

# Ja'far b. Abī Yaḥyā\*

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## Abstract

**Ja'far b. Abī Yaḥyā** (d. 573/1177-8) was a Yemeni Zaydī theologian and judge. He was fundamental in the establishment of a Yemeni strand of Basran Mu'tazilī theology and was actively involved in the transmission of its literature to Yemen.

Shams al-Dīn Abū l-Faḍl **Ja'far b. Abī Yaḥyā** Aḥmad b. 'Abd al-Salām al-Buhlūlī (d. 573/1177-8) was a Yemeni Zaydī Shī'ī theologian and judge, hence his common name al-Qāḍī Ja'far. His life and intellectual career reflect the country's complex sectarian landscape and are linked to developments that occurred first during the sixth/twelfth century. He occupies a central role in the Zaydī narrative of an important endeavour of cultural exchange between the members of the community based in the northern highlands of Yemen and their co-religionists in the Caspian region of northern Iran.

In al-Qāḍī Ja'far's lifetime, Yemen was divided amongst multiple regional and local forces, tribal rulers, and religious leaders. Tihāma, the country's western coastal plain, was the land of the Najāḥīds, who were allies of the 'Abbāsīd caliphate (r. 132-656/750-1258). The northern highlands were ruled by Zaydī Imāms (r. 284-1382/897-1962), who resided in Ṣa'da. The southern highlands were under the control of the Ṣulayḥīds, an Ismā'īlī Shī'ī dynasty (r. 439-532/1047-1138). Ṣan'ā' and its surroundings were a much disputed region, where the Hamdānīds, who had previously governed the city for the Ṣulayḥīds, established an independent sultanate (r. 492-570/1099-1174). Aden ('Adan) was ruled by the Zuray'īds, a Fāṭamīd-allied dynasty (r. 504-571/1110-1175). The highlands and parts of Tihāma were, in addition, populated by small settlements of a Zaydī sect called al-Muṭarrifiyya. They lived in remote mountain villages, so-called *hijras* (abodes of emigration), which served as centres of worship and teaching. By the sixth/twelfth century, the Muṭarrifīs were increasingly challenged by Zaydī scholars from the Caspian region, who came to Yemen to promulgate the doctrines of Basran Mu'tazilism. Finally, during the second half of that century, the invasion of the

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Ayyūbids (r. in Yemen 569-626/1174-1229) led to a steady rise of Sunnī Shāfi‘ism in Yemen’s coastal plain and lower highlands.

Ja‘far b. Aḥmad was born into an influential family of Ismā‘īlī judges in Ṣan‘ā’. His brother Yaḥyā (d. 562/1167) still enjoyed the patronage of Ismā‘īlī rulers and served the Zuray‘ids in Aden. Ja‘far, however, abandoned Ismā‘īlism and joined the Muṭarrifiyya movement for a time. Yet, whilst attending the lectures of Zayd b. al-Ḥasan b. ‘Alī al-Bayhaqī (d. c.545/1150), a Zaydī missionary from northern Iran, Ja‘far eventually rejected Muṭarrifi doctrine and became one of its fiercest detractors. At the same time, he approved the legitimacy of Ṣa‘da’s Zaydī Imām al-Mutawakkil ‘alā-llāh Aḥmad b. Sulaymān (r. 532-66/1137-71). In return, the Imām appointed him judge of Ṣan‘ā’ after the city’s temporary takeover from the Hamdānids in 545/1150-1. In the same year he was selected to accompany his teacher al-Bayhaqī on his travels to seek further instruction, outside of Yemen. Shortly after their departure, al-Bayhaqī died in Tihāma, and Ja‘far continued his journey alone. Altogether, he spent eight years at several centres of learning in Iraq and northern Iran. His visit to the city of Rayy had a significant impact on him, as he received there profound instruction into the intellectual tradition of the Iranian Zaydīs, in such fields as Basran Mu‘tazilī theology, legal methodology (*uṣūl al-fiqh*), and *ḥadīth*. His teachers in Rayy included Aḥmad b. Abī l-Ḥasan al-Kanī (d. c. 560/1164-5), al-Bayhaqī’s former teacher.

In 554/1159, Ja‘far returned to Yemen, bringing with him numerous Mu‘tazilī works. He settled in the oldest Muṭarrifi *hijra*, the village of Sanā‘, south of Ṣan‘ā’, and delivered lectures on the texts and doctrines he had gathered during his travels. His teaching was instrumental in training a new generation of scholars, whose most important representative was al-Ḥasan b. Muḥammad al-Raṣṣāṣ (d. 584/1188). This new theological movement was called al-Mukhtari‘a, a name derived from *ikhtirā’*, which refers to the idea that God creates accidents (*‘arāḍ*, sing. *‘araḍ*) ex nihilo. This was a controversial doctrine and clashed specifically with the natural philosophy of the Muṭarrifiyya, who believed that worldly events and changes are the result of a natural causality inherent in bodies. In accordance with Basran Mu‘tazilism, Ja‘far and his followers claimed, in turn, that the source of these changes and events are accidents, that is, entities that subsist in bodies. Positing that God creates these accidents firmly established for them God’s omnipotence.

Ja‘far wrote longer and shorter treatises in all areas of religious learning, most importantly rational theology (*kalām*) but also legal methodology, law (*fiqh*), and *ḥadīth*. For theological manuals, he developed a specific structural arrangement not attested in the earlier Basran Mu‘tazilī literature, following a pattern consisting of thirty questions divided into three sections, with ten questions related to God’s unity (*tawḥīd*), ten to His justice (*‘adl*), and ten to man’s duty to “advocate good and forbid evil” (*al-amr bi-l-ma‘rūf wa-l-nahy ‘an al-munkar*). This model was repeatedly adapted in later Zaydī theological treatises from Yemen. His works in legal methodology reflect a strong impact of the Ḥanafī scholar al-Ḥākim al-Jishumī (d. 494/1101), the teacher of al-Bayhaqī, Ja‘far’s mentor in Yemen. Other surviving texts by Ja‘far include polemical treatises that complement historical accounts about his engagement in public disputations. His detractors were not only Muṭarrifis but also Shāfi‘ī-Ash‘arī scholars in Yemen’s southern highlands. Ja‘far defended established Basran Mu‘tazilī positions, with one important exception: he explicitly dismissed the Sunnī theory of imāmate and devoted a refu-

tation to the chapter on this topic in *al-Majmū‘ fi l-Muḥiṭ bi-l-taklīf* (“The composite collection on the all-embracing concerning [God’s] imposing [moral obligations]”), a work by the fifth/eleventh-century Mu‘tazilī theologian Ibn Mattawayh.

Ja‘far b. Aḥmad survived the Imām al-Mutawakkil and saw the beginning of the vacancy of the Zaydī imāmate, a period that lasted about forty-five years. With his teaching, Ja‘far contributed fundamentally to the foundation of a Yemeni strand of Basran Mu‘tazilism that survived until the advent of modernity. It is thanks essentially to this current that numerous Mu‘tazilī texts have survived in the country’s manuscript collections. Ja‘far died in 573/1177-8 and was buried in Hijrat Sanā‘.

## Bibliography

### Selected works by Ja‘far b. Abī Yaḥyā

Ja‘far’s works in theology comprise a comprehensive doctrinal summa titled *Mishkāṭ al-miṣbāḥ wa-ḥayāt al-arwāḥ* (surviving manuscripts include Munich, Staatsbibliothek, MS Cod. arab 1191, fols. 3b-85a, and Milan, Ambrosiana, MS ar. D 544, fols. 1-107a). A short theological manual was published as *Khulāṣat al-fawā‘id*, ed. Ismā‘il b. Ibrāhīm al-Wazīr, Ṣan‘ā’ 1414/19932. Ja‘far developed the thirty-questions pattern in a treatise that survives under the titles *Tābi‘at al-hudā*, *al-Tābi‘a fi/bi-l-adilla al-qāṭi‘a*, and *al-Tābi‘a fi ‘ilm uṣūl al-dīn* (surviving in Ṣan‘ā’, Maktabat al-Awqāf, MS *‘ilm al-kalām* 78, in the old shelf mark system, 26 fols. in a collective MS; Ṣan‘ā’-Hijrat al-Sirr, Maktabat Āl al-Wazīr, collective MS; Milan, Ambrosiana, MS, ar. D 265, ff. 74-85). Ja‘far’s refutation of the Sunnī theory of imāmate, *al-Naqḍ ‘alā ṣāḥib Majmū‘ al-Muḥiṭ fi-mā khālaḥa fihi al-Zaydiyya min bāb al-imāma*, survives in Berlin, Staatsbibliothek, MS Glaser 127 and other manuscripts. Works in law include *al-Rawḍa al-baḥiyya fi l-masā‘il al-marḍiyya*, ed. al-Murtaḍā b. Zayd al-Maḥaṭwārī al-Ḥasanī, Ṣan‘ā’ 20022, that is, Ja‘far’s autocommentary on *Nukat al-‘ibādāt wa-jumal al-Ziyādāt*. Numerous editions of a work on *ḥadīth*, titled *Kitāb al-arba‘īn al-‘alawīyya*, include that by ‘Abd al-Fattāḥ al-Kibīsī, Amman 2002, published with Ja‘far’s autocommentary. Another work on *ḥadīth* is *Taysīr al-maṭālib fi Amālī Abī Ṭālib*, ed. ‘Abdallāh b. Ḥammūd al-‘Izzī, Amman 2002. Ja‘far’s two works on legal methodology, *al-Bayān fi uṣūl al-fiqh* and *al-Taqrīb fi uṣūl al-fiqh*, survive in several manuscripts, including one copied in 555/1160, with marginal notes possibly written by the author himself (Milan, Biblioteca Ambrosiana, MS ar. D 544, fols. 109a-126a and 127a-214a).

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