Chapter 4

The Kitāb al-wašiyya of ʿĪsā b. al-Mustafād: The History of a Text

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From the early days of Shīʿī thought on the issue of the Imāmate, there have been writings on the subject often bearing the title of Kitāb al-imāma, alongside writings on the concept of the sacred bequest, bearing titles such as Kitāb al-wašiyya or Kitāb al-awsīyāʾ (“Book of the heirs”, i.e., the Imāms). Wašiyya is an old Shīʿī concept, broader than the evolutionary notions of Imāmate and Caliphate, but gradually becoming synonymous with the Imāmate and the doctrine of investiture (nasṣ). These concepts originate in the belief that the Prophet had designated ʿAlī as his “heir” for a variety of tasks. The concept, then, simultaneously encompassed the responsibility of the Prophet in the naming of his heir, the status of ʿAlī as the object of this nomination, and the question of the succession of the Prophet and the sacred heritage of the prophecy.

The writings devoted to these issues were collections of ḥadīths or theological discussions about the fact that ʿAlī and the other Imāms who descended from him are the heirs of Muhammad and, after him, responsible for the prophetic legacy at the head of their community. The extension of the “legacy” of ʿAlī—to which some writings are exclusively dedicated—to other Imāms seems to show a change in the original sense of the term. Thus was developed the theory according to which every lawmaking prophet had legatees who had as their task the custody of the prophetic legacy until the appearance of the next lawgiver. The “last prophet,” being no exception, also has legatees of this kind, who have thus never been absent from history.

One consequence of this theory was the predestined nature of the status of the Imāms, each duly appointed by his predecessor in a line going back to the Prophet (indeed, according to some currents of Shiʿism, to God). Under this doctrine, presented as part of the concept of the pact of the Imāmate (ʿahd al-imāma), each Imām has a duty to explicitly designate as his successor an Imām predestined for this task.
While the most significant example of this literature is the *Ithbāt al-wasiyya*, a work attributed to the historian al-Maṣʿūdi (d. 346/957–58), one of the oldest writings of the genre is the *Kitāb al-wasiyya* attributed to ʿĪsā b. al-Mustafād, a Shīʿī traditionalist. This latter work can be reconstructed on the basis of quotations preserved in later writing and which we shall examine in this chapter. In this text, ʿAlī is described as being the object of the investiture by the Prophet and in charge of the latter’s bequest. Before we turn to this work, it is useful to offer a list of Shīʿī writings, particularly Imāmī, which were dedicated to this subject and held in particularly high esteem in Shīʿī circles:

1. *Kitāb al-imāma* and *Ithbāt al-wasiyya* by Abū Jaʿfar Muḥammad b. ʿAlī b. al-Nuʿmān al-Bajālī al-Ahwāl al-Kūfī al-Ṣayrāfī, known as “Muʿmin / Ṣāḥīb al-Ṭāq,” disciple of the Imām Jaʿfar al-Ṣādiq (d. 148/765) and Shīʿī theologian. Al-Ṭūsī identifies him as Muḥammad b. al-Nuʿmān al-Ahwāl and says that he is called *Shaytān al-Ṭāq* (“the devil of the Ṭāq quarter”) by his adversaries and *Muʿmin al-Ṭāq* by the Shiʿa. It is clear that al-Ṭūsī got his information from Ibn al-Nadīm’s famous *Fihrīs*.  


3. *Kitāb al-wasiyya wa-l-raddʿalā munkirihā* (or ʿalā man ankarahā) by Abū Muḥammad Hishām b. al-Ḥakam (d. 179/795), one of the greatest Shīʿī theologians of the time of the Imāms in Kūfa and Baghdad. He reports traditions from the Imāms Jaʿfar al-Ṣādiq and Mūsā al-Kāẓīm. Ibn al-Nadīm stresses his expertise in Shīʿī theology and insists on his mastery of rational speculation (*nazār*). In addition, different sources allude to one or more works of Hishām on the subject of the Imāmate without offering any specific work titles. These may refer to the above mentioned work or to other writings of his on this subject.  

4. *Kitāb al-waṣiyyā* by Abū Jaʿfar Muḥammad b. ʿĪsā b. ʿUbayd b. Yaqtīn, narrator living in Baghdad, who transmitted from the Imām Muḥammad al-Jawād (d. 220/835). This book may be a juridical compendium on the question of the will (*waṣiyya*) and inheritance or on *waṣiyya* in the sense that concerns us. To be certain of this would require a more detailed study of the work. Al-Ṭūsī considers the author “weak,” and adds that he has been accused of extremism (*ghuluww*).  