

**The legal *responsa* attributed to the third imām of Tāhert,
Aflaḥ b. ‘Abd al-Wahhāb (208-56/823-72), and the early Ibādī jurisprudence in North Africa**

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The unpublished *Jawābāt* attributed to Aflaḥ b. ‘Abd al-Wahhāb, the third imām of Tāhert (208-56/823-72), could range among the most important early Ibādī sources of North Africa. However, it should be submitted to a critical examination of its transmission and content before making any conclusion. In this contribution, we will first focus on the intellectual activity of the third Rustamid ruler, insisting on the importance of religious knowledge (*‘ilm*) for the construction of authority in Ibādism. Then we will compare the available manuscripts and try to reconstitute the original structure of the *Jawābāt*.

Ibādī sources unanimously celebrate the third Rustamid ruler as a symbol of the vanished Golden Age of Tāhert and a prototype of the ideal imām of knowledge, devotion and justice. Nonetheless, he was also faced with a growing opposition to his authority, interpreted by Ibn Ṣaḡīr (end of the 9th c.) as tribal conflicts, and by later Ibādī literature as schismatic divisions between the orthodox school and its opponents (*nukkār*, *wāṣiliyya*, *naffāthiyya*). This heresiographical vision was apparently inaugurated by Abū Zakariyyā’ al-Warjlānī (end of the 11th c.), who transformed Aflaḥ into a heroized champion of orthodoxy fighting in the frontline against Yazīd b. Fandīn and the Mu‘tazilis. It is well known that the Ibādī political ideology was conceiving the Imām as a *primus inter pares*, elected by the community for his personal moral virtues, among which religious knowledge (*‘ilm*) was of paramount importance. The Rustamids are precisely portrayed as a *bayt al-‘ilm*, a family imbued with religious knowledge who contributed to several fields including the foundations of faith (*al-uṣūl*), jurisprudence (*al-fiqh*), Coranic exegesis (*tafāsīr*), religious controversy (*funūn al-radd ‘alā l-muḥālifīn*), heresiography (*‘ilm iḥtilāf al-nās*), Arabic grammar and stylistics, and the knowledge of stars (*‘ilm al-nuḡūm*).¹ Aflaḥ was himself sketched out as a learned ruler and a moral authority who started before his puberty to gather around him “four circles of students (*ḥalaq*) in religious sciences” or, following another narrative account, “three circles” dedicated to theology (*al-kalām*), linguistics and law (*al-fiqh*). Together with his father ‘Abd al-Wahhāb (168-208/784-823) and his son Abū l-Yaqzān Muḥammad (256-281/872-894), he embodies the ideal of a *mufī* and theologian Imām. But concretely, what do we know about his intellectual activity ?

Abū Zakariyyā’ and al-Shammākhī note that he was conversant with computation (*ḥisāb* or *‘ilm al-ghubār*) and astrology (*‘ilm al-nuḡūm* or *naḡāma*), but the other sources do not insist on this aspect.

His literary production is represented by a short poem in praise of knowledge (the *qaṣīda fī faḍli l-‘ilm wa l-muta‘allim*)¹. In a library of Beni Isguen, a complete *diwān* is also attributed to him².

Following the *Siyar* of al-Wisyānī and al-Shammākhī, he had written epistles against Farj b. Naṣr, the schismatic leader of the Naffāthiyya, and Sulaymān al-Bārūnī (1870-1940) gives us access to three of these *rasā‘il*, which should be examined cautiously³.

On a broader scale, Aflaḥ kept on developing the knowledge transfer from Baṣra to Tāhert that his father ‘Abd al-Wahhāb had inaugurated. He is mentioned in the epistle that Abū ‘Isā Ibrāhīm b. Ismā‘īl al-Khurasānī sent to his father for supporting him against another schismatic movement of the Khalfiyya, appeared in the Jebel Nafūsa⁴. In the same period, he met Abū Ghānim al-Khurasānī, the author of the first Ibādī canonical compilation of law, during his visit to Tāhert. Most of the twenty-two *riwāyāt* attributed to Imām Aflaḥ in the *Jāmi‘ al-Ṣaḥīḥ* of Abū Ya‘qūb Yūsuf b. Ibrāhīm al-Warjlānī (d. 570/1174-5) come from Abū Ghānim al-Khurasānī, himself indebted to a certain Abū Yazīd al-Khūwārizmī. Several sources⁵ – not older than the 12th century, unfortunately – refer to him

¹ See M. Custers, 36-7. This *qaṣīda* was quite commonplace in Wādī Mzāb (eleven manuscripts) and Jerba.

² *Qaṣā‘id mukhtalifa*, Maktabat Irwān-Dār al-ta‘līm (El ‘Aṭeuf).

³ Also edited by Ṣāliḥ Bājiyya, *Al-Ibādīyya bi-l-Jarīd*, 215-21.

⁴ This document was copied by Ibn Sallām at the end of the 9th c.

⁵ The above mentioned *Jāmi‘ al-Ṣaḥīḥ*, the *Siyar al-Wisyānī*, the *Kitāb al-mu‘allaqāt*, the *Ṭabaqāt al-mashāyikh* of al-Darjīnī, the *Kitāb al-īdāh* written by Abū Sākin al-Shammākhī (d. 792/1390).

as the transmittor of traditions coming from Jābir b. Zayd, al-Rabī' b. Ḥabīb, Abū Sufyān Maḥbūb b. al-Rāḥīl or other early Companions of the sect. All this shows that Aflaḥ had been involved into the forging of an autonomous Ibādī school in North Africa during the 9th c. and that he became a religious authority.

His concern for law and justice is also well attested. A few legal opinions attributed to him are scattered in later sources, and Ibn Ṣaḡīr also quotes some extracts of the epistle he wrote to the Nafūsis for recommending them Muḥakkam al-Hawwārī, who embodied the model virtues of the *qādī* during his reign. Adolphe de Calassanti Motylinski and Brāhīm Baḥāz say that he had left *nawāzil*, but this is a doubtful reference. As for the *Jawābāt*, they are explicitly quoted by Abū l-Qāsim al-Barrādī among other “legal responses of the imāms” (those of Ibn Ibād, ‘Abd al-Wahhāb and Muḥammad b. Aflaḥ), and they can be studied thanks to a good number of copies. Hence, they appear to be a rather unique testimony on the Rustamid jurisprudence.

Up to now, we could not consult the copy of the *Maktabat al-Bārūniyya*⁶. We have mainly focused on the manuscripts of Wādī Mzāb, ten copies or a little more in total⁷. All of them present a very short version of the *Jawābāt* (from 2 to 19 folios). Only one manuscript (M. al-Shaykh Muḥammad b. Yūsuf Babānū, Beni Isguen) gives a pretendedly “complete” and much longer version of the text (159 folios), but it is a very late copy (beginning of the 20th c.). His authenticity is then highly questionable, but only after a precise investigation on these different versions and their content.

⁶ Schwartz, 301

⁷ M. al-Shaykh Muḥammad b. Yūsuf Babānū (Beni Isguen), M. al-Ḥāj Ṣāliḥ La‘ī (Beni Isguen), M. Āl Yadir (Beni Isguen), 2 copies in M. Āl Faḍl (Beni Isguen), M. al-Ḥāj Sa‘īd Muḥammad (Ghardaïa), 4 copies in M. al-Ra‘ī (Ghardaïa). This provisional list has been established thanks to the information provided by Muḥammad Ḥāj Sa‘īd, director of the Association Abī Ishāq Aṭfayyesh for the preservation of manuscripts, in Ghardaïa.