

The Revolutionary Extension In Sheikh Larbi Tebessi's Thought Through His Verdicts (Fatawi)

البعء الثوري في فكر الشيخ العربي التبسي من خلال فتاويه

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Abstract:

This study aims to show the importance of an Algerian scholar called «Sheikh Larbi Tebessi». Who had lots of attempts and gifts. Especially during the period of French colonization to Algeria. There emerged many famous political and scholars among the association of Algerian Muslim Scholars.

One of them was « Sheikh Larbi Tebessi » The jurist, the orator, and the scholar. He used to be very daring on defending rights. Even though, he was the alone child of his mother, he faced the colonial authorities thanks to his courage and awareness.

His attitudes were very famous through his verdicts (Fatawai) about naturalization, marriage from french women, immigration abroad and the prayer after imams appointed by the colonial authorities...

keywords: Sheikh Larbi Tebessi; Algerian Muslim scholars association; Algerian revolution; Fatawa; The french colonialism.

ملخص:

تهدف هذه الدراسة إلى بيان بعض الجوانب المهمة من حياة العالم الفقيه الشيخ العربي التبسي. والكشف عن ظروف نشأته ومراحل تعلمه وترحاله. والتطرق إلى دوره العلمي والتعليمي باعتباره أحد أعلام جمعية العلماء المسلمين الجزائريين. بالتعرض إلى مواقفه الثابتة من معاداة المستعمر ومساندة الثورة. خاصة ما عبر به في فتاويه عن تحريم التجنيس والزواج من الفرنسيات. وتحريم الهجرة إلى الخارج لغير ضرورة. كذلك فتواه بعدم جواز الصلاة خلف الأئمة الذين تعينهم سلطات المستعمر...

الكلمات المفتاحية: الشيخ العربي التبسي؛ جمعية العلماء المسلمين الجزائريين؛ الثورة الجزائرية؛ الفتاوي؛ الاستعمار الفرنسي.

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1. INTRODUCTION

Since the early operations of the French colonialisme against algerian people. Lots of popular resistances occurred to face the enemy forces. Many reformers and scholars were in the head of popular and military fighting, and political manifestations. In addition, the association of muslim algerian scholars, were focusing on teaching and awarening People. In order to be ready to liberal revolution till getting the independence. Sheikh Larbi Tebessi was the most revolutionary scholar. The following study focuses on his life and role in the algerian revolution. And his attitudes from the French occupation.

2st : His environment and era conditions :

Sheikh Larbi Tebessi came to the life in the time when Algeria was moving from popular and resistances to political ones(1919-1954). Then started a new era with a new generation of scholars and politicians. Who got a new way after the failure of the popular resistances in getting the independence in the ends of the 19th century and the beginnings of the 20th century. During these circumstances Sheikh Larbi Tebessi was growing up in order to be a scholar fighter later on in the revolution.

1/The Local Living Conditions :

Sheikh Larbi Tebessi was born in the ends of the popular resistances. When Algeria knew lots of armed resistances against the French colonialism. Such as Bouamama's revolution, which took 23 years(1881-1904). Also the resistance of Tuareg(1916-1919)and the resistance of Ain Turki (1901) and Ain Bassam (1906) a the last resistance of Awlad soltan (1915) (Salah Ferkous , 2005, p35).

2/ His Birth And Growth :

His full name is Larbi ben Belkacem ben mubarak ben Farhat Ladjadr. He was born in the countryside of El-sstah (beside El-Ogla)117 klm away of province of Tebessa eastern of Algeria in(1308AH /1891AD). He was the alone of his parents⁰.(Ahmed Aissaoui, 2006, p 35). He was a scholar , an orator, a teacher, a jurist and a fighter (Ahmed Aissaoui, 2005 ,p 113).

So he grew up as an orphan since he was six, because of the early death of his father. His mother Fatima took the role of hard education. She was a believer and a stubborn shepherd.

His uncle –later on- became his stepfather (mother's husband). who was himself a farmer and a shepherd. Larbi was going with his uncle whenever he was ; in deserts or mountains. He grew up influenced in his personality reformation by a very hard living conditions (Ahmed Aissaoui, 2006 ,p 36).

He grew up in his tribe of « EL-djedour » which was proud of Quranic Tent of his father , grandfather and uncles. In which many students learnt Quran by heart (Ahmed Aissaoui, 2006 ,p 38).

His Trip of learning took more than 20years. He took his first learning at his father's and uncles' hands(1815-1909).He was working with his father in agriculture. Nearly all children were keeping the Holy Quran in his father's Kuttab (Med Ali Debbous , 1976, p 44).

Then Larbi travelled Zawiat-Awlad-Rachchach in Zawi (khenchela) more than two years(1902-1904). After that, he moved to Zawiat Kjangat-Sidi-nadji Arrahmanya (biskra)for six years(1905-1909). Then he went to AL-mustapha ben Azzouz Arrahmanya in Nephta in the south of Tunisia(1909-1912) (Ahmed Aissaoui , 2006, p44) . At last sheikh Larbi travelled to Keiro to

study in AL-azhar untill graduation with diploma of Alaalmaia in 1927 (Ahmed Al-khatib , 1985, p168) .

According to the successive trips of sheikh Larbi Tebessi during the hard living conditions. We can notice that he was a strong man, had a good personality and willing. He was very serious to get knowledge (Ahmed elrrifai chorfi, 2011, p34).

3rd : The main factors which Sheikh Tebessi was influenced by :

There were many factors that made Tebessi conserved in leberation war later , such as :

a/ The Hard Living Of Environmental Conditions :

He grew up in the countryside of El-sstah which is an area of mountains and stones. Most of people there were depending on agriculture and grazing . This hard environment affected on people to be bearable (Ahmed Aissaoui, 2006, pp 46-47).

He missed his fother in the age of six years. He grew up an orphan. In addition, he was living in isolation in Awlad-Rachchach and Khangat-Sidi-nadji . Then in Zaytuna and Al-azhar. These hard living condiions might affect on his personality to be severe in his sight and opinions (Malek bennabi , 1984, p 131).

b/ The Egyptian And Tunisian Environment Influence :

During his trip to Tunisia , sheikh Larbi Tebessi was very influenced by the personality of sheikh Thaalibi , the symbol of Jihad and resistance against the colonialization in Tunisia. The jurist Larbi was attending speaches and lectures of Sheikh Thaalibi. Increasing the hateness to the colonialists and their parteners (Med Ali Debbous , 1976, pp63-64).

The cultural and political environment that was situated in Egypt during the beginning of the 20th century influenced positively on Sheikh's personality. So he decided to come back to Algeria contribute in the operation of reformation and leberation from the colonial domination (Ahmed El-khatib, 1985, p 168).

c/ Bad living conditions of Algerians :

Especially, in the area of Tebessa. Because it was under the french army rule (Pierre Castel, 2020). which applied the law of « indigina ». This area was famous of many kinds of natural wealths (iron, phosphate, coal...). That contained a lot of groups of colonial communities, which had bad habits against the religion of Islam and its manners (Aboul-kacem saad allah , 2007 ,p66).

Further more, the area of Tebessa knew a huge contradict of opinions and ideas (Malek bennabi , 1984, pp80,124) All that made people if the area on two types of opinions ; cosequently , Sheikh Larbi Tebessi was fairly increased staing on his attitudes.

These contradicted factors in the formation of Sheikh Tebessi's personality. So he grew up on hating the colonialism and his parteners. At the last of his life, the jurist was suffring from many illnesses (Ahmed Aissaoui, 2006, p p46-49).

4rd : Sheikh Larbi Tebessi The Revolt Scholar :

Sheikh Larbi was considered one of the famous Maliki jurists. And no one could compared with him among the members of Algerian Muslim scholars association. He might be the famous jurist in all over Algeria at that time.

According to Toufik Al-madani , sheikh Larbi Tebessi had been answered all religious questions with their proves, mentioning all the sayings other jurist schools (Kamel Ladr'a, 2012, p202).

In order to know his round knowlege and respect from all the founders of the scholars association , He was appointed on the head of Fatwa community. A great number of questions from the hole country were given to Sheikh Tebessi to answer.

Because of his increasing works and missions , he apologized for the late answers and indicated people who were asking him to two other main scholars who were Abu-ya'la Zewawi and Mubarak El-mili (Kamel Ladr'a, 2012, p207).

Beside that, his mastering from Maliki school of jurisprudence, sheikh Tebessi got a deep knowledge of other sunni jurist schools (mathahib) ; Hanafi, Chafi'i and Hanbali. Adjusting between them and chose the appropriate prove in each issue. Following the way of Imam Malik who said ; « every one's saying maybe acceptable or unacceptable except the prophet (p.b.u.h) » (Kamel Ladr'a, 2012, pp202-204).

The researcher Ahmed Aissaoui showed in his researche of doctorate « Sheikh Larbi The jurist » that sheikh was a « Mujtahid jurist » didn't stop at his Maliki school of jurisprudence but he beyonded it to other sunni schools (Kamel Ladr'a, 2012, p296).

5thThe Most Famous of Sheikh Larbi Tebessi's Verdicts (Fatawa):

- _ His verdict (fatwa) of working in colonial administration.
- _ His verdict (fatwa) in appealing the religious ruling in the civil courts.
- _ His verdict (fatwa) in the prohibition of the naturalization in French nationality.
- _ His verdict (fatwa) in prohibition of marriage with French women.
- _ His verdict (fatwa) not to allow prayer behind Imams who were appointed by the colonial authorities.
- _ His verdict (fatwa) to forbid the imported grease from Marseille.
- _ His verdict (fatwa) in the obliged boycott of french goods like unnecessary food.
- _ His verdict (fatwa) that forbid the emmigration abroad during the liberation war, and considered that as an apostasy and betrayal.

After following these little verdocts (fatawa) we can notice that sheikh had been a mature and integrated islamic view (Ahmed elrrifai chorfi , 2011 , p55).

He understood the reality of the conflict that existed in the world . and his strange verdicts at that time , become today as a reference like his verdict to boycott the goods of the enemy and so on.

A/ Allah's Ruling on Naturalization and Repentance of it :

The community dealt with a fatal blow to one of the French policy poles. Not only in Algeria but even in Tunisia an Marroco. Though, France invited "the Algerian Elite " who got special French culture to naturalize in French citizenship. This policy succeeded to certain extent with some persons who had weak personalities. Still they become from its loyal advocates (Turki Rabeh Amamra, 2004 ,p 37).

Sheikh Tebessi started his fatwa from his consideration that the naturalization is an innovation invented by its owners to extract muslim members from their religion and integrating them into French sect inorder to incese their numbers , and decrease muslim members . So Sheikh's point of view was depended on considering the naturalization as an invasion to islamic beliefs. He might consider the naturalized person as a desbeliever one (Al-bassair , 14/01/1938).

Throughout this fatwa, Sheikh Larbi Tebessi condemned on naturalized person deprivation of islam. Because he left his religion willingly and not by force. changing to an other belief. Then sheikh stated Allah's saying in the Holy Quran :

« but no,by the Lord , they can have no(real) faith , until they make the judge in all dispue between them. and finf in their souls no resistance against your decisions, but accept them with full submission. » (An-Nisa· 65).

Sheikh's point of view was against the French policy that had been aimed to exterminate and integrate Algerian people and erase the charateristics of a distinguished nation. It was really

strange that France would like to naturalize Algerians , to erase a full human genre in the time when international laws prevent extermination kinds of animals and birds (Turki Rabeah Amamra, 2004, p37).

Sheikh AL-ibrahimi saw in this fatwa a great daring and a challenge to France and its partners . He said : « in the time talking in such issues was considered a sort of punishment. With all those attitudes , Algeria proved its islamic identity and fought the racism that colonialism was fueling it. And cosidered it as the truest weapon to cut Algeria off the muslim nation. » (Al-bassair , 29/08/1947).

B/ Arbitration And Litigation Into The French Courts :

sheikh Tebessi prohibited Arbitration and appealing the legal rulings that were issued by Muslim judges into French couts. He considered those who did that had no religion, and this act should be done by those who belong to Mutslim nation (Al-bassair , 16/01/1938).

sheikh Larbi Tebessi had considered in one of his verdicts (fatawa) that the execution of dead's will to their inheritors via (through) the civil natory was forbidden. And whoever made that had to repent from it. And Al-mussi (testator), by his act , objected to the jugement of God and his messenger. And for inheritors, they had not to execute his testament. And all taken money through this testament was forbidden. And they are all equal in the Sin (Al-bassair , 16/01/1938).

C/ Allah's Ruling on the marriage from non-muslim women :

In Islam , it is permissible for the muslims to get married woman of people of the book (ahl-el-kitab)(Jewish and Christians) provided that they are chaste.

Allah said in Quran : « Lawful unto you in marriage are (not only) chast among the people of the book » (Al-Maeda, 05).

According to the state of the owner's question. The fatwa changes. Sheikh Tebessi had forbidden the marriage of foreigner women whether they are of people of the book or they had no religion at all. His argument was :

The law of from foreigner women considered them as ladies might take away the right of guardianship from their husbands . And Allah said : « Men are (protectors maintainers in charge of women. » (An-Nisa, 34).

Futhermore, this marriage might oblige the husband to integrate into the wife's nation, taking him away of his islamic religion and traditions. And the worst of that all was that the children from that woman would be followed their mother's nationality . So they would be naturalized , cutting all the links between them and chari'a of islam (Al-bassair, 19/01/1938).

Throughout this fatwa , sheikh Tebeesi didn't make any difference between women from people of book or others. But in fac the didn't indicate to marriage from the foreign women in the country of the husband . Where it was possible to apply the islamic rules. Because Algeria was under the french colonialism inwhich people had to arbitrate to the french laws (Abdulkarim boussafassaf, 2007, p79).

D/ God's Ruling on those who break the home land during the Revolution :

This issue was considered the most important and harmfull fatwa against the French colonialism. sheikh Tebessi said in this_fatwa : « Take these words away of me ; and report to everyone you know whenever you meet them, that every immigration from the homeland away to the broad is considered a departure from religion and a betrayal to the homeland. Unless it was an ordered mession from the Front. And everyone opposed that maybe among those in Allah's saying : « And whoever turns his back to them on such a day , unless swerving (as a strategy) for

war going another company , and his refuge is hell- and wretched is the destination » (Al-Anfal, 16).

This fatwa calls us to extrapolate the attitudes of sheikh Larbi Tebessi from liberation revolution. From a side , he used to be known for intensity to uphold the right. So his attitude from the revolution was unchangeable since its beginnings (Mohammed zarwal, 2003, pp271-272).

AL-mudjahid Cherait lazhar issued a fatwa included the obligatory Jihad against the colonialism. The matter which prompted the colonial power to prepare for an ambush to kill him, just a few days before he declaration of the revolution.

Sheikh Tebessi had attitudes towards the palastinian issue. He showed a fatwa to general Jihad in Palastine in 1948. This fatwa was such a motivation to the Algerian volunteers to defend on Palastine (Karima Araar, 2006 ,p95).

sheikh Larbi Tebessi did his best to help the revolution not only with his speeches. But also with gathering money and gifts (Ahmed Aissaoui, 2006, p65). Though , he was well controlled by the colonial authorities , Sheikh was continuing in his way, declaring his famous fatwa included the obligation of Jihad against the colonialism in 1956 (Med Ali Debbous , 1976, p96).

Sheikh Tebessi had a great relation with the leaders of the revolution . Those who saw him as a devine scholar. He had a strong relation with Amirouch who was corresponding with cheikh all news of the liberation. Once , Amirouch asked cheikh Al-arbi to give him an advice to follow it in Jihad, and due to the security precaution, he was satisfied with sending a book of Quran (a Mus'haf) with a messenger and said : « This book of Quran is my advice to you. »

French authorities believed that they could exploit the value of Sheikh Al-arbi thanks to his fame, in order to stop the revolution. Once with promises and other ones with threatening. But Sheikh didn't reply the general Robert Lacoste to prevent people of revolution (Nabil ahmed albalassi, 1990, p195). And told him : « on my life, i've never lied and you want me to lie on my people, and this can never be. » (Turki Rabeh Amamra, 2004 ,p265).

Sheikh Larbi Tebessi struggled and fought against the enemy till getting martyrdom. He defended the truth and the truth has no place. He stive for justice and the justice without time. He fought for islam which has no special land nor limits (Med cherif Abbes, 2004, p 185).

6. Conclusion:

To conclude , Sheikh Larbi Tebessi lived revolting and dead a martyre. in order to write a bright page in Algerian Jihad against the French colonialization. These few pages may not be enough to state all the attitudes of Sheikh Larbi Tebessi against the colonists . but we can just summarize in the following notes :

- _Our jurist was influenced by the hard environment to be religious aware courageous and severe.
- _He was living as a revolt against the colonialism. And died as martyre , in order to be a symbol of the fighter Jurist.
- He was killed in a strange manner , that indicated the ugliness of the French colonialism.
- _His attitudes from the colonists were too clear. He didn't accept any investigation whether before or during the revolution.
- _Sheikh Tebessi focused in his life on religious reformation with awareness and education depending on the principles of religion and identity.

The revolutionary extension was appeared very clear. Starting from his verdict (fatwa) of Jihad in palastine in the war of 1948. And the prohibition of naturalization in French nationality. And arbitration into French authorities.

In addition to the unallowed prayer after imams appointed by the French ruler. Ending with the obligation of supporting the liberation revolution.

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