḥusayn al-Dimashqī (d. ca. 1418) in al-Amīn, *A‘yān al-Shī‘ah*, 2:510.

⁷⁹Majlisī, *Bihār al-Anwār*, 107:183-84.

discussed below, did in fact tell the recently inducted Shāfi‘ī judge at his trial in 1384, “My *madhhab* is the Shāfi‘ī. You now are the chief and judge of this *madhhab*, so rule according to your *madhhab*.”⁸⁰ The only other indication that Ibn Makkī ever claimed to be a Shāfi‘ī is given by the *qurrā’*-biographer al-Jazarī, who received a court summons (*istid‘ā’*) signed by Ibn Makkī with the *nisbah* “al-Shāfi‘ī.”⁸¹ The details are no longer known, but it is not improbable that the summons, and the claim to be a Shāfi‘ī made therein, were connected to this very trial, for which Ibn Makkī may have been seeking al-Jazarī as a witness.

There is little to suggest that Ibn Makkī persistently resorted to *taqīyah* in Damascus prior to his capital trial. One might even debate whether affiliation with the Shāfi‘ī *madhhab* would have constituted genuine *taqīyah* in the context of Syrian Shi‘ism in the Middle Ages. The *tashayyu’* of Ibn Makkī and his associates never laid claim to an actual legal “guild” of their own. They were at times described as members of the Shi‘i *madhhab*, but it is interesting to note that the term “Ja‘farī”—the technical name for the Twelvers’ legal school—is never used in this period to denote *madhhab* nor affixed to the name as a *nisbah*, even in Shi‘i biographies. Ibn Makkī of course made significant theoretical advances in the elaboration of a distinctive Shi‘i legal identity, but these were not at issue in his trial. For procedural purposes, he may well have counted as a legal Shāfi‘ī in Damascus, regardless of his religious denomination. One indication that Shi‘ism and Shāfi‘ī law were not mutually exclusive in Syria at this time is the career of Ibn Millī al-Ba‘labakkī (d. 1300), a respected, ostensibly Shāfi‘ī *muftī* and scholar well known for his interest in Shi‘ism. The chronicler Quṭb al-Dīn Mūsā al-Yūnīnī (d. 1326), a fellow native of Ba‘labakk, reported “He was an *imām* of the Shāfi‘ī school, and the Shi‘i school heeded him as well.”⁸² The situation cannot be compared with that obtaining two centuries later, when the Ottoman regime came to treat Shi‘ism as an explicit political threat. When the “Second Martyr” Zayn al-Dīn ibn ‘Alī (d. 1558), who was probably the first *mujtahid* to advance the formula of “the five *madhhabs*,” got himself appointed headmaster of an important Ḥanafī college by the Shaykh al-Islām in Istanbul, some *taqīyah* may well have been in play.⁸³ It is unlikely that the First Martyr saw the need for this during his lifetime.

We have already seen that the mild Imāmī Shi‘ism of the Damascene *ashrāf* was held in high esteem. Indeed, even Ibn Taymīyah was capable of carrying on a

⁸⁰Majlisī, *Biḥār al-Anwār*, 107:185; al-Baḥrānī, *Lu’lu’at al-Baḥrayn*, 147; al-Khwānsārī, *Rawḍāt al-Jannāt*, 7:13. In *A’yān al-Shī‘ah*, 10:60, “my *madhhab*” has been changed to read “your *madhhab*.”

⁸¹Jazarī, *Ghāyat al-Nihāyah*, 2:265.

⁸²al-Muhājir, *Sittat Fuqahā’*; Guo [Yūnīnī], *Early Mamluk Syrian Historiography*, 2:198.

⁸³al-‘Amilī, *Amal al-Āmil*, 1:85-91; al-Amīn, *A’yān al-Shī‘ah*, 7:143-58.

respectful, scholarly dispute with al-‘Allāmah al-Ḥillī.⁸⁴ Far from evoking the threat of Shi‘i sedition, the *naqīb al-ashraf* was very much a part of the religious establishment in Syria and, as in the case of Ibn al-‘Awd, vigilantly guarded against excessive ‘Alid partisanship within their own ranks that might prejudice their rapport with the Sunni majority. Again, it is not until the Ottoman period that the office of *naqīb* becomes principally assigned to Sunni functionaries. What then caused Muḥammad ibn Makkī and a handful of Shi‘i contemporaries to be persecuted and killed? A look at the narratives of their prosecution may be instructive of the persecuting mentality in fourteenth-century Damascus.

In Jumādā II 744/1343, Ibn Qāḍī Shuhbah writes, “the wayward apostate Ḥasan, son of shaykh Abū Bakr . . . al-Dimashqī al-Sakākīnī, was beheaded in the horse market on account of his Shi‘i heresy (*rafḍ*) that verged on atheism (*zandaqah*).”⁸⁵ Ibn Qāḍī Shuhbah seems to have relied on Ibn Kathīr’s (d. 1373) *al-Bidāyah wa-al-Nihāyah* for his account, but has added some details on the victim’s father borrowed from Ibn Ḥajar al-‘Asqalānī’s (d. 1449) biographical dictionary *al-Durar al-Kāminah*.⁸⁶ Other than Ibn Kathīr’s slightly more abusive characterization of al-Sakākīnī, the accounts of the charges levied against him are virtually identical:

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

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

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

⁸⁴Michel Mazzaoui, *The Origins of the Ṣafawids: Šī‘ism, Ṣūfism, and the Ġulat* (Wiesbaden, 1972), 28-30.

⁸⁵Ibn Qāḍī Shuhbah, *Ta’rīkh*, 1:358.

⁸⁶Ibn al-Kathīr, *al-Bidāyah wa-al-Nihāyah*, 14:222; Ibn Ḥajar al-‘Asqalānī, *al-Durar al-Kāminah*, 2:119.

The less charitable Ibn Kathīr is unimpressed even by non-*ghulūw* (i.e., restrained) Shi'ism and prefers rather to emphasize the elder Sakākīnī's inclination towards the Sunnah. After mentioning his correspondance with Ibn Taymīyah (in a passage hopelessly miscopied by Ibn Qāḍī Shuhbah), Ibn Kathīr concludes:

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

The father, Muḥammad Abū Bakr (d. 1321), was an ex-knivesmith, a pupil of the famous illuminationist mystic al-'Afīf al-Tilimsānī (d. 1291), an accomplished *ḥadīth* scholar, and a noted mu'tazilī theologian. He was reportedly even described by Ibn Taymīyah as "one of those where the Shi'i acts like a Sunni and the Sunni acts like a Shi'i."⁸⁷ Ibn Kathīr's deliberately abstruse report of a deathbed "conversion" is a literary device, serving to underscore the son Ḥasan's depravity. In a literature singularly obsessed with citing its sources, the unsupported claim that Ḥasan had wanted to kill his father (who was, of course, already on his deathbed) is likewise a mere *topos*. The Archangel Gabriel's confusion of Muḥammad and 'Alī is a commonplace of *ghulūw* or "exaggerated" Shi'i folk-theology, but is in fact spotlighted most frequently by Sunni heresiographers. Yet the really crucial aspect of Ḥasan al-Sakākīnī's heresy was his alleged cursing of the Prophet's Companions. Instituted as a communal religious rite during the Buyid protectorate of the Abbasid caliphate in Baghdad, cursing the Companions became the most deliberately offensive method of asserting Shi'i confessional partisanship down into the twentieth century. The case of the Sakākīnīs shows that the concept of heresy in Damascus was very much a question of communal honour, not doctrinal divergence. The mu'tazilī and pantheist proclivities of the father earned praise and acclaim; a base insult against the venerated elders of Sunnism earned his son the death penalty.

Under the title of "strange and bizarre events" for the year 755/1354-55, Ibn Kathīr recounts:

On Monday, 16 Jumādā I, a *rāfiḍī* from Ḥillah came into the Umayyad Mosque, cursing "the original oppressors of the Prophet's Family."⁸⁸ He kept repeating this and would not let up, and prayed

⁸⁷ al-Amīn, *A'yān al-Shī'ah*, 9:61.

⁸⁸ The formula recalls the moderate curse instituted by the Buyid Mu'izz al-Dawlah in 962. See 'Abd al-Raḥmān ibn al-Jawzī (d. 1200), *al-Muntaẓam fī Tawārīkh al-Mulūk wa-al-Umam* (Beirut,

neither with the other people nor over at the funeral then in progress. Though the people were praying, he continued to repeat this in a loud voice. When we had finished praying, the crowd took notice of him and brought him over to the Shāfi'ī chief *qāḍī* who was with the others at the funeral. They cross-examined him, "Who oppressed the Prophet's Family?" He said "Abū Bakr al-Ṣiddīq" and then, openly so that everyone could hear, "God damn Abū Bakr, 'Umar, 'Uthmān, Mu'āwiyah and Yazīd!" He repeated this twice, and the judge sent him off to jail. Then the Mālikī *qāḍī* had him brought before him and flogged him, while he screamed insults and curses and words only villains use. The name of this miscreant was 'Alī ibn Abī al-Faḍl . . . ibn Kathīr, God rebuke and shame him. The following Thursday a session was convened in the Dār al-Sa'ādah court with the four *qāḍīs*. He was brought before them and God ordained that the Mālikī deputy should sentence him to death. He was taken quickly and beheaded beneath the citadel. The crowd burned his body and paraded around with his head, shouting "This is what happens to those who insult the Prophet's Companions!" I myself observed this idiot before the Mālikī *qāḍī*, and his opinions were something like those of the *ghulāt* Shi'is. He had adopted some elements of apostasy and *zandaqah* from the followers of al-'Allāmah al-Ḥillī, God disgrace him and them.⁸⁹

Again, it is cursing the Companions that leads to persecution. The offender's link to Ḥillah is only tenuously established⁹⁰ and it is rather unlikely that he was instructed in *zandaqah* by the school of al-'Allāmah al-Ḥillī. His odious behaviour toward the community of the faithful is the basis of the pronouncement of heresy. This particular episode was conspicuous enough to be included, in abridged form, by the Maronite historian Iṣṭfān al-Duwayhī in his general history *Ta'rīkh al-Azminah*, three centuries later.⁹¹

Ibn Kathīr makes specific reference to this outstanding case, after describing the third and last execution of a Shi'i heretic known to him.⁹²

1995), 8:309-10; Heribert Busse, *Chalif und Gross könig* (Wiesbaden, 1969), 421.

⁸⁹Ibn Kathīr, *al-Bidāyah wa-al-Nihāyah*, 14:262.

⁹⁰Ibn Ḥajar al-'Asqalānī thought him to be from Aleppo. See *al-Durar al-Kāminah*, 3:168-69.

⁹¹Al-Duwayhī, *Ta'rīkh al-Azminah*, 319.

⁹²Ibn Kathīr, *al-Bidāyah wa-al-Nihāyah*, 14:325. In the entry on Ḥasan al-Sakākīnī, Muḥsin al-Amīn states that "he was accused of the same thing as Aḥmad ibn Yūsuf al-M*qṣātī, which points to a conspiracy against them and plot to kill them, in that age of religious oppression;" al-Amīn, *A'yān al-Shī'ah*, 4:628; I have found no other reference to al-M*qṣātī.

On the morning of Thursday, 17 Rabī' I 763 [January 1362], a man named Maḥmūd ibn Ibrāhīm al-Shīrāzī was found in the Umayyad Mosque, cursing the two shaykhs and declaring them anathema. The matter was submitted to the chief *qāḍī*, the Mālikī Jamāl al-Dīn al-Maslātī, who called on him to repent and had him flogged. With the first lash, he said "There is no god but God; 'Alī is the *walī* of God!" and with the second lash, he cursed Abū Bakr and 'Umar. The crowd assailed him, beating and striking him until he almost died. The *qāḍī* attempted to restrain them but was unable. The *rāfiḍī* began to curse and insult the Companions, saying "They were in error." With that he was dragged before the governor and his statement attested. Thereupon the *qāḍī* ordered his blood to be shed, and he was taken to the outskirts of town and beheaded, and the crowd burned his body, God shame him. He had been a student in the *madrasah* of Abū 'Umar before displaying symptoms of *rafḍ*. The Ḥanbalī [*qāḍī*] had jailed him for forty days, but that did not help. He continued to preach in the entire county, calling for the cursing of the Companions, until his day came and he expounded his *madhhab* in the Great Mosque. . . .

This passage is noteworthy for the initial leniency afforded to the victim, first by the Ḥanbalī, and more importantly by the Mālikī *qāḍī*. As we have seen, the Mālikī *qāḍī* usually took the lead role in the condemnation of heretics. The Mālikī school was known to be the most severe of all on heresy. This in fact accounted for the early popularity of the school, and the Abbasid caliphs on occasion relied on Mālikī *qāḍīs* to dispense with politically vexatious freethinkers, such as the famous Sufi mystic al-Ḥallāj, martyred in 922 AD.⁹³ Under Mālikī law, apostates were given the chance to repent, but *zindīqs*, or those declared to be such, had to be executed forthwith. This is clearly what the crowd was expecting in this instance, and they refused to accept the Mālikī's judgement when he disappointed them. It is worthwhile to point out the initiative of the crowd, *al-'āmmah*, in bringing heretics to justice. Maḥmūd al-Shīrāzī's views were already known in certain branches of the religious establishment, namely at his *madrasah* and by the unnamed Ḥanbalī *qāḍī*. Yet, in contrast to the persecution of heretics in Latin Europe at the same time, it is here the "clergy" that had to be pressed into the service of the wrathful crowd.

⁹³Nicole Cottart, "Mālikiyya," *Encyclopaedia of Islam*, 2nd. ed., 6:278-83.

In another case reported by Ibn Qāḍī Shuhbah, the Mālikī and Ḥanbalī *qāḍīs* tried a case brought in all the way from Karak. In 1379-80, a sitting was held for Ibn Ḥurayṣ,

a leading figure of the town and a known *rāfiḍī*. It was attended by those who testified that he cursed and disparaged the Companions, as is prescribed by *zandaqah*. He was imprisoned and the Mālikī was undecided in the matter. Then the Ḥanbalī *qāḍī* sentenced him to death. He was beheaded beneath the citadel, in the presence of the governor and the *qāḍīs*, after he had spoken the profession of faith and stated his approval of the two Shaykhs.⁹⁴

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

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

It had been established at a sitting in Ba‘labakk that he acknowledged, as Aḥmad ibn Nūr al-Dīn . . . from the village al-Labwah testified, the foul words with which he had injured the Prophet, and cursed and slandered him in terms that cannot be repeated here. So he was killed, God damn him, on this day after the noontime *adhān* in the horse market, and the people burned his body . . .⁹⁵

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

IBN MAKKĪ’S TRIAL AND EXECUTION

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

⁹⁴Ibn Qāḍī Shuhbah, *Ta’rīkh*, 3:10.

⁹⁵Ibn Kathīr, *al-Bidāyah wa-al-Nihāyah*, 14:265.

Heresy . . . can only arise in the context of the assertion of authority, which the heretic resists, and is therefore by definition a political matter. Heterodox belief, however, is not. Variety of religious opinion exists at many times and places, and becomes heresy when authority declares it intolerable.⁹⁶

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

The only contemporary, possibly eye-witness report of the trial is that of Abū ‘Abd Allāh al-Miqdād al-Suyūrī, Ibn Makkī’s former pupil. Though no longer extant, versions of it were reproduced, independently from one another, in the Persian Majlisī’s vast compendium of traditions *Bihār al-Anwār*, in the Lebanese biographical dictionary *Amal al-Āmil*, both from the seventeenth century, and in the broader *rijāl* work, *Lu’lu’at al-Baḥrayn* from the eighteenth. Of these, the last comprises the most extensive version.⁹⁷

Al-Suyūrī’s narrative suggests that Ibn Makkī was first denounced in southern Lebanon by a certain Taqī al-Dīn al-Jabalī, a native of al-Khiyyām (some 10 km. north of the Golan). This seems not to have had any immediate consequence, for the denunciations were perpetuated by another man, Yūsuf ibn Yaḥyá,⁹⁸ after the first had died. Both of them were former Imāmī Shi‘is who had abjured.

⁹⁶R. I. Moore, *The Formation of a Persecuting Society* (Oxford, 1987), 68-69.

⁹⁷al-‘Amilī, *Amal al-Āmil*, 1:182-83; Majlisī, *Bihār al-Anwār*, 107:184-86; al-Baḥrānī, *Lu’lu’at al-Baḥrayn*, 145-48.

⁹⁸The Āl Yaḥyá was a prominent family of al-Khiyyām; see al-Amīn, *Khiṭaṭ*, 231.

Ibn Yaḥyá composed a procès-verbal (*maḥḍar*) detailing Ibn Makkī's "vile doctrines and abominable beliefs." We are not told of what these consisted. In any event, the precise nature of the heresy was not as important as the fact that Ibn Yaḥyá found numerous witnesses to corroborate it. Seventy inhabitants of the mountain, all of them former Shi'is who had abjured, signed the procès-verbal, as did "over a thousand of the outwardly Sunni (*mutasanninūn*) inhabitants of the coastlands." Al-Suyūrī offers no explanation as to why a significant number of Shi'is from the coast should have converted, or affected to convert, to Sunnism. However, a brief and otherwise unrelated passage in Šālīḥ ibn Yaḥyá's *History of Beirut* shows that it was the consequence of Sultan al-Nāṣir's 1363 edict against the *rāfiḍīs* of Beirut and Sidon. After Baydamur became governor of Damascus for the second time (July-August 1362), the Druze chronicler relates,

The Shi'is of Beirut were stirred up. They manifested their adherence to Sunnism, as they had received a sultanic edict, but inwardly they subscribed to the doctrine of the Shi'ah. A campaign of inquisition (*ḥarakah riddīyah*) followed from this in Beirut, which Baydamur exploited . . . to expropriate the fief of [an old political enemy].⁹⁹

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

A further detail in Ibn Ḥajar al-'Asqalānī's *Inbā' al-Ghumr* ties Ibn Makkī to the persecution of Shi'is on the coast: around the time of his execution, "his friend [*rafīq*] 'Arifah, who subscribed to the same [Nusayrī] beliefs as he, was beheaded in Tripoli."¹⁰⁰ Ibn Makkī's detractors, al-Suyūrī's account then continues, proved

⁹⁹Šālīḥ ibn Yaḥyá, *Ta'rikh Bayrūt*, 195.

¹⁰⁰Ibn Ḥajar al-'Asqalānī, *Inbā' al-Ghumr bi-Anbā' al-'Umr* (Damascus, 1979), 1:228.

his guilt "before the *qāḍī* of Beirut (it is also said the *qāḍī* of Sidon), and went with the *procès-verbaux* to the [Shāfi'ī] judge in Damascus."

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

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

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

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

The picture that emerges of Ibn Makkī's trial is very much one of collusion among the *sharī'ah*-jurists. Al-Suyūrī claims that the Shāfi'ī judge ordered the

¹⁰¹al-Khwānsārī, *Rawḍāt al-Jannāt*, 7:19-20; see also al-Amīn, *A'yān al-Shi'ah*, 10:61.

¹⁰²Ibn Qāḍī Shuhbah, *Ta'rikh*, 2:473-75; 3:226-27; Laoust, *Gouverneurs de Damas*, 12-15. The months given are the most likely approximations.

¹⁰³"Amīr Ḥājib Najī al-'Askarī"; the amir Ḥasan ibn al-'Imād (d. Nov./Dec. 1384), known popularly as Ibn al-'Askarī, was a chamberlain (*ḥājib*) in Damascus; Ibn Qāḍī Shuhbah, *Ta'rikh*, 3:142.

¹⁰⁴Ibn Qāḍī Shuhbah, *Ta'rikh*, 3:88, 409-10.

Mālikī, "Judge him according to your *madhhab* or I will fire you!" This may be an exaggeration for the sake of literary effect, but the co-optation of the Mālikī judge is indeed substantiated by Ibn Qāḍī Shuhbah's account. Let us consider it in its entirety before returning to the Shi'i point of view. On 10 Jumādā I 786 (30 June 1384),

a sitting was held concerning Shams Muḥammad ibn Makkī, an Iraqī in origin [sic] and resident in the town of Jizzīn, after he had spent some time in prison. His guilt was established by a procès-verbal [*maḥḍar*] from the *qāḍī* of Beirut, which indicated that he was a *rāfiḍī* and had called 'Ā'ishah, her father (Abū Bakr), and 'Umar terrible things, tantamount to apostasy according to a number of Shāfi'īs, Ḥanafīs and others. . . . So the *qāḍīs* and '*ulamā*' assembled in the Dār al-Sa'ādah [court of Damascus]. He was called before the Mālikī *qāḍī*, and he denied that he had said anything of the sort. The Mālikī hesitated for a long moment, and so it came that they cajoled Ibn Makkī into confessing, thinking that this would help him, and he spoke the Islamic profession of faith. At that point, the Mālikī was asked to rule him an infidel and order his blood to be shed. He responded, "For that, you all must rule by formal legal opinion, on the basis of what you have just heard, that he is a *zindīq*." The Mālikīs and some of the Shāfi'īs [present] ruled thus. When Ibn Makkī realized the gravity of the situation he retracted [*raja'a*] and said something to which no one listened or paid attention.

Then the Mālikī *qāḍī*, after beseeching God for guidance, ruled him to be an infidel and ordered his blood to be shed, even if he repented. He made his decision contingent on two things: one, that no one before him had judged Ibn Makkī to be a good Muslim; and two, that the other judges uphold his judgement and that the Ḥanbalī agree as well. The Ḥanbalī also ruled him to be a *zindīq* and ordered his blood to be shed, and the two [other] *qāḍīs* upheld the judgement. He was taken out below the citadel and beheaded, after he had prayed, made the profession of faith and stated his approval of the two Shaykhs and the Companions. Ibn Ḥijjī reported, "He showed neither anxiety nor fear, God help us. . . . He was known for his *rafḍ*, but he was learned in jurisprudence [*uṣūl*], Quran-recital and more."¹⁰⁵

¹⁰⁵ Ibn Qāḍī Shuhbah, *Ta' rīkh*, 3:134-35. Aḥmad ibn Ḥijjī (d. 1413) was a historian whose unfinished

A few observations can be made before we turn to al-Suyūrī's account. The trial was presided over by the three *qāḍīs* of the Mālikī, Shāfi'ī and Ḥanafī schools. A Ḥanbalī was also present, but apparently not in the rank of full *qāḍī*. This may reflect the fact that the Ḥanbalī school as a whole was negatively seen and somewhat ostracised in Mamluk Damascus.¹⁰⁶ The Mālikī was called upon to impose the death sentence, as his was the only *madhhab* that does not admit the penitence of a proven heretic. He, however, sought to protect himself by requiring that all the other jurists present also commit themselves, by formal legal opinion, to pronouncing Ibn Makkī to be a *zindīq*: *hattā taftaw bi-zandaqatihi*. This would provide the legal basis, under Mālikī law, for executing the accused. The Mālikīs, the Ḥanbalī representative and some of the Shāfi'īs obliged, which suggests that the Ḥanafīs and some other Shāfi'īs were against the sentence. No one, on the other hand, was prepared to certify Ibn Makkī as a good Muslim, another condition which the Mālikī *qāḍī* had set. The trial appears as much an arena of professional tensions and rivalries among the jurists as the object of a common cause against heresy.

Al-Suyūrī's account essentially corroborates Ibn Qāḍī Shuhbah's. Ibn Makkī, he writes, was killed on the basis of a *fatwā* from the Mālikī and Shāfi'ī *qāḍīs*, Burhān al-Dīn¹⁰⁷ and 'Abbād ibn Jamā'ah,¹⁰⁸ "and a large group of people ganged up on him in this matter." Ibn Makkī vigorously denied espousing the doctrines laid out in the *procès-verbal* from Beirut, a move al-Suyūrī interprets as "resorting to the required *taqīyah*." But what was this heresy that Ibn Makkī should have dissimulated? Al-Suyūrī never actually discloses the exact contents of the *procès-verbal*, and assumes like many later writers that Ibn Makkī was prosecuted simply for being a Shi'i.

In fact, the Sunni sources are quite clear on the point that he was tried for *rafḍ*, however equivocal its definition. Ibn Ḥajar al-'Asqalānī reports the charges as "dissoluteness, adherence to Nuṣayrī doctrine, declaring wine to be absolutely lawful, and other such abominations"¹⁰⁹ while Ibn Qāḍī Shuhbah cites his alleged cursing of 'Ā'ishah, Abū Bakr, and 'Umar. Indeed, Ibn Makkī defended himself against nothing more in his poem to the governor Baydamur. To state that denying these charges constituted *taqīyah* would imply, of course, that they were true. It is

manuscript Ibn Qāḍī Shuhbah incorporated into his own *Ta'rikh*.

¹⁰⁶ Chamberlain, *Knowledge and Social Practice*, 169.

¹⁰⁷ Ibrāhīm ibn Muḥammad al-Tādhilī (d. 1402). Ibn Qāḍī Shuhbah, *Ta'rikh*, 4:195-96; Shams al-Dīn ibn Ṭulūn (d. 1546), *Quḍāt Dimashq* (Damascus, 1956), 250.

¹⁰⁸ Actually Ibrāhīm ibn 'Abd-al-Raḥīm ibn Jamā'ah (d. 1394). Ibn Qāḍī Shuhbah, *Ta'rikh*, 3:248-51.

¹⁰⁹ Ibn Ḥajar al-'Asqalānī, *Inbā' al-Ghumr*, 228.

unlikely that they were, given Ibn Makkī's stature as a Muslim intellectual, moreover one who had made a career of studying Sunni law.¹¹⁰ More importantly, it cannot be any Shi'i writer's intention to state that they were true. The characterization of Ibn Makkī's defence as *taqīyah* is a misinterpretation by al-Suyūrī, if not a later transmitter, who was unfamiliar with the accusations listed by the Sunnis and wrongly thought Shi'ism and rafidism to be perfectly synonymous in their vocabulary of persecution.

Nevertheless, al-Suyūrī's account is valuable in that it shows more clearly how the law was manipulated in order to produce a conviction. The denial was not accepted, with the judges claiming, "This has been legally established; a *qāḍī*'s decision cannot be repealed." At this point Ibn Makkī made use of his legal training. The defendant, he argued, has the right to be heard; if the evidence he adduces contradicts the judgement, it must be quashed. "And I confute the testimonies of those who testified to the offences. I have proofs against each one of them." What evidence could Ibn Makkī have tendered? He presumably sought a character reference from Ibn al-Jazarī, the Quran-reciter, who did receive a court summons but was away in Cairo at the time. As mentioned, his colleague Ibn al-Labbān (d. 1374) had been prompted to state that Ibn Makkī never said "anything at variance with Sunnism," most likely when the accusations first surfaced during Manjak's governorship. It was this failed attempt to mount a defence which, in the terse summary of the Sunni cleric Ibn Qāḍī Shuhbah, "no one listened or paid attention to."

Only then did Ibn Makkī, "realiz[ing] the gravity of the situation," change strategy and place his hopes in the clemency afforded to penitent heretics under Shāfi'i law. He reminded the Shāfi'i judge, as cited above, that he is of his *madhhab* and wants to be tried as such.

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

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

Here the versions of the account begin to diverge slightly. Majlisī claims that the Shāfi'i judge "seized on his mistake" (*istaghlaṭahu*) and said "You repented;

¹¹⁰On Ibn Makkī's condemnation of wine-drinking, see *al-Lum'ah*, 169; Zayn al-Dīn ibn 'Alī, *Rawḍāt al-Bahīyah*, 9:197-212.

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

found him to be obstinate (*istaghlazahu*) and was confirmed in this. Ibn Makkī refused to repent. An hour passed. Then he said, "You repented; that proves you are guilty."

What happened during this hour? Muḥsin al-Amīn hypothesizes that the Shāfi'ī judge encouraged him to confess in secret so that he could absolve him, but then betrayed him and disclosed his penitence — and therefore his guilt — to the entire assembly.¹¹¹ There is no evidence for this but the end result stands: the fact of his heresy was established, albeit dubiously, in Shāfi'ī law (which does not stipulate execution), so that his sentence could be pronounced under Mālikī law (in which confession is ordinarily inadmissible).

Ibn Makkī was thus handed over to the Mālikī *qāḍī* for sentencing. Al-Ḥurr al-Āmilī writes summarily that Mālikī radicalism prevailed over Shāfi'ī leniency owing to the numerous fanatics in the assembly. In fact, Baḥrānī's and Majlisī's version suggests that the Shāfi'ī judge, not the Mālikī, was the driving force behind Ibn Makkī's conviction.

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

Ibn Makkī, the Shi'ī sources agree, was taken to the open square beneath the Damascus citadel and beheaded, his body crucified and later burned.

CONCLUSION

A short tale from the Shi'ī *ṭabaqāt* proffers an explanation of the Shāfi'ī *qāḍī*'s hatred toward Ibn Makkī. According to Nūr Allāh Shushtarī (d. 1610-11), the two used to participate in the same study circle in their youth. Ibn Jamā'ah "broke out in a sweat of jealousy and hatred" when it became clear that Ibn Makkī "had surpassed his peers and excelled them in merit and perfection," a rage which intensified as scholars of the "five *madhhabs*" began to seek out his Shi'ī rival to "learn and benefit from." Ibn Jamā'ah arranged for Ibn Makkī to be executed by

¹¹¹ al-Amīn, *A'yān al-Shī'ah*, 10:61.

the governor for *rafḍ*, but was overcome with emotion at the trial as he recalled their erstwhile companionship. Playing on his name, Ibn Makkī denounced him as a “bastard” before the entire assembly.¹¹² In Khwānsārī’s version, the two were one day arguing some scholarly matter when the corpulent and unimaginative Ibn Jamā‘ah mocked Ibn Makkī for his slight physique.

“I hear a sound from behind that inkwell; what could that be?” Ibn Makkī responded without missing a beat, “Yes, a son of only one father (*ibn al-wāḥid*, as opposed to Ibn Jamā‘ah, meaning literally ‘son of a group’) is no bigger than that!” Ibn Jamā‘ah got extremely angry at this and was so filled with spite and fury that he did to Ibn Makkī what he did.¹¹³

This sort of dramatization is a *topos* of Shi‘i hagiography.¹¹⁴ Yet it serves the authors to articulate an important truth about such trials as Ibn Makkī’s: that justice was more a function of personal loyalties and jealousies than of an unyielding codex. Indeed, the trials that we have reviewed undermine the notion of any formal institution charged with inquiring into crimes of heresy. Most glaringly absent are the Mālikī *qāḍīs* who, despite (or because of?) the perceived immutability of their *madhhab*’s stance on heresy, repeatedly shirked the role of grand inquisitor attributed to them by Ashtor. In Ibn Makkī’s case at least, the true advocate of persecution for whatever reasons was the Shāfi‘ī judge, the senior religious authority in Damascus at the time, despite the fact that his legal rite was the one most proximate to Shi‘ism.

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

¹¹²Shushtarī, *Majālis al-Mu‘minīn*, 249.

¹¹³al-Khwānsārī, *Rawḍāt al-Jannāt*, 7:14.

¹¹⁴For another usage of the inkwell topos in a dispute between a Sunni and a Shi‘i scholar, see Josef van Ess, “Anekdoten um ‘Adudduddin al-Iḡī” in *Die Islamische Welt Zwischen Mittelalter und Neuzeit: Festschrift für Hans Robert Roemer zum 65. Geburtstag*, ed. Ulrich Haarmann and Peter Bachman (Beirut, 1979), 126-31.

by the papacy, beginning in the twelfth century, to search out heretics and uproot their secret networks.¹¹⁵

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

This essay has attempted to place Ibn Makkī at the juncture of two autonomous historiographical traditions: one that remembers him as al-Shahīd al-Awwal, the other as a *rāfiḍī*. In the history of Shi'ism, Ibn Makkī's work remains a keystone in the development of Ja'farī law. The commentary of his *al-Lum'ah al-Dimashqīyah* is taught today in religious colleges from Sayyidah Zaynab in Syria to Mashhad in Iran; the growing importance of Shi'i jurisprudence has seen the recent edition of more of his works.¹¹⁶ Moreover, as the "First Martyr" of medieval Shi'ism, Ibn Makkī has become an essential part of a confessional identity predicated on a seemingly timeless antagonism with the Sunni majority in Islam. Yet the formal Shi'i *rijāl* dictionaries, which articulate this identity, begin to appear only after the foundation of the Safavid empire.

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

However, one should not historicize the persecution of Shi'is too much. Earlier writers explained religious oppression as a function of the Mamluk regime's political and cultural consolidation; recent writers have tended to emphasize the strains placed on society, particularly after the "golden age" of Sultan al-Nāṣir MuḤammad

¹¹⁵Moore, *Persecuting Society*, 26.

¹¹⁶Ibn Makkī, *Kitāb al-Mazār* (Qom, 1990); *ibid.*, *al-Durūs al-Shar'īyah fī Fiqh al-Imāmīyah*, 3 vols. (Qom, 1992).

(r. 1310-41), by foreign invasion, rapid economic growth and the Black Death.¹¹⁷ Yet if there were any immutable constants throughout Mamluk history, political upheaval was surely one of them. Even a historiographically dramatic event such as the replacement of the Qipchak with the Circassian regime, still in progress when Ibn Makkī was executed in 1384, could have surprisingly little local effect. In Damascus, it did not even occasion the replacement of the governor Baydamur. Moreover, for the nearly three centuries of their reign, the Mamluks faced neither foreign enemies nor domestic rebellions that were militantly Shi‘i. Unlike so many other Islamic dynasties, the Mamluk Sultanate never resorted to an ideology of Sunni vs. Shi‘i conflict in order to express its own religious and political legitimacy.

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

Where did Mamluk society fix the boundary between *tashayyu’* and *rafḍ*, between heterodoxy and intolerable heresy? Chamberlain has argued convincingly for regarding *tabaqāt* as the Mamluk-era equivalent of archives; rosters of prestige and authority that constituted the “useful past” for the learned elite of medieval Syria and Egypt. By “decoding” them further, we may also gain new insights into Syrian society’s ambivalent position toward Shi‘ism in its midst: not just why some individuals and communities were persecuted as *rāfiḍīs* while others were not, but also what it meant when some *ashrāf* developed a bizarre interest in mu‘tazilism¹¹⁸ and why ordinary scholars sometimes included Shi‘i studies in their curriculum.¹¹⁹ Nowhere is the ambivalence toward Shi‘ism better illustrated than in Ibn Kathīr’s strangely disgusted, strangely reverent necrological notice for the great Iraqi Shi‘i scholar al-‘Allāmah al-Ḥillī.¹²⁰ The on-going editing of such local histories as Ibn Qāḍī Shuhbah’s *Ta’rīkh* and al-Yūnīnī’s *Dhayl Mir’āt al-Zamān*

¹¹⁷See, e.g., Jonathan Berkey, “The Mamluks as Muslims: The Military Elite and the Construction of Islam in Medieval Egypt,” in *The Mamluks in Egyptian Politics and Society*, ed. Thomas Philipp and Ulrich Haarmann (Cambridge, 1998), 163-73.

¹¹⁸Ibn Qāḍī Shuhbah, *Ta’rīkh*, 1:494.

¹¹⁹Cited in Chamberlain, *Knowledge and Social Practice*, 86.

¹²⁰Ibn Kathīr, *al-Bidāyah wa-al-Nihāyah*, 14:129-30.

will provide further correctives to the picture of an undifferentiated anti-Shi'ism in medieval Damascus. In the Mamluk centuries, *tashayyu'* still represented a moral and historical alter-ego to dominant Sunni society, not an ideological threat. Muḥammad ibn Makkī is integral to both Syrian Mamluk and Shi'i history.