Chapter Fourteen

Qāḍī ʿIyāḍ (D. 544/1149)

Camilo Gómez-Rivas

ʿIyāḍ b. Mūsā—better known as Qāḍī ʿIyāḍ—was an eminent jurist whose career coincided with the 6th/12th-century expansion and consolidation of Mālikism into the Far Maghrib or Islamic West. This was especially significant in the region south of the historically more settled Mediterranean coast. Until the end of his life, ʿIyāḍ remained fiercely loyal to the Almoravid dynasty (al-murābiṭūn, 445–544/1054–1149), a Berber tribal confederation from the Saharan south, which, as the first major non-Arab Islamic power of the region, made use of Mālikī jurists as both legitimizing and administrative agents. A prolific author, ʿIyāḍ’s most influential surviving works include the first major biographical dictionary of the Mālikī school (the dominant legal school in al-andalus, the Maghrib, and West Africa), a bio-bibliographical work on his teachers and transmitters, and a treatise—famous far beyond the boundaries of his legal school—describing the life, attributes, miracles, and ritual and religious law surrounding the figure of the Prophet Muḥammad.

ʿIyāḍ’s legal consultations and opinions produced on the occasion of cases (pl. nawāzīl, sing. nāzīla) over which he presided also survive in a collection compiled and annotated by his son, Muḥammad. These nawāzīl shed light on Andalusī/Maghribī legal practice, on ʿIyāḍ’s legal thought, and on the socio-economic landscape of the period. The figure of ʿIyāḍ that emerges from these nawāzīl is that of the busy chief judge (qāḍī al-jamāʿa) of Ceuta (Arabic: Ṣabta), a city undergoing rapid commercial and demographic growth. ʿIyāḍ personally oversaw two expansions of Ceuta’s congregational mosque as the city developed in its new role as the main Almoravid port on the African coast of the Mediterranean. Legally and intellectually, ʿIyāḍ can be seen as a vital link in the flow of knowledge from al-Andalus, a land of established institutions and a long experience of government, to the Far Maghrib, where Marrakech—founded by

1 Located on the Mediterranean coast of Morocco, Ceuta was occupied by Spain in 1578.
the Almoravids in the mid-5th/11th century—had recently inherited the centralizing power that had once belonged to Cordoba.

**Life**

‘Iyāḍ was born into an established family of Arab origin in Ceuta, a city where he spent most of his life and of which he became judge. He left Ceuta only twice, to al-Andalus, for relatively brief periods of time: once, as an advanced student, to meet the scholars of the peninsula and gather teaching/transmitting licenses (ijāzāt); and a second time to assume the judgeship of Granada. ‘Iyāḍ’s career came to an end with the collapse of the Almoravid dynasty; he led the city in open rebellion against the Almohads, capitulated, and was exiled to Marrakech where he died under uncertain circumstances.

‘Iyāḍ’s agnatic ancestors are said to have emigrated from the Yemen and to have lived in Basta, al-Andalus, and Qayrawān before settling in Ceuta. The first family member about whom there are concrete details is ‘Iyāḍ’s great-grandfather, ‘Amrūn, a prominent scholar reputed to have had perfect knowledge of the Qur’ān, who moved his family from Fez to Ceuta sometime after gaining wealth working in the service of al-Manṣūr b. Abī ‘Āmir (d. 392/1002) and before his death in 397/1007. The family became well-established among the notable families of Ceutan society.

‘Iyāḍ’s full name was abū'l-Faḍl ʿIyāḍ b. Mūsā b. ‘Iyāḍ b. ‘Amrūn b. Mūsā b. ‘Iyāḍ b. Muḥammad b. ‘Abd Allāh b. Mūsā b. ‘Iyāḍ al-Yahṣūbī al-Sabtī. He was born in Ceuta toward the middle of Shaʿbān 476/December 1083, six months after the Almoravid takeover of the city. Shortly thereafter, Yūsuf b. Tāshufīn, the great Almoravid leader, made the city the base of operations for his military excursions into al-Andalus. Ceuta was thereby turned into one of two principal ports of the growing empire (the other

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3 Chamberlain (ḥājib) of the Umayyad caliphs and virtual ruler of the caliphate, 368–392/978–1002.