

## Yaḥyā b. Yaḥyā al-Laythī (152/769–234/848)

Yaḥyā b. Yaḥyā al-Laythī (152–234/848) was an influential Mālikī jurist of Berber descent from Cordoba. He is credited with transmitting the most widely circulated recension of the *Muwattaʿ*. Yaḥyā began his studies with Ziyād b. ʿAbd al-Raḥmān Shabṭūn (d. 204/819), an early Andalusian jurist, who himself had studied directly under Mālik b. Anas in Medina and transmitted Mālik’s legal teachings in Andalusia. After Yaḥyā distinguished himself as a student, Ziyād encouraged him to travel to the Islamic East to learn from the latter’s teachers. Thus, Yaḥyā set out on “a journey in a quest for knowledge (*al-riḥla fī ṭalab al-ʿilm*),” and at the age of 18, Yaḥyā was able to study the *Muwattaʿ* directly from Mālik in the last year of the latter’s life, 179/796. Yaḥyā reported all but a handful of the material included in his recension – those in the chapter on *iʿtikāf* (pious seclusion) – directly from Mālik. Because Yaḥyā was unsure, however, whether he had heard the materials regarding pious seclusion directly from Mālik, he chose to narrate them instead from the Andalusian teacher of his youth, Ziyād (who transmitted them from Mālik), and not directly from Mālik.

After Mālik’s death, and a brief return to his homeland, Yaḥyā ventured eastward again, this time going to Egypt to study Mālikī law under two of Mālik’s most prominent pupils, Ibn al-Qāsim (128/746–191/806) and Ibn Wahb (125/743–197/813). With the former he studied law (*fiqh*), specifically, Mālik’s legal opinions, and under the latter he studied traditions (hadith, *āthār*). While he was in Egypt, Yaḥyā also attached himself to al-Layth b. Saʿd (94/713–175/791), a prominent Egyptian jurist who was a younger contemporary of Mālik. Al-Layth b. Saʿd and Mālik exchanged a series of letters in which the two debated the authoritativeness of Medinese law. Al-Layth was an important influence on Yaḥyā, and he ended up favoring several of Layth’s legal opinions over those of Mālik.

Upon his return home to Cordoba, Yaḥyā’s impressive résumé and legal acumen quickly made him one of the most distinguished, popular, and authoritative jurist in Andalusia. He spent many years publicly teaching the *Muwattaʿ*, thereby securing its canonical place in Andalusian Muslim legal culture. Yaḥyā utilized his influence to spread Mālikī law, and almost all his legal opinions (*fatwās*) were based on Mālik’s. He became a close adviser to the Umayyad ruler of Andalusia, ʿAbd al-Raḥmān II (r. 206/822–238/852), and wielded considerable influence in selecting and approving individuals for judicial office as well as other governmental posts. Yaḥyā routinely selected his students to fill these posts, a fact that contributed to the spread of the Mālikī school among Andalusia’s Muslim population. His biographers report, however, that he declined an invitation to become a judge, asserting that he was better positioned to oversee the proper functioning of the judiciary and prevent corruption by working outside the formal legal system. In actuality, all Cordoban judges of that period were Arab, a fact that suggests that he never had much of a chance of being appointed.

Al-Yaḥyā’s fame, influence, and longevity were among the reasons for the dominance of the Mālikī school in Andalusia and the widespread diffusion of the *Muwattaʿ* there. The growing number of Andalusian Mālikīs who studied the *Muwattaʿ* with him, and his students after him, resulted in making Yaḥyā’s recension the most popular version of the *Muwattaʿ* in Andalusia and North Africa. It became a main source for teaching Mālikī law and the object of numerous commentaries on Mālikī law. Thus, the success of his recension was tied to his successful role in

institutionalizing the Mālikī school in Andalusia. In addition, given that the *Muwattaʿ* was consistently revised throughout Mālik’s life, Yaḥyā’s recension had the added authority of providing the most recent teachings of its author. As a Mālikī jurist, Yaḥyā retained in his recension of the *Muwattaʿ* all of Mālik’s legal opinions and commentary, in contrast to non-Mālikī transmitters of the *Muwattaʿ*, such as the Iraqi jurist Muḥammad b. al-Ḥasan al-Shaybānī (132/750–189/805) and the traditionist Suwayd b. Saʿīd (d. 240/855), whose recensions of the *Muwattaʿ* largely omitted Mālik’s legal opinions. Viewed solely as a legal text, Yaḥyā’s errors in transmitting the *Muwattaʿ*’s hadiths could have been deemed immaterial. Nevertheless, his student, the traditionist Ibn Waḍḍāḥ (d. 287/900), took care to correct them. Ibn Waḍḍāḥ stands as the common link for most transmissions of the *Muwattaʿ* via Yaḥyā. Ibn Waḍḍāḥ’s status as a reliable traditionist further bolstered the authoritativeness of Yaḥyā’s recension.

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