

*In the Name of God  
the Compassionate, the Merciful*



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## AIMS AND OBJECTIVES

1. To provide a forum for scholars to make analytical studies of Islamic topics and themes.
2. To advance the cause of better understanding of the Qur'an and the Ahl al-Bayt's (a.) contribution to Islam.
3. To publish English translations of Arabic and Persian works of Muslim scholars.
4. To endeavor to find Islamic answers to questions relating to the social, political, and moral problems of today.

\* \* \* \* \*

Scholars and writers from all over the world are invited to contribute to this journal.

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The idea of *marja'yyah* (supreme religious authority), in Shi'ism, is based on certain principles, the most important of which are *ijtihad* (individual canonical reasoning) and *taqlid* (following a religious authority). These are considered to be the foundations upon which Islamic rules and regulations are worked out. Owing to these two dynamic foundations, Islamic rules, over the ages, have been responsive to different situations at various levels.

Since the Islamic sources of law were compiled centuries ago, it is not an easy task to draw Islamic laws from these texts. Undertaking such an intricate task requires a good command over the Islamic texts and a deep knowledge of the problems of today's world. Once the rules are drawn from the texts by the experts, they are announced to the public as guidelines. The Holy Qur'an, in this regard, states:

*"And it does not beseem the believers that they should go forth all together; why should not then a company from every party from among them go forth that they may apply themselves to obtain understanding in religion, and that they may warn their people when they come back to them that they may be cautious."*  
[9:122]

In order to prevent unqualified and incompetent persons from venturing into the area of *ijtihad*, Islam has laid down certain rules and principles as parameters for exercising *ijtihad*. Hence, only qualified persons, on the basis of certain rules and regulations, can opt for *ijtihad*.

*Ijtihad* (individual canonical reasoning) of one *marja* (religious authority) may differ from another. Every *marja* is allowed to issue his decree. This phenomenon gives a unique dynamism to *ijtihad* in Shi'ism.

Although Islam recommends unanimity and advises Muslims to refrain from differences, so far as *ijtihad* is concerned, and as long as the *marja* abides by the Qur'an, he is free to draw rules from Islamic texts according to his own readings and experiences.

Indeed, the Holy Qur'an has stressed unanimity among Muslims in their practical stands over the ages. Muslims have practically followed this trend. However, in certain cases the *'ulama*, on the basis of their own expertise and experiences have passed different *fatwa* (decrees) regarding a particular issue. In such cases, in order to be on the safe side, Muslim jurists believe that the decree of the *a'alam* (most qualified jurisprudent) should be considered as the ultimate judgement. This belief has played a significant

role in materialization of the idea of *marjaiyyah* as a natural phenomenon. In practise also, some of the jurists were so influential that they became a *marja* for all the *ummah* (Islamic community) and their decrees were accepted by other '*ulama*. Consequently, the latter refrained from their own decrees on different issues. In certain cases, a supreme *mujtahid* emerged so strong that his knowledge overshadowed other '*ulama*. It automatically led to the blockage of *ijtihad*. This is what happened during the time of the late al-Shaykh al-Tusi.

The disparity and oppression that the Shi'ites have experienced over the centuries, as well as their desire for a religious leader who could reunite them and defend their rights, may count for the invigoration of the place of *marjaiyyah* in Shi'i life, especially during the recent era.

*Marjaiyyah* has played a significant role in religious, social and political fields. The role of a *marja* in Islamic societies has been strengthened by another aspect of *marjaiyyah*, i.e., *wilayat* (guardianship). Indeed, in accordance with Islamic teachings, any judgement from the *faqih* issued by other than *wali-e faqih* may be followed by Muslims only if it does not contradict the decree of the *wali-e faqih*. This brings in its wake a kind of unity in political stands and facilitates the administration of the Islamic system. Moreover, it also facilitates the collection of *khums* (taxes) and *zakat* (alms), in a systematic manner. Besides, it helps the smooth management of the Islamic seminaries as well as rendering services to the society.

More recently, *marjaiyyah* has turned its focus from traditional issues to current intricate issues in soci-political fields. In order to respond to intricate social problems, *marjaiyyah* has tried to strengthen its system; to expand its information system, and utilize scientific methods. Attempts have also been made to cope with the infiltration of incompetent persons into the system of *marjaiyyah*.

Besides elaborating on such issues as prayers and other problems related to rites, the new approach concentrates more on the problems of modern society. Although considerable ground has been made in this field, still we have not achieved the desirable level.

Another problem that has obsessed the Islamic seminaries, in particular, and the Muslim masses in general, is the issue of the emergence of a supreme *marja*. This problem looms large in today's Islamic societies, especially with the increase in the number of *maraji* and expansion of Islamic seminaries, as well as the interference of some selfish desires.

Moreover, the problem becomes serious when several distinguished *marja* pass away, one after the other, within a short period of time. Indeed,

today the Shi'i world faces this dilemma; because within a short span of time the following distinguished *maraji* departed for their heavenly abode: Grand Ayatullah Sayyid Muhammad Baqir Sadr, Grand Ayatullah Imam Khomeini, Grand Ayatullah Sayyid Abdullah Shirazi, Grand Ayatullah Marashi Najafi, Grand Ayatullah Sayyid Abolqasim Khoie, Grand Ayatullah Mirza Hashem Amoli, Grand Ayatullah Sabzawari, and Grand Ayatullah Sayyid Muhammad Reza Golpaygani.

Such tragedies bring about continuous embarrassment, as well as chaos, due to multiplicity in the number of *maraji* because the decision-making center becomes dispersed.

At this juncture, several questions are raised regarding the issue of *marjaiyyah*. The questions that immediately occur to mind are: 1) Is the traditional method of selection/election of a *marja* still feasible? 2) What kind of relationships should exist between *marjaiyyah* and *vilayah*? 3) What will happen to the question of *a'alamiyah* (selecting the most qualified *marja*)?

Another key question that sprouts from the very same questions is: Should we confine ourselves to the traditional method of selecting a *marja* on the basis of the old criteria, or, should a new method be developed for selecting a *marja*? Certainly, there is a close and inextricable bind between the Islamic principles and doctrines and every sphere of man's life. So, it is but natural that a *marja a'alam* must have a command over international socio-political affairs. He must also be able to analyze those problems which require a religious answer and give his clearcut verdict for such problems.

These questions have come to the fore, not only at a theoretical level, but also at the practical level, though in different manners.

In our opinion, the traditional method of selecting a *marja* was useful and workable when the Muslim *ulama* were dispersed, were not in power and there was no Islamic government. In the past, the emergence of a *marja*, practically depended on the power of propagation of the *marja* himself, his personality and status as well as the prevailing conditions. However, today that the Shi'as are in the vanguard of the Muslim world, resorting to the traditional method of selecting a *marja* will be counterproductive and, in the long run, will have unexpected repercussions for the Muslim world.

Under the circumstances, the problem of the method of selecting a *marja* should not linger in the air. Taking into account the plots of the world of arrogance for undermining the Islamic Revolution of Iran, especially their attempts to infiltrate into the sphere of *marjaiyyah*, it is not advisable to remain indifferent towards this issue.

At this juncture, we require a new method—of course, in accordance with the *Shari'a*—for selecting a *marja*. Moreover, we should also purify *marjaiyyah* from the redundant parts that have accumulated around it over the ages. No doubt, *ijtihad* is basically a pursuit by means of which the *marja* tries to work out the decree of Islam for a particular issue. Therefore, a *marja* should be qualified enough to be able to draw rules from the religious texts.

If *marjaiyyah* is to be a source of authority concerning each and every issue of the Muslim *ummah*, e.g., *fiqhi* issues, social, political, and legal aspects, then a committee comprised of distinguished scholars and experts from different fields should be constituted to elaborate the stand of Islam on various issues.

It is impossible to imagine that a *marja* can individually work out the decree of Islam for every problem of today's life. Probably the establishment of a *Dar al-Fia'a* (center for passing decrees), comprised of the *alim* elites, would be an ideal solution to the problem. This solution appears sound, because it is in commensurate with the rational approach (*sirah-e uqalayyah*) to *taqlid*.

So far as the leadership of the Muslim *ummah* is concerned, it should be made crystal-clear that the leadership of the *ummah* should be vested in the present *wali-amr*. This is inevitable for running the affairs of the Muslim *ummah*. It is meaningless to imagine the existence of two leaders in one *ummah* or even in one community. Although it is believed that every *faqih* is vested with absolute *wilayah* over the wealth and lives of people throughout the world, however, Islamic teachings, consensus (*ijma*) among the *uqala* (elites) and several texts on *wilayah* categorically reject such notions.

We take the opportunity here to announce that the traditional methods of selecting a *marja* should be modified. We also stress that, because of all practical and theoretical reasons, *wilayah* is absolutely indivisible and should be vested in the *wali-amr*.

In our opinion, what follows could be an appropriate method of selecting a *marja*. The Islamic seminary should evolve a system for evaluating the qualifications of the *mujtahids* in order to make a distinction between qualified and unqualified persons. Then a global assembly of *Mujtahideen* should be established where every qualified *mujtahid* would become a member. Such an assembly would be authorized to elect the members of the *Dar al-Fia'a* from amongst its members. Then, the *Dar al-Fia'a* would act as a source of universal *marjaiyyah* for passing decrees on different issues concerning the Muslim world.

There are several other practical methods for solving this problem, however, we believe that the Muslim elite should always keep a watchful eye on this fact so that the sanctity of *marj'atyyah* and its active role is safeguarded. This will, in fact, prevent the emergence of weak and incompetent *marj'atyyah* which is responsible for the betrayal of the Muslim *ummah*. It will also save the vital issues, pertaining to the *ummah*, from becoming hostages of personal, extreme or parochial approaches of different individuals.

*Tehran*

*5 Dhulhajjah 1414*





## *Ahl al-Bayt (a.): Their Scholarship Trust*

*Ayatullah Ibrahim Amini<sup>1</sup>*

Beside holding the position of the *Wilayah* and leadership of the Muslims, the Holy Prophet of Islam (s.) was an authority on issues concerning beliefs, jurisprudence, and ethics. In case of any problem, people used to refer to the Holy Prophet (s.) and put the matter before him. The answers were given partly through *wahy* (revelation) in the form of the Holy Qur'an and partly through *wahy* alone. Accordingly, he conveyed these to the people. The Holy Qur'an states:

*"Nor does he speak out of desire. It is naught but revelation that is revealed, the Lord of mighty power has taught him."*<sup>2</sup>

The Holy Prophet (s.) was well-aware that Muslims, after his demise, would still be in want of such an authentic and trustworthy authority. With this in mind, he designated his Ahl al-Bayt (a.) as the authentic authority, along with the Holy Qur'an, to remain as the two sources of scholarship.

In this regard, there are relevant *hadith* in both Shi'i and Sunni books. One of these is the famous *Hadith al-Thaqalayn*. The *Hadith al-Thaqalayn* is one of the notable *hadiths* among the Muslims. It has been related in various forms and ways, some of which are listed below.

In his book, *Sahih*, Muslim ibn Hajjaj Nayshaburi relates through Zayd ibn Arqam saying the following in course of a *hadith*:

*"One day, the prophet got up to deliver a sermon at Ghadir-e Khumm, a place between Mecca and Madinah. After praising Allah, he said: 'O people! I am a human being who is about to be summoned by the divine angel and who is to respond to this call. I am leaving behind two precious things (Thaqalayn). The first one of them is the Book of Allah which contains guidance and light. So take hold of the Book of Allah and act according to it.' Thus, he put great emphasis on acting according to the Holy Qur'an and persuaded them to follow it. Then he stated: 'I am also leaving behind my Ahl al-Bayt (household) among you. With regard to my Ahl al-Bayt, I remind you of Allah. With regard to my Ahl al-Bayt, I remind you of Allah.'"*<sup>3</sup>

Hakim Nayshaburi related through Zayd ibn Arqam as saying:

*"While the prophet was returning from the Hajjatul-wada, he stopped in Ghadir-e Khumm. He ordered the people to clean the area underneath huge trees, and then stated: 'It seems as if I would soon be summoned to go to Allah and I have responded to it. I entrust you with two very precious and grand things, one of which is greater than the other: the Book of Allah and my Ahl al-Bayt. Take heed of the way you treat these two trusts, because the Qur'an and the Ahl al-Bayt will never separate until they return to me by the pond of Kawthar.' Then he stated: 'Allah is my Master and I am the master of every believer'. Then he took the hand of Ali (a.) and stated: 'Ali will be the master of whoever deems me his master. O Allah! Place within Your own wilayah whoever accepts the wilayah of Ali and be the enemy of whoever shows animosity to him.'"*<sup>12</sup>

Ahmad ibn Yahya al-Baladhuri relates through Zayd ibn Arqam as saying:

*"We were with the Prophet (s.) in Hajjatul-wada, when we reached Ghadir-e Khumm. He ordered all caravans to stop. Then he stood up and stated: 'It seems as if I would soon be summoned to go to Allah and I have responded to it.' He (further) stated: 'Allah is my master and I am the master of every believer. I am leaving behind something among you that if you take hold of it, you would not be misguided. They are the Book of Allah and my kindred (itrak), my household (Ahl al-Bayt), for indeed, the two of them will never separate until they return to me by the pond.' Then he took the hand of Ali (a.) and stated: 'Ali will be the master of whoever deems me his master. O! my Allah! Place within your own wilayah whoever accepts the wilayah of Ali and be the enemy of whoever show animosity to him.' Abut al-Tufayl said: 'I told Zayd: Have you heard this remark from the Prophet (s.)?' He replied: 'No one was in the caravans who could not hear by his ear and see by his eyes' [i.e. everyone saw and heard it.]"*<sup>13</sup>

Ibn al-Athir relates through Zayd ibn Arqam as saying:

*"The Prophet said: 'I leave behind something among you, that*

*it you take hold of it, you would not be misguided. One of them is greater than the other. The Book of Allah, which is a rope extended from the heaven to the earth, and my kindred (itrah), my household (Ahl al-Bayt), for indeed, the two of them will never separate until they return to me by the pond. Thus, do see how you would treat them after me.*"<sup>106</sup>

Ali ibn Abi Bakr Al-Haythami relates through Zayd ibn Thabit as saying:

*"The Prophet (s.) said: 'I leave behind you two successors: The Book of Allah, which is a rope extended from the heaven to the earth or between the heaven and the earth, and my kindred (itrah), my household (Ahl al-Bayt), for indeed, the two of them will never separate until they return to me by the pond.'*"<sup>107</sup>

Al-Haythami relates the same message in different words from Abu Hurayrah, Ali ibn Abi Talib, Abu Sa'id al-Khudri, Zayd ibn Arqam, and Hudhayfah ibn Asid al-Ghaffari.

Ahmad ibn Ali al-Khatib al-Baghdadi relates Hudhayfah ibn Asid as saying:

*"The Messenger of Allah (s.) stated: 'O people! I will go before you and you will also come to my Hawdal-Kawthar. At that time, I will ask you how did you deal with al-Thaqalayn. So take heed as to how you treat them after me. al-Thaqal al-akbar is the Book of Allah, one side of which is in the Hand of Allah and the other side of which is in your hand, so hold fast to it, do not be misled, and do not transform it into something else'."*<sup>108</sup>

Shaykh Ahmad ibn Hanbal relates the following from Abu Sa'id:

*"The Prophet (s.) said: 'I am leaving behind you something, that if you take hold of it you would not be misguided after me [that is] Thaqalayn (two precious things). One of them is higher than the other, the Book of Allah, which is a rope extended from the heaven to the earth, and my kindred (itrah), my household (Ahl al-Bayt), for indeed, the two of them will never separate until they return to me by the pond.'*"<sup>109</sup>

On the whole, *Hadith al-Thaqalayn* has been related in different words

and forms by some of the eminent disciples from the Messenger of Allah (s.), such as Zayd ibn Arqam, Abu-Dharr Ghaffari, Abu Sa'id Khudri, Ali ibn Abi Talib, Zayd ibn Thabit, Huthayfah ibn Yaman, ibn Abbas, Salman al Parsi, Abu Hurayrah, Jubayr ibn Mu'tam, Hasan ibn Ali, Fatimah Az-Zahra, Umm Thani bint Abi Talib, Umm Salamah, Abu Rafi. Among them, there is a famous *hadith* to the effect that Imam Ali (a.) got up among a group of people and asked those present to bear witness if they had been at Ghadir-e Khumm and had heard *Hadith al-Thaqaalayn* from the Messenger of Allah (s.).<sup>10</sup>

A group (seventeen people) got up and bore witness. These include: Khuzaymah ibn Thabit, Sahl ibn Sad, Adi ibn Hatam, Aqibah ibn Amir, Abu Ayyub Ansari, Abu Sa'id Khudri, Abu Shurayh Khaza'i, Abu Qudamah Ansari, Abu Ya'li Ansari, Abu Haytham al-Tayhani.

Ahmad ibn Hajar al-Haythami writes:

*"A group of the companions of the Messenger of Allah, who were more than twenty in number, related Hadith al-Thaqaalayn."<sup>11</sup>*

In the book entitled *Ghayat al-Maram*, Sayid Hashim Bahrani related 39 *hadiths* from Sunni texts and 82 from Shi'i texts with regard to *Hadith al-Thaqaalayn*.<sup>12</sup>

In addition to Shi'i texts, you can study *Hadith al-Thaqaalayn* in Sunni texts, only a few of which are referenced below:

1. Al-Shaykh Muslim ibn Hajjaj Nayshaburi, *Sahih al-Muslim*, Vol. 4.
2. Al-Shaykh Ahmad ibn Hanbal, *Musnad*, Vol. 3, pp. 17, 26, 59; Vol. 4, pp. 366, 371; Vol. 5, pp. 181, 189.
3. Hakim Nayshaburi, *Al-Mustadrak*, Vol. 3, pp. 109, 110, 126, 148.
4. Ibn Athir, *Usul al-Ghubah*, Vol. 2, p. 12.
5. Ali ibn Abi Bakr Al-Haythami, *Majma al-Zawa'id*, Vol. 9, p. 162.
6. Khatib Baghdadi, *The History of Baghdad*, Vol. 6, p. 442.
7. Abul-Fada Isma'il ibn Athir, *as-Sirat al-Nabawiyah*, Vol. 4, p. 416.
8. Ahmad ibn Yahya Al Baladhuri, *Ansab al-Ashraf*, Vol. 2, p. 110.
9. Shaykh Fakhruddin al-Rida, *Al-Tafsir al-Kabir*, Vol. 8, p. 163.

10. Ibn Sabbagh, *Fusul al-Muhimmah*, p. 22.
11. Muwaffiq ibn Ahmad Hanafi Khiwarzmi, *Manaqib*, p. 93.
12. Sulayman ibn Ibrahim Qanduzi, *Yanabi al-Mawaddah*, pp. 31-35, 39-42, 44, 45.
13. Muhammad ibn Ali As-Saban, *As'af ar-Raghibin, Al-Marbu, Bihamish Nur al-Ahsar*, p. 110.
14. Ibn Jawzi, *Tadhkirat al-Khawass*, p. 322.
15. Muhibuddin Tabari, *Dhakha'ir al-Uyba*, p. 16.
16. Muhammad ibn Yusuf Zarandi Hanafi, *Nazm Thurar al-Simayn*, pp. 231-233.
17. Ali ibn Burhanud-din Al-Halabi, *As-Sirat al-Halabiyyah*, Vol. 3, p. 308.
18. Ali ibn Hisamud-din Al-Muttaqi, *Montakhab Kanz al-Umal, Al-Mathu Bihamish, Musnad Ahmad*, Vol. 1, pp. 96, 101; Vol. 2, p. 390; Vol. 5, p. 95.
19. Ahmad Shahabud-din Al-Khafaji, *Nasim ar-Riyad*, Vol. 3, p. 410.

Three important issues arise from these *hadiths*: Firstly, like the Holy Qur'an, the Ahl al-Bayt (a.) are also an authority and people are obliged to follow them. As Qur'an, they are so reliable and trustworthy that their words and deeds are completely sound and whoever follows them will never go astray from true guidance.

Secondly, as the Holy Qur'an will exist among the Muslims until the Day of Judgement, the Ahl al-Bayt (a.) will also remain among the people until then.

Thirdly, the Qur'an and the Ahl al-Bayt (a.) will never be in opposition. A Muslim cannot set aside the Ahl al-Bayt (a.) by saying: "The Book of Allah suffices us." Likewise, a Muslim cannot say: "The Ahl al-Bayt (a.) suffices me and I am not in need of the Holy Qur'an."

Ahmad ibn Hajar Al-Haythami writes:

*"The Messenger of Allah (s.) called the Qur'an and his household and close relatives as Thaqalayn because 'thiq' applies to anything valuable which is dearly kept. The Qur'an and the Household are also like these because they both are the sources of Divine Knowledge and sciences, sublime mysteries and wisdom, and religious precepts. For this purpose, the Holy Prophet (s.) urged and requested the people to hold fast to them and to follow them."*<sup>123</sup>

Now one must see who comprises the Ahl al-Bayt (a.) and close relatives. The term, Ahl al-Bayt, applies to those who live under the same roof and who are under the guardianship of the head of the family. With regard to the Prophet's Ahl al-Bayt (a.) can it be said that the term refers to all those living in the Prophet's house and under his guardianship?

Considering the necessity of distinction between the precept and subject, such a possibility is unlikely. In the *hadith*, the Ahl al-Bayt (a.), have been introduced as absolutely authentic religious sources. Following them will bring about no deviation or error. As a consequence, they should, at first, be thoroughly versed in religious precepts. Secondly, they should also be immune from any form of error, sin, and mistake. These characteristics were not possessed by all members of the Prophet's (s.) family. As a result, the Ahl al-Bayt (a.) should be particular and special people.

For this reason, after relating *Hadith al-Thaqaalayn* Zayd ibn Arqam was asked as to who the Ahl al-Bayt refers? Does it refer to the wives of the Prophet? Zayd replied:

*"No, by Allah. A wife might live with her husband for a while and might then get divorced and go back to the house of her father or family. How could a wife be one of the Ahl al-Bayt? Rather, the Ahl al-Bayt are the Prophet's children to whom it is 'haram' to give alms."*<sup>14</sup>

Ahmad ibn Hajar also writes:

*"Those whom the people are recommended to follow should be well-versed in the Book of Allah and the Sunnah of the Prophet, because such people will never dispense with the Book and are superior to other 'ulama' in this regard as Allah has purified them of the filth and abomination of sin."*<sup>15</sup>

The Messenger of Allah (s.) has also named the Ahl al-Bayt (a.). As an instance, the following is mentioned:

Umm Salamah said,

*"The verse '...Allah only desires to keep away the uncleanness from you, O Ahl al-Bayt...' [33:33], was revealed in my house. Then the Messenger of Allah (s.) sent someone for Ali, Fatimah, Hasan and Hussain. When they came he said 'These are my Ahl al-Bayt.'"*<sup>16</sup>



Umar ibn Abi Salamah said,

*"This verse was revealed to the Prophet (s.), '...Allah only desires to keep away the uncleanness from you, O Ahl al-Bayt...' [33:33]. Then the Messenger of Allah (s.) summoned Fatimah, Hasan, and Hussain and placed an aba on their heads while Ali was behind him. Then he said, 'O Allah, these are my Ahl al-Bayt, so remove uncleanness and abomination from them and purify them. At this time, Umm Salamah said, 'O Messenger of Allah! Am I one of them? He stated, 'You hold your own place, you are also good.'"*<sup>17</sup>

When the verse, "...come let us call our sons and your sons and our women and your women and our near people and your near people..." [93:60] was revealed, the Prophet (s.) invited Ali, Fatimah, Hasan and Hussain and said, 'O Lord! These are my Ahl al-Bayt.'<sup>18</sup>

Ayishah said

*"One morning, the Prophet left (the house) while wearing an aba of black wool. Then Hasan ibn Ali came and the Prophet put him under the aba. Then Hussain came and was put under the aba. Then Fatimah came and was placed under the aba. Then Ali came and was also put under the aba. Then he recited this verse, '...Allah only desires to keep away the uncleanness from you, O Ahl al-Bayt...' [33:33]."*<sup>19</sup>

From these *hadiths* and many others similar, we can conclude that the Ahl al-Bayt are "specific" people and that the Prophet (s.) has officially introduced Ali ibn Abi Talib (a.), Fatimah (a.), Hasan (a.) and Hussain (a.) as his Ahl al-Bayt (a.). These, in turn, introduced other individuals as the Ahl al-Bayt (a.) for the Imamate and the authority of their times which have been recorded in the books of *hadith*. Moreover, in his lifetime, the Holy Prophet (s.) personally enumerated them and mentioned some of their characteristics and even their names. These *hadiths* can be found in various books of *hadith*. Following are a few examples:

Ali ibn Abi Talib (a.) told the people:

*"By Allah, do you know that the Messenger of Allah (s.) got up to deliver his final sermon and said, 'O people! I leave with you the Book of Allah and my Ahl al-Bayt, so hold fast to these two great things so as not to get misled, because Allah, the*

*Kind, the Omniscient, has informed me and I have vowed that they not be separated until, on the Day of Judgement, they come to me at the fountain of Kawthar.' At this point, Umar ibn al-Khattab got up in a rage and said, 'O Messenger of Allah! Does this apply to your entire Ahl al-Bayt?' He said, 'No, but my administrators from among them are such. The first of them is my brother, heir, and successor and the leader of the believers after me. After him his son, Hasan, and after him, Hussain, and after him nine children of Hussain will come one after another until the Day of Judgement. They will be Allah's witness on the earth, the 'hujjah' for the servants, the treasures of Divine knowledge, and the sources of His wisdom. Whoever submits to them has submitted to Allah. And whoever disobeys them has committed sin before Allah.' Then all those present said, 'We bear witness that the Messenger of Allah expressed those words.'*<sup>1120</sup>

Ibrahim ibn Muhammad Jawini relates,

*"Abdullah ibn Abbas said, 'I heard the Messenger of Allah (s.) say, 'Myself, Ali, Hasan, Hussain and nine children of Hussain are pure and infallible (from sin and abomination).'*"<sup>1121</sup>

So far, our discussion has been concerned with the *Hadith al-Thaqalayn*. There are other hadiths similar in contents to Thaqalayn.

#### Hadith al-Safinah

Ibn Abbas has related, through the Messenger of Allah (s.) as saying,

*"The likeness of my Ahl al-Bayt is like that of Noah's Ark; whoever boarded it was saved and whoever refused to board it was drowned."*<sup>1122</sup>

This *hadith* has also been related from the Prophet by Abu Sa'id Khudri, Abd ibn Zubayr, Abu Dharr al-Ghaffari through other sources.<sup>23, 24</sup>

In this *hadith* too, the Prophet of Islam (s.) introduced, to the Muslims, the Ahl al-Bayt (a.) as religious authorities and regarded their words and deeds as authentic and *hujjah* (proof). This *hadith* indicates that the Muslims are obliged to obey the Ahl al-Bayt (a.), and to act on their orders so as to be relieved of perdition and deviation. If they turn away from the Ahl al-



Bayt (a.), they will fall into perdition and deviation.

It is to be noted here, that this order to obey is something other than *wilayah* and Imamate of the Ahl al-Bayt (a.). According to these hadiths, the Muslims are charged with the duty of referring to the Ahl al-Bayt (a.) to learn the commandments and decrees of religion. Even if they do not accept their Imamate, they should refer to them as religious authorities.

After the demise of the Messenger of Allah (s.) and in the early years of Islam, the Muslims, more or less, referred to Imam Ali (a.); that is they followed his views. Especially Umar ibn al-Khattab, the second caliph, referred to Imam Ali (a.) many times to resolve Islamic problems and benefited from his views. Following are examples.

Ibn Abbas said,

*"If a trustworthy person had cited for us a hadith as Ali's fatwa, we would not have transgressed from it."*<sup>25</sup>

Abu Hurayrah relates Umar ibn al-Khattab as saying,

*"Ali is superior to all of us in passing judgement."*<sup>26</sup>

Sa'id ibn al-Musayyab said,

*"Umar used to take refuge with Allah in the case of encountering problems in the absence of Ali."*<sup>27</sup>

Odhinah said,

*"I went to Umar and asked, From where should I intend to go on Umrah? He said, 'Go and ask Ali.'"*<sup>28</sup>

Ayishah was asked about mash on the shoe. She said, "Go, ask Ali."<sup>29</sup>

Abu Sa'id Khudri said,

*"I heard Umar say, 'O Abul-Hasan, I take refuge with Allah that one day I be alive while you are not living.' He said this after he asked something from Ali and Ali answered him."*<sup>30</sup>

During the reign of the four caliphs, greater concern was shown for the religious authority of Imam Ali (a.). The eminent Companions of the Messenger of Allah (s.), such as Abu Bakr, Umar, Ibn Abbas, Abu Sa'id Khudri, Salman al-Farsi, and Abu Dharr al-Ghaffari often used the views of Imam Ali in jurisprudential and judicial issues. They recognized his position in knowledge and did not refrain from referring to him. In those times, when

the caliphate had not yet turned into a monarchy, more concern was shown for the exigency of using Divine *wahy* and laws. At the time there were still numerous people among the Companions who were aware of the position and status of Imam Ali (a.), as well as his innate virtues and perfections. They had, many times, heard and retained the Prophet's (s.) advice to follow Imam Ali and use his knowledge. Finally, the general atmosphere was such that they could not altogether deny Imam Ali's (a.) merits and perfections and scholarship status. They could not ignore the recommendations of the Messenger of Allah (s.) and suddenly put away and isolate Imam Ali (a.) from the political and social arena and from the status of authority. It was for these reasons that, while Imam Ali was set aside from the office of caliph, his religious authority was somewhat observed and the Companions, more or less, used his knowledge.

The painful disaster of the Muslims, being distanced from the teachings of the Ahl al-Bayt (a.) reached its apex when the caliphate became a monarchy and when people who had no goal except establishing rule and preserving their positions were placed at the helm of the Islamic government. Such people had nothing to do with *wahy*, observance of the laws and keeping the criteria of Islam. At this juncture, the Ahl al-Bayt (a.) were gradually isolated and their religious authority was observed by only a few.

## ENDNOTES

1. Translated from Farsi by Muzhgan Jalali
2. The Qur'an: As-Suratur-Najm, Ayat 3-5.
3. *Sahih Muslim*, Vol. 4, P. 1,873.
4. *Al-Mustadrak 'alax-Sahihayn*, Vol. 3, p. 109.
5. *Ansabat-Ashraf*, Vol. 2, p. 110.
6. *Osul-Ghabah*, Vol. 2, p. 12.
7. *Majma'az-Zawa'id*, Vol. 9, p. 162.
8. *The History of Baghdad*, Vol. 8, p. 442.
9. *Musnad al-Imam Ahmad ibn Hanbal*, Vol. 3, p. 59.
10. *Yanabi' ul-Mawaddah*, p. 41.
11. *As-Sawa'iqul-Muhriqah*, p. 150.
12. *Ghayatul-Muram*, pp. 211-234.
13. *As-Sawa'iqul-Muhriqah*, p. 151.
14. *Sahih Muslim*, Vol. 4, p. 1,874.
15. *As-Sawa'iqul-Muhriqah*, p. 151.
16. *Ibid.*, pp. 151-228.
17. *Al-Mustadrak*, Vol. 3, p. 146.
18. *Osul-Ghabah*, Vol. 2, p. 12.
19. *Mustadrak*, Vol. 3, p. 150.

20. *Sahih Muslim*, Vol. 4, p. 1,883.
21. *Jami' Abi al-Bayyih-Shi'ah*, Vol. 1, p. 49.
22. *Fawa'id us-Sintayn*, Vol. 2, p. 133.
23. *Majma'uz-Zawa'id*, Vol. 9, p. 168.
24. *Ibtid' Yanabi'ul-Mawaddah*, p. 30, *Mustadrak*, Vol. 3.
25. *Fawa'id us-Sintayn*, Vol. 2, p. 242.
26. *Al-Monaqib bi-Khawarizmi*, p. 199.
27. *Yanabi'ul-Mawaddah*, p. 79.
28. *Kalqul-Balaghah*, Sermon 187.
29. *Tabaqat ibn Sa'd*, Vol. 2, p. 338; *Ansabat-Ashrah*, Vol. 2, p. 98.
30. *Al-Kafi*, Vol. 1, p. 64.



## *The Hadith al-Thaqalayn: Its Meaning and Narration* (Part 3)

Ali Quli Qara'i

*This is a continuation of the list of narrators of the Hadith al-Thaqalayn from the era of the Sahabah, the Prophet's (s) companions, to the present century. Part 2 contained a list of 36 narrators from among the Sahabah, 22 from among the Tabi'un and others, who lived from the 2nd/8th to the 14th/20th centuries.*

**119. Abu Bakr 'Abd Allah ibn Muhammad, known as Ibn Abi Shaybah al-Kufi (d. 235/849).**

In *Sahih Muslim* from him, from Muhammad ibn Fudayl (73), from Zayd ibn Arqam. Also in his own *Musannaf* from Jabr. He is one of the great scholars. *Tamthiq* and *Tasdiq* by al-'Ijli, Ahmad ibn Hanbal, Ibn Mu'in, Abu Zur'ah and others.<sup>14</sup>

**120. 'Abd al-Rahman ibn Salih al-'Azdi al-Kufi (d. 235/849), settled in Baghdad.**

In al-Tabarani (*al-Mu'jam al-kabir*, II, No. 2679) from Mutayyan, from him, from Salih ibn Abi al-'Aswad (84). *Tamthiq* by Ahmad ibn Hanbal Ibn Mu'in and Musa ibn Harun.<sup>15</sup>

**121. Bishr ibn al-Walid al-Kindi (d. 238/852).**

In al-Khwarazmi (*Maqatal al-Husayn*, I, 104) and al-Hamawi (*Fara'id al-simtayn, al-simi al-thani, bab 54*). The former from Muhammad ibn al-Musili, from him, from Muhammad ibn Talhah (67). The latter from Abu Tahir, from al-Baghawi, from him. *Tamthiq* by Abu Dawud and al-Darqutni.<sup>16</sup>

**122. Muhammad ibn Bakkar ibn al-Rayyan al-Hashimi al-Baghdadi (d. 238/852).**

In *Sahih Muslim* from him. See Sa'id ibn Masruq (59). *Tamthiq* by Ibn Mu'in al-Darqutni and al-'Asqalani.<sup>17</sup>

**123. Abu Ya'qub Ishaq ibn Ibrahim, known as Ibn Rahwayh (d. 238/852).**

In al-Sakhawi (*al-Istiflab*), al-Samhudi (*Jawahir al-'iqdayn*), Ahmad ibn al-Fadl ibn Muhammad Ba Kathir (*Wasilat al-ma'ul*), Muslim (*Sahih*) and

(*al-Dhurriyyat al-Tahirah*), from him, from Imam Ali (a.) and Zayd ibn Arqam. A great scholar, author of a famous *Musnad*, teacher of al-Bukhari, Muslim and al-Tirmidhi. One of the imams of *hadith* and *fiqh*. It was he who inspired al-Bukhari into writing his *Sahih*.<sup>13</sup>

**124. Abu Muhammad Wahban ibn Baqiyyah ibn 'Uthman al-Wasiti (d. 239/853).**

In Ibn al-Maghazili's *al-Manaqib*. *Tawthiq* by Ibn Mu'in, al-'Ijli, Abu Zur'ah, Ibn Hajar and others.<sup>12</sup>

**125. Ahmad ibn Muhammad ibn Hanbal al-Shaybani (d. 241/855).**

He has narrated *Hadith al-Thaqaalayn* through various chains of transmission, with varying wordings from Abu Sa'id al-Khudri and Zayd ibn Arqam (*Musnad Ahmad*, III, 14, 17, 26, 59, 371, 181, 182). He is one of the imams of Ahl al-Sunnah in *hadith* and *fiqh*.

**126. Ja'far ibn Hamid al-Qarashi al-Kufi (d. 240/854).**

In al-Tabarani (*al-Mu'jam al-Kabir*, III, No. 2681) from Mutayyan, from him, from 'Abd Allah ibn Bukayr al-Ghanawi, from Hakim ibn Jubayr, from Abu al-Tufayl, from Zayd ibn Arqam. Among the rijal of Muslim. *Tawthiq* by Ibn Habbun al-Busti, al-Dhahabi, and Ibn Hajar.<sup>22</sup>

**127. Isma'il ibn Musa al-Fazari ibn Bin al-Suddi al-Kufi (d. 245/859).**

In Ahmad ibn Hanbal's *Fada'il 'Ali*; see (102). *Tasdiq* by Abu Hatim and Abu Dawud.<sup>21</sup>

**128. Sufyan ibn Waki' ibn al-Jarrah (d. 247/861).**

In al-Hafiz, Abu Ya'la (*Musnad*), from him, from Muhammad ibn Fadayl, from 'Abd al-Malik ibn Abi Sulayman, from 'Atiyyah, from Abu Sa'id al-Khudri. Among the rijal of al-Tirmidhi and Ibn Majah. *Tawthiq* by Ibn Hibban.<sup>23</sup>

**129. Nasr ibn 'Abd al-Rahman ibn Bakkar al-Baji al-Kufi al-Washshi (d. 248/862).**

In al-Tirmidhi (*Sahih*), from him, from Zayd ibn al-Hasan, from Ja'far ibn Muhammad (a.), from his father (a.), from Juhir. Also in al-Hakim al-Tirmidhi (*Nawadir al-'usul*) and al-Tabarani (see 166) from him.

**130. Abu Muhammad 'Abd ibn Hamid al-Kissi (or al-Kashshi) (d. 249/863).**

In his *Musnad* (see 97) from Zayd ibn Thabit; also as mentioned by al-Suyuti

(*Ihya' al-Mayyit bi Dhikr Faḍl al-Ahl al-Bayt*, 12), al-Sambudī (*Jawahir al-'Iqdayn*), al-Shaykhani al-Qadiri (*al-Sirar al-sawī*), and Mirza Muḥammad Khayr al-Badakhshī (*Miftah al-najah*). Also from him from Zayd ibn Arqam in al-Suyuti (*al-Jami' al-saghir*, *Sharh* by al-Munawwī, II, 174-175) and Ali al-Muttaqi (*Kanz al-'ummal*). Author of *Musnad* and *Tafsir*, he is one of the imams of the Ahl al-Sunnah.<sup>21</sup>

**131. Abbas ibn Ya'qub al-Rawajini al-'Asadi (d. 250/864).**

In al-Tabarani (*al-Mu'jam al-saghir*, I, 131) from al-Hasan ibn Muḥammad ibn Musa'ab al-'Ushnani al-Kufi, from him, from 'Abd al-Rahman al-Mas'udi, from Kathir al-Nawā', from 'Atiyyah, from Abu Sa'īd

**132. Nasr ibn Ali ibn Nasr ibn Ali al-Jahdani al-Basri (d. 250/864).**

In al-Hakim al-Tirmidhi (*Nawadir al-'usul*, 68-69) from him, from Zayd ibn al-Hasan, from Ma'ruf ibn Kharrabudh al-Makki, from Abu al-Tufayl from Hudhayfah ibn Usayd al-Ghifari. A leading scholar, his *tawthiq* has been done by al-Sam'ani, Ibn Khirash, al-Nasa'i, al-Dhahabi and others.<sup>22</sup>

**133. Muḥammad ibn al-Muthanna Abu Musa al-'Anzi (d. 252/866).**

In al-Nasa'i (*al-Khasa'is*), from him, from Yahya ibn Hammad (see 104). Among the rijal of Bukhari, Muslim, Abu Dawud, Abu Isa and al-Nasa'i. *Tawthiq* by al-Sam'ani, Muḥammad ibn Yahya al-Nishaburi, Abu Hatim, Ibn Hibban, al-Khatib, al-Dhahabi and Ibn Hajar.<sup>23</sup>

**134. Muḥammad ibn Yazid, Akhu Karkhwayh al-Wasifi (d. 246/860).**

In al-Muhamili (*al-Amali*) from Yazid ibn Harun (98). *Tawthiq* by al-Khatib.<sup>24</sup>

**135. Yusuf ibn Musa al-Qattan (d. 253/867).**

In Muḥammad ibn Ishaq ibn Khuzaymah (*Sahih*, MS. 348, Maktabat Sultan Ahmad, Istanbul) from him, from Jarir ibn 'Abd al-Hamid, from Muḥammad ibn Fudayl, from Yahya ibn Sa'id al-Taymi, from Yazid ibn Hayyan, from Zayd ibn Arqam. Among the rijal of al-Bukhari, Abu Dawud, al-Tirmidhi and Ibn Majah. *Tawthiq* by Ibn Khuzaymah and others. Mentioned by Ibn Hibban in *al-Thiqat*.<sup>25</sup>

**136. Ahmad ibn al-Mansur al-Ramadi (d. 265/878).**

In Abu Bakr al-Dazzaz (*Musnad*, MS. 578, Maktabat Murad, Istanbul), from

him, from Dawud ibn 'Umar, from Salih from Abu Hurayrah. *Tawthiq* by Abu Hatim and al-Darqutni.<sup>28</sup>

**137. Abu Muhammad 'Abd Allah ibn 'Abd al-Rahman al-Darimi al-Samarqandi (d. 255/869).**

In his *Musnad*, as mentioned by al-Sakhawi in *al-'Ishtiqab*. Author of *al-Musnad*, *Tafsir* and *al-Jami'*. A leading scholar. *Tawthiq* by al-Sam'ani, al-Dhahabi and al-'Asqalani.<sup>29</sup>

**138. Ali ibn al-Mundhir al-Tariqi al-Kufi (d. 256/870).**

In al-Tirmidhi (*Sahih*) and Ibn al-'Adhir (*Udd al-ghabah*), from him from Abu Sa'id (see 63). *Tawthiq* by Ibn Abi Hatim, Ibn Numayr and al-Dhahabi.<sup>30</sup>

**139. Muslim ibn Hajjaj al-Qushayri al-Nishaburi (d. 261/874).**

In his *Sahih* narrates it through various chains of transmission. He is one of the imams of the Ahl al-Sunnah in hadith, and his *Sahih* has been preferred to al-Bukhari's by some major scholars, among them Abu Ali al-Nishaburi.

**140. Ahmad ibn Yunus Abu al-Abbas al-Dabbi (d. 268/881).**

In Abu Nu'aym (*Hilyat al-'awliya*, IX, 64) from 'Abd Allah ibn Ja'far, from him, from Ammar ibn Nasr (see 113). *Tawthiq* mentioned by al-Khatib and Abu Nu'aym.<sup>31</sup>

**141. Ibrahim ibn Marzuq ibn Dinar (d. 270/883).**

In Abu Ja'far al-Tahawi (*Muskhil al-'athar*, II, 307) and al-Dulabi (*al-Dhurriyyat al-tahirah*, 186) from him, from Abu Amir al-'Aqadi (96) from Kathir ibn Zayd (81), from Muhammad ibn 'Umar ibn Ali (77), from his father, from Imam Ali (a.s.). *Tawthiq* by al-Darqutni, Ibn Yunus, Ibn Hatim, Ibn Hibban and Sa'id ibn 'Uthman.<sup>32</sup>

**142. Al-Husayn ibn Ali ibn Ja'far.**

In al-Bazzaz (*Musnad*, MS. F. 75), from him, from Ali ibn Thabit, from Sufyan ibn Sulayman from Abu Ishaq from al-Harith from Imam Ali (a.s.). Among the rijal of Abu Dawud, al-Nasa'i and al-Bazzaz.<sup>33</sup>

**143. Muhammad ibn 'Abd al-Wahhab Abu Ahmad al-Farra' (d. 272/885).**

In al-Bayhaqi (*Sunan*, II, 148) from al-Hakim, from al-Hasan ibn Ya'qub, from him, from Ja'far ibn 'Awn, from Yahya ibn Sa'id, from Yazid ibn Hayyan from Zayd ibn Arqam. Again in al-Bayhaqi (*op. cit.*, VII, 30) from Abu Zakariyya Yahya ibn Ibrahim, from Abu 'Abd Allah Muhammad ibn Ya'qub, from him, from Ja'far ibn 'Awn. *Tawthiq* by al-Nasa'i and Ibn Hibban.



Among the *rijal* of Muslim, al-Bukhari, Ibrahim, Ibn Abi Talib and Ibn Khuzaymah.<sup>34</sup>

**144. Abu 'Abd Allah Muhammad ibn Yazid ibn Majah al-Qazwini** (d. 273/886).

Al-Kanji (*Kifayat al-talib*, 53) mentions his narration of *Hadith al-Thaḡalayn*. He is one of the imams of *hadith* and his *Siman* is counted among the six *Sihah*.

**145. Abu Dawud Sulayman ibn Ash'ath al-Sijistani** (d. 275/888). Al-Kanji (*Kifayat al-talib*, 53) mentions his narration of the *hadith*. He is also one of the imams of *hadith* and a leading traditionist of his era.

**146. Abu Qalabah 'Abd al-Malik ibn Muhammad al-Raqqashi al-Basri** (d. 276/889).

In al-Hakim (*al-Mustadrak*, II, 193), from Abu al-Husayn Muhammad ibn Ahmad, from him, from Yahya ibn Hammad, from Abu 'Awanah, from al-'A'mash, from Habib ibn Abi Thabit from Abu al-Tufayl from Zayd ibn Arqam. *Tawthiq* and *tasdiq* by Ibn Hibban, al-Darqutni, and Abu Dawud.<sup>35</sup>

**147. Abu Bakr Muhammad ibn Ahmad ibn Abi al-'Awwam ibn Yazid ibn Dinar al-Riyahi al-Tamimi** (d. 276/889).

In Ibn al-Maghazili (*al-Manaqib*, 234-236). *Tasdiq* by al-Darqutni.<sup>36</sup>

**148. Al-Hafiz Ya'qub ibn Sufyan al-Fasawi** (d. 277/890).

In his *al-Ma'rifah wa al-Ta'rikh*, I, 536-538, narrates the *hadith* through eight chains from four *Sahabah*: Zayd ibn Arqam, Abu Sa'id, Zayd ibn Thabit and Abu Dharr al-Ghifari. An eminent historian and traditionist (imam), al-Tirmidhi, al-Nasa'i, Ibn Khuzaymah, Abu 'Awanah al-'Asfara'ini and Ibn Abi Dawud have narrated from him. Ibn Hibban has mentioned him in *al-Thiqat*.<sup>37</sup>

**149. Ibrahim ibn Ishaq, al-Qadi Abu Ishaq al-Zuhri** (d. 277/890).

In al-Bayhaqi (*Siman*, X, 113), from Abu Muhammad Janah ibn Nadhir, from Abu Ja'far Muhammad ibn Ali ibn Dahim al-Shaybani, from him, from Ja'far ibn 'Awn (97), from Ya'la ibn 'Ubayd (100). *Tawthiq* by al-Khatib.<sup>38</sup>

**150. Abu Isa Muhammad ibn Isa ibn Sawrah al-Tirmidhi** (d. 279/892).

In his *Sahih* (II, 219, 220) narrates it through several chains of transmitters from Jabir, Abu Dharr, Abu Sa'id, Zayd ibn Arqam and Hudhayfah ibn Usayd. He is one of the imams of *hadith* and his *Sahih* one of the six *Sahah*.

**151. Abu Bakr 'Abd Allah ibn Muhammad ibn 'Ubayd al-Baghdadi, known as Ibn Abi al-Dunya (d. 281/894).**

In his book *Fada'il al-Qur'an*, MS *Tawthiq* and *tasdiq* by Ibn Abi Hatim, Al-Dhahabi and al-Kutubi.<sup>39</sup>

**152. Abu 'Abd Allah Muhammad ibn Ali al-Hakim al-Tirmidhi (d. 285/898).**

In his *Nawadir al-'usul*, 68-69, through two *asanid* from Jabir and Hudhayfah ibn Usayd.

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**153. Abu Bakr Ahmad ibn 'Amr ibn Abi 'Asim al-Nabil, known as Ibn Abi 'Asim al-Shaybani (d. 287/900).**

In his *Kitab al-Sunnah*, as mentioned by al-Suyuti in *al-Budur al-Safirah 'an umur al-'akhirah*, from Zayd ibn Thabit; and from Imam Ali (a.s.), as mentioned in *Kanz al-'ummah*, XV, 122.

**154. Abu 'Abd al-Rahman 'Abd Allah ibn Ahmad ibn Hanbal al-Shaybani (d. 290/902).**

In *Ziyadat al-Musnad* from his father, from Zayd ibn Thabit, in *al-Mustadrak* (III, 109) from his father, from Zayd ibn Arqam; in *Yanabi al-mawaddah*, 32, from him, from Abu Sa'id and Zayd ibn Arqam. Son of imam Ahmad and an eminent scholar of his era. *tawthiq* by al-Khatib and al-Dhahabi.<sup>40</sup>

**155. Muhammad ibn al-Fadl, Abu Ja'far al-Saqati (d. 288/900).**

In al-Tabarani (*al-Mu'jam al-kabir*, III, No. 2680), from him, from Sa'id ibn Sulayman, from Zayd ibn al-Hasan al-'Anmati (93). *Tawthiq* and *tasdiq* by al-Darqutni and al-Khatib.<sup>41</sup>

**156. Fahd ibn Sulayman al-Nahhas al-Misri.**

In al-Tabawi (*Mushkil al-'athar*, IV, 368), from him, from Abu Ghassan Malik ibn Isma'il al-Nahdi.

**157. Abu al-Abbas Ahmad ibn Yahya al-Shaybani al-Baghdadi, known as Tha'lab (d. 291/904).**

In al-'Azhari (*Tahdhib al-lughah*, IX, 78). A great traditionist, grammarian and man of letters. *Tawthiq* by al-Khatib.<sup>42</sup>

**158. Abu Bakr Ahmad ibn 'Umar ibn 'Abd al-Khalig al-Bazzaz (d. 292/905).**

In his *Musnad* through two chains from Abu Hurayrah and Imam Ali (a.).

see 89, 112, 135. One of the leading traditionists

**159. Abu Nasr Ahmad ibn Sahl al-Faqih al-Qabbani (d. 292/904).**  
In al-Hakim (*al-Mustadrak*, III, 109), from him, from Salih ibn Muhammad, from Khalaf ibn Salim al-Mukharriqi, from Yahya ibn Hammad, from Abu 'Awanah, for al-'A'mash, from Habib ibn Thabit, from Abu Tufayl, from Zayd ibn Arqam. Al-Hakim has narrated many traditions from him in *al-Mustadrak* and mentions him with great respect.

**160. Ahmad ibn al-Qasim al-Jawhari (d. 293/905).**  
In al-Tabarani (*al-Mu'jam al-kabir*, III, No. 3052), from him, from Sa'id ibn Sulayman al-Wasiti from Zayd ibn al-Hasan al-'Annabi, from Ma'ruf ibn Kharabudh, from Abu Tufayl from Hudhayfah ibn Usayd. *Tawthiq* by al-Khatib.<sup>43</sup>

**161. Al-Hafiz Salih ibn Muhammad Jazarah (d. 294/906).**  
In al-Hakim (*al-Mustadrak*, III, 109) see 159. One of the leading traditionists of his age. *Tawthiq* by al-Khatib.<sup>44</sup>

**162. Ahmad ibn Yahya al-Hulwani (d. 296/908).**  
In al-'Uqayli (*Kitab al-Du'afa*, MS. 362, Dar al-Kutub al-Zahiriyyah, Damascus, VI, F. 104), from him from 'Abd Allah ibn Dahir, from 'Abd Allah ibn 'Abd al-Quddus, from al-'A'mash, from 'Atiyyah, from Abu Sa'id al-Khudri. *Tawthiq* by al-Dhahabi.<sup>45</sup>

**163. Al-Hafiz Abu Ja'far Mutayyan, Muhammad ibn 'Abd Allah ibn Sulayman (d. 297/909).**  
In al-Tabarani (*al-Mu'jam al-Kabir*, Nos. 2680, 2683, 3052), from him. One of the leading traditionists. *Tawthiq* by al-Darqumi; see al-Dhahabi, *Tadhkirat al-Huffaz*, 662.

#### Fourth/Tenth Century

**164. Al-Hafiz al-Hasan ibn Sufyan al-Nasawi (d. 303/915).**  
In Abu Nu'aym (*Hilyat al-'awliya*, I, 355). *Tawthiq* by al-Dhahabi.<sup>46</sup>

**165. Abu 'Abd al-Rahman Ahmad ibn Shu'ayb ibn Ali al-Nasa'i (d. 303/915).**  
In his *al-Khasa'is*, p. 95, from Muhammad ibn al-Muthanna (see 104). A leading scholar and traditionist.

166. **Al-Hafiz Abu Yahya Zakariyya ibn Yahya al-Saji** (d. 306/919).

In al-Tabarani (*al-Mur'jam al-kabir*, III, Nos. 2680, 3052), from him, from Nasr ibn 'Abd al-Rahman al-Washsha' (see 129). The leading traditionist of Basrah during his days.<sup>47</sup>

167. **Abu Ya'la Ahmad ibn al-Muthanna ibn Yahya al-Tamimi al-Musali** (d. 307/919).

In al-Suyuti (*Ihya' al-mayyit*, 12), al-Sakhawi (*al-Istijlab*), al-Samhudi (*Jawahir al-'iqdayn*), Ahmad ibn al-Fadl ibn Ba Kathir (*Wasilat al-ma'af*), and al-Badakhshani (*Miftah al-naja*). A highly respected scholar.<sup>48</sup>

168. **Abu Khubayb al-Abbas ibn Ahmad al-Birti** (d. 308/920).

In Ibn 'Asakir (*Ta'rikh*, I, 45), from Abu Bakr Muhammad ibn al-Husayn al-Mazrafi, from Abu al-Husayn Muhammad ibn al-Muhtadi from Abu al-Hasan Ali ibn 'Umar, from him, from Zayd ibn al-Hasan al-'Anmati (193). *Tawthiq* by al-Khatib.<sup>49</sup>

169. **Abu Ja'far Muhammad ibn Jarir al-Tabari** (d. 310/922).

In Ali al-Muttaqi al-Hidi (*Kanz al-'ummah*, XV, 19, XVI, 252, 253), from him, from Zayd ibn Arqam, Abu Sa'id al-Khudri and Imam Ali (a.s.). He is one of the greatest historians, exegetes and logists.

170. **Abu Bishr Muhammad ibn Ahmad al-Dulabi** (d. 310/922).

In his *al-Dhurriyyat al-Tahirah*, 168 (Qum, 1407), from Ibrahim ibn Marzuq, from Abu 'Amir al-'Aqadi, from Kathir ibn Zayd, from Muhammad ibn 'Umar ibn Ali, for Imam Ali (a.s.). One of the leading traditionists and historians of his era.

171. **Abu Bakr Muhammad ibn Ishaq ibn Khuzaymah al-Nishaburi** (d. 311/923).

In his *Sahih*, as mentioned by al-Sakhawi, *op. cit.* One of the imams of *hadith*.

172. **Abu Bakr Muhammad ibn Muhammad ibn Sulayman ibn al-Harith, Ibn al-Baghandi al-Wasiti** (d. 312/924).

In Ibn al-Maghazili (*al-Mamqih*, 234). *Tawthiq* by al-Khatib.<sup>50</sup>

173. **Abu 'Awanah Ya'qub ibn Ishaq ibn Ibrahim ibn Zayd al-Nishaburi al-'Isfariyini** (d. 316/928).

In his book *al-Musnad al-sahih*, as mentioned by al-Shaykhani al-Qadiri in *al-Sirat al-sawi*. A leading traditionist of his era.<sup>51</sup>

**174. Abu Bakr ibn Abi Dawud 'Abd Allah ibn Sulayman al-Sijistani (d. 316/928).**

In *al-Tahawi (Mushkil al-'athar*, IV, 368), from him. A leading scholar of Iraq in his time.<sup>22</sup>

**175. Al-Hasan ibn Musalim ibn al-Tabib al-Sam'ani.**

In *al-Tabarani (Mu'jam shuyukhih*, I, 135) from him.

**176. Abu al-Qasim 'Abd Allah ibn Muhammad ibn 'Abd al-'Aziz al-Baghawi (d. 317/929).**

In *al-Hamawi, Fara'id al-simtayn*, II, 272.

**177. Al-Hafiz al-Tahawi, Abu Ja'far Ahmad ibn Muhammad ibn Salamah (d. 321/933).**

In his *Mushkil al-'athar*, IV, 368, with two chains of transmissions from Zayd ibn Arqam. A leading writer and scholar of his era.<sup>23</sup>

**178. Abu Ja'far al-'Uqayli, Muhammad ibn 'Amr ibn Hammad (d. 322/934).**

In his *Kitab al-du'afa* (MS. 362 in Dar al-Kutub al-Zahiriyyah, Damascus, F. 104) through three chains from Abu Sa'id and Jabir. A leading scholar of his age.<sup>24</sup>

**179. Abu 'Umar Ahmad ibn Muhammad ibn 'Abd Rabbih al-Qurtubi (d. 328/939).**

In his *al-'Iqd al-farid*. He is a well-known scholar of a high standing.

**180. Abu Bakr Muhammad ibn al-Qasim ibn Muhammad ibn Bashshar, known as Ibn al-'Anbari (d. 328/939).**

In his *al-Masahif*, from Zayd ibn Arqam and from Zayd ibn Thabit. An eminent scholar. *Tawthiq* and *tasdiq* by Ibn Khallikan and al-Sam'ani.<sup>25</sup>

**181. Abu 'Abd Allah Husayn ibn Isma'il ibn al-Dahbi al-Muhamili (d. 330/941).**

In his *Amali*, where he regards it as *sahih*, as mentioned by Ali al-Muttaqi in *Kanz al-'ummal* (XV, 122-123). A great scholar of Baghdad.<sup>26</sup>

**182. Abu al-Abbas Ahmad ibn Muhammad ibn Sa'id, known as Ibn 'Uqdah (d. 332/943).**

In his *Kitab al-wilayah*, known as *Kitab al-mirwalat*, through eight chains, as mentioned in *al-Sakhawi (op. cit.)*, *al-Samhudi (op. cit.)*, *Ibn Ba Kathir (op. cit.)* and *al-Shaykhani al-Qadiri (op. cit.)*. An eminent scholar of his era.

**183. Al-Hasan ibn Ya'qub, Abu al-Fadl al-Bukhari (d. 342/953).**  
In al-Bayhaqi (*Sunan*, II, 148), from al-Hakim, from him, from Muhammad ibn 'Abd al-Wahhab al-Farra' al-'Abdi. Also in Ibn 'Asakir in *Mu'jam shuyukhih* (MS. F. 11). *Tawthiq* by al-Dhahabi.<sup>57</sup>

**184. Abu 'Abd Allah Muhammad ibn Ya'qub ibn al-'Akhrām al-Shaybani (d. 344/955).**  
In al-Bayhaqi (*Sunan*, VII, 30) from him, from Abu Ahmad al-Farra'. Author of a voluminous *Musnad*. An eminent traditionist from Nishapur.

**185. Abu Muhammad 'Abd Allah ibn Ja'far al-'Isfahani (d. 346/957).**  
In Abu Nu'aym (*Hilyat al-'awliya'*, IX, 64) from him, from Ahmad ibn Yusuf al-Dabbi. Teacher of Abu Nu'aym, who reports from Abu 'Umar al-Qattan that he saw 'Abd Allah ibn Ja'far in a dream after his death. When asked, "How did God treat you?" He replied, "He forgave me and put me with the prophets in their station."<sup>58</sup>

**186. Muhammad ibn Ahmad ibn Tamim al-Khayyat al-Qantari (d. 348/962).**  
In al-Hakim (*al-Mustadrak*, III, 90) from him. Al-Hakim considers him *thiqah* and considers this narration of his as *sahih*.

**187. Abu Ja'far Muhammad ibn Ali ibn Duhaym al-Shaybani (d. 351/962).**  
In al-Bayhaqi (*Sunan*, X, 113) from Abu Muhammad Janah ibn Nadhir, from him, from Ibrahim ibn Ishaq al-Zuhri. Also in al-Hakim (*al-Mustadrak*, III, 533) from him, where he, and after him al-Dhahabi in his *Talkhis*, has regarded it as *sahih*. The *qadi* and traditionist of Kufah.<sup>59</sup>

**188. Abu Muhammad Da'aj ibn Ahmad ibn Da'aj al-Sijzi al-Mu'addal (d. 315/962).**  
In al-Hakim (*al-Mustadrak*, III, 109-110) from him, from Zayd ibn Arqam. A leading traditionist and legist of his era and author of *al-Musnad al-kabir*.

**189. Abu Bakr Muhammad ibn 'Umar ibn Muslim al-Tamimi, known as Ibn al-Ji'abi (d. 355/966).**  
In his book *al-Talibiyyin*, as mentioned by al-Sakhawi (*al-Tstijlab*) and al-Samhudi (*Jawahir al-'iqdayn*). A leading scholar.



**190. Abu al-Qasim Sulayman ibn Ahmad al-Tabarani (d. 360/970).**

In his works *al-Mu'jam al-saghir*, *al-Mu'jam al-kabir* and *al-Mu'jam al-awsat* with different chains. One of the imams of hadith.

**191. Abu Bakr Ahmad ibn Ja'far ibn Hamdan ibn Malik ibn Shabib al-Qati'i (d. 368/978).**

In al-Hakim (*al-Mustadrak*, III, 109) from him, from Zayd ibn Arqam. A famous traditionist.<sup>61</sup>

**192. Al-Hafiz Abu al-Shaykh Ibn Hayyan al-Busti al-'Isfahani (d. 369/979).**

In his compilation of traditions (MS. No. 3637, F. 60, in Dar al-Kutub al-Zahiriyyah, Damascus) from Abu Sa'id. *Tawthiq* by Abu Nu'aym, Ibn al-'Athir, Ibn Mardawayh, Ibn al-'Imad and al-Dhahabi.<sup>62</sup>

**193. Abu Mansur Muhammad ibn Ahmad ibn Talhah al-'Azhari (d. 370/980).**

In his *Tahdhib al-Lughah* under 'itrah, as mentioned in *Lisan al-'Arab* (IV, 538), and also under *habl* (*Lisan al-'Arab*, XI, 137). A lexicographer and leading philologist and lexicographer (*imam fi al-lughah*).<sup>63</sup>

**194. Muhammad ibn Ahmad ibn Balwayh (d. 374/984).**

In al-Hakim (*al-Mustadrak*, III, 109) from him, from 'Abd Allah ibn Ahmad. Al-Hakim has considered his narration as *sahih*. *Tawthiq*, also, by Abu Bakr al-Barqani.<sup>64</sup>

**195. Muhammad ibn Ahmad ibn Hamdan Abu 'Amr al-Hiri (d. 376/986).**

In Abu Nu'aym (*Hilyat al-'awliya'*, I, 355), from him, from al-Hasan ibn Sufyan al-Nasawi. Also in al-Khwarazmi (*Maqatal al-Husayn*, I, 104) from Abu al-'Ala', from Zahir al-Shahhahi, from Abu Sa'id al-Ganjiradi, from him, Grammarian, lexicographer and traditionist.

**196. Abu al-Husayn Muhammad ibn al-Muzaffar ibn Musa ibn Isa al-Baghdadi (d. 379/989).**

In Ibn al-Maghalili (*al-Manaqib*, 236), from Abu Talib Muhammad ibn Ahmad ibn 'Uthman, from him, from Zayd ibn Arqam. *Tawthiq* by al-Dhahabi, who calls him '*al-imam al-thiqah*' and al-Darqutni, al-Safadi, and al-Suyuti.<sup>65</sup>

197. 'Abd Allah ibn Ahmad ibn Hammuyah al-Hamawi al-Sarakhsi (d. 381/991).

In Ibn 'Asakir, *Mu'jam shuyukhih*, MS. F. 205.

198. Abu al-Hasan Ali ibn 'Umar ibn Ahmad al-Darqutni (d. 385/995).

In Ibn Ba Kathir al-Makki (*Wasilat al-ma'al*, MS), from him, from Umm Salamah. A leading scholar and traditionist of his era, legist and expert on rijal.<sup>65</sup>

199. Al-Hafiz Abu al-Hasan Ali ibn 'Umar ibn Shadhan al-Sukkari (d. 386/996).

In Ibn 'Asakir (*Ta'rikh Dimashq*, II, 45). *Tawthiq* by al-'Athiqi and al-Khatib.<sup>66</sup>

200. Abu Tahir Muhammad ibn 'Abd al-Rahman al-Mulhalis al-Dhahabi (d. 393/996).

In al-Hamawi (*Fara'id al-simtayn*, II, 272) from him, from Abu Sa'id al-Khudri. *Tawthiq* by al-Sam'ani.<sup>67</sup>

201. Abu Muhammad Sulayman ibn Dawud al-Baghdadi.

In *Manaqib Ahl al-Bayt*, MS.

#### Fifth/Eleventh Century

202. Abu 'Ubayd Ahmad ibn Muhammad al-Harawi (d. 401/1010).

In his *Kitab al-gharibayn*, under "thaql". A leading scholar and philologist.

203. Abu 'Abd Allah Muhammad ibn 'Abd Allah al-Hakim al-Nishaburi (d. 405/1014).

In his *Mustadrak* (III, 109, 174) through a *sahih* chain of transmission from Zayd ibn Arqam. There he also narrates it through another chain. He was the leading traditionist of his age.<sup>68</sup>

204. Abu Sa'd al-Malik ibn Muhammad al-Wa'iz al-Nishaburi al-Kharkushi (d. 406/1015).

In his book *Sharaf al-nubuwah*, as mentioned in Shihab al-Din al-Dawlati (*Manaqib al-sadu*). One of the leading scholars.<sup>69</sup>

205. Yahya ibn Ibrahim Abu Zakariyya al-Muzakki al-Nishaburi (d. 414/1023).

In al-Bayhaqi (*Siman*, VII, 30) from him, from Zayd ibn Arqam. *Ta'dil* by al-Dhahabi.<sup>70</sup>



**206. Al-Qadi 'Abd al-Jabbar ibn Ahmad al-Mu'tazili (d. 414/1023).**

In his *al-Mughni* (XX, 191, 136). An eminent scholar and Shafi'i legist.

**207. Abu al-Faraj Muhammad ibn 'Abd Allah ibn Ahmad ibn Shahriyar al-'Isfahani.**

In al-Khatib al-Baghdadi (*Talkhis al-mutashabih fi al-rasm*, MS. in Dar al-Kutub al-Zahiriyyah, F. 30) from him, from al-Tabarani, from Abu Sa'id al-Khudri. One of the eminent scholars of the 5th/11th century and al-Khatib's teacher.

**208. Abu Ishaq Ahmad ibn Muhammad ibn Ibrahim al-Tha'labi (d. 427/1036).**

In his tafsir (*al-Kashf wa al-bayan*, MS.). One of the leading scholars of the Qur'an, a legist, grammarian, philologist and writer.<sup>71</sup>

**209. Abu Nu'aym Ahmad ibn 'Abd Allah al-'Isfahani (d. 430/1038).**

In his *Manqabat al-Mutahharin*, with several chains and in different wordings from Abu Sa'id, Zayd ibn Arqam, Anas ibn Malik, al-Bara' ibn 'Azib and Jubayr ibn Mut'am. Also in his *Hilyat al-'awliya'*, as mentioned by al-Samhudi (*Jawahir al-'iqdayn*) from Hudhayfah ibn Usayd. One of the great traditionists.<sup>72</sup>

**210. Abu Nasr Muhammad ibn 'Abd al-Jabbar al-'Utbi.**

In his *al-Ta'rikh al-Yamini*. An eminent historian and man of letters.<sup>73</sup>

**211. Abu Sa'id Muhammad ibn 'Abd al-Rahman al-Ganjrudi (d. 453/1061).**

In Akhtab Khwarazm (*Maqtal al-Husayn 'alayhi al-salam*, I, 104). *Tawthiq* by al-Sam'ani.<sup>74</sup>

**212. Abu Bakr Ahmad ibn al-Husayn ibn Ali al-Bayhaqi (d. 458/1066).**

In Ibn al-'Asakir in the *Mu'jam* of his *shaykh* (F. 11), from Ibn al-'Iraqi, from him, from al-Hakim al-Nishaburi. One of the eminent scholars of the 5th century.

**213. Abu Bakr Ahmad ibn al-Husayn ibn Ali al-Bayhaqi (d. 458/1066).**

In al-Khwarazmi (*al-Maraqib*, 93) from him. A leading traditionist, legist and writer.<sup>75</sup>

214. Abu Ghalib Muhammad ibn Ahmad ibn Sahl al-Nahwi, known as Ibn Bushran (d. 462/1069).

In Ibn al-Maghazili (al-Manaqib) from him. A scholar of known standing.

215. Abu 'Umar Yusuf ibn 'Abd Allah al-Namari al-Qurtubi known as Ibn 'Abd al-Barr (d. 463/1071).

As mentioned by Shah Wali Allah in *Izalat al-khifa*. One of the leading scholars.<sup>76</sup>

216. Abu Bakr Ahmad ibn Ali ibn Thabit al-Khatib al-Baghdadi (d. 463/1071).

In his *al-Muttafaq wa al-muftaraq* from Jabir, as mentioned by al-Badakhshani. One of the great scholars; traditionist and historian.<sup>77</sup>

217. Ibn al-Ghariq Abu al-Husayn ibn al-Muljadi bi Allah (d. 465/1072).

In Ibn 'Asakir (*Ta'rikh Dimashq*, II, 45). *Tawthiq* by al-Khatib and Ibn al-Jawzi.<sup>78</sup>

218. Abu al-Hasan 'Abd al-Rahman ibn Muhammad al-Dawudi al-Bushanji (d. 467/1074).

Ibn 'Asakir, *Mu'jam shuyukhih*. A leading scholar.<sup>79</sup>

219. Abu Muhammad Hasan ibn Ahmad ibn Musa al-Ghandaqani (d. 467/1074).

In Ibn al-Maghazili (al-Manaqib, 235) from him, from Abu Sa'id al-Khudri. *Tawthiq* by al-Sam'ani.<sup>80</sup>

220. Abu al-Hasan Ali ibn Muhammad al-Tayyib al-Jullabi, known as Ibn al-Maghazili (d. 483/1090).

In his *al-Manaqib* through various chains. A leading scholar.

221. Abu 'Abd Allah Muhammad ibn Futuh ibn 'Abd Allah ibn Hamid al-'Azdi al-Hamidi (d. 488/1095).

In *al-Jam' bayn al-Sahihayn*, from Zayd ibn Arqam. *Tawthiq* by Ibn Khallikan, al-Dhahabi, Ibn Makula, al-Salmasi and al-Safadi.<sup>81</sup>

222. Al-Sayyid Abu al-Ma'ali Muhammad ibn Muhammad ibn Zayd al-Samarqandi (d. 488/1095).

In *'Uyun al-'akhbar*.

**223.** Abu al-Muzaffar Mansur ibn Muhammad al-Sam'ani (d. 489/1096).

In his *al-Risalat al-qawwamiyyah*, from Abu Sa'id al-Khudri. A leading scholar of his age.<sup>32</sup>

#### Sixth/Twelfth Century

**224.** Abu Ali Isma'il ibn Ahmad ibn al-Husayn al-Bayhaqi (d. 507/1113).

In al-Khwarazmi, *al-Manaqib*. A leading scholar of his era.<sup>33</sup>

**225.** Abu al-Fadl Muhammad ibn Tahir ibn Ali al-Shaybani al-Maqdisi, known as Ibn al-Qaysarani (d. 507/1113).

In his biographical account in al-Maqrizi's *al-Ta'rikh al-muqfa*, it is mentioned that he wrote a book, *Kitab tariq hadith: Inni tarikun fi kum al-thaqalayn*. An eminent scholar. *Tawthiq* by al-Maqrizi in *al-Ta'rikh al-muqfa*.

**226.** Abu Shuja' Shirwayh ibn Shahrdar ibn Shirwayh al-Daylami al-Hamadani (d. 509/1115).

In *Firdaws al-'akhbar* (MS). A scholar well-known to biographers.

**227.** Abu Muhammad Husayn ibn Mas'ud al-Farra' al-Baghawi, known as Muhyi al-Sunnah (d. 516/1122).

In *Masabih al-Sunnah* (*Sharh* by al-Qadiri, V, 593, 600), from Zayd ibn Arqam and Jabir; in *Ma'alim al-tanzil*, VI, 101, VII, 6; and in *Sharh al-Sunnah*, as mentioned by al-Khalikhalī in *al-Mafatih*. An eminent scholar.

**228.** Abu Bakr al-Mazrafi, Muhammad ibn al-Husayn al-Shaybani (d. 527/1132).

In Ibn 'Asakir (*Ta'rikh Dimashq*, II, 45) from him. *Tawthiq* by al-Sam'ani and al-Dhahabi.<sup>34</sup>

**229.** 'Abd al-Ghaffar al-Farsi (d. 529/1134).

In his *Majma' al-ghara'ib fi gharib al-hadith*.

**230.** Abu 'Abd Allah Muhammad ibn al-'Amraki al-Mattuthi al-Busanji.

In Ibn 'Asakir *Mu'jam Shuyukhih* (MS., F. 205). He was Ibn 'Asakir's teacher.

**231.** Muhammad ibn Hammuyah al-Juwayni (d. 530/1135).

In al-Hamawi (*Fara'id al-simtayn, al-simt al-thani, bab 55*) from him. A well-known scholar of his age.<sup>35</sup>

232. **Abu Nasr Ahmad ibn Ali al-Tusi, known as Ibn al-'Iraqi.**  
Ibn 'Asakir in *Mu'jam shuyukhih* (T. 11).

233. **Zahir ibn Tahir ibn al-Qasim al-Shahhami al-Mustamli (d. 533/1138).**

Al-Khwarazmi (*Maqatal al-Husayn*, I, 104). *Tawthiq* by Ibn al-Jazari.<sup>86</sup>

234. **Abu al-Husayn Razi ibn Mu'awiyah al-'Abdari (d. 535/1140).**

In *al-Jam' bayn al-Sihah al-sittah*, MS. A leading traditionist.

235. **Abu al-Barakat 'Abd al-Wahhab ibn al-Mubarak al-'Aumati al-Baghdadi (d. 538/1143).**

In Sibṭ ibn al-Jawzi, *Tadhkirat khawass al-'ummah*, 322-323. *Tawthiq* by al-Sam'ani, al-Salafi and Abu Sa'd.<sup>87</sup>

236. **Jar Allah al-Zamakhshari (d. 538/1143).**

In *al-Fa'iq fi gharib al-hadith*, I, 170. A great scholar, philologist, grammarian, traditionist, exegetist and man of letters.

237. **Ibn al-'Arabi al-Maliki (d. 543/1148).**

In *Arifat al-'ahwadh*, XIII, 73.

238. **Al-Qadi Abu al-Fadl 'Iyad ibn Musa al-Yahsabi (d. 544/1149).**

In *al-Shifa' bi tarif huquq al-Mustafa* (al-Qari's *Sharh*, 485, 657-658). A leading scholar, traditionist, grammarian and historian of his era.<sup>88</sup>

239. **Abu Muhammad Ahmad ibn Muhammad ibn Ali al-'Asimi.**

In his book *Zayn al-fata fi tafsir Surat Hal Ata*, MS. from Abu Dharr and Zayd ibn Arqam.

240. **Al-Qadi Abu Muhammad ibn 'Atiyyah al-Muharibi al-Gharnati (d. 546/1151).**

In his exegesis, *al-Muharrar al-wajiz fi tafsir Kitab Allah al-'Aziz*, I, 34. Scholar, exegetist, faqih, grammarian, traditionist and man of letters.<sup>89</sup>

241. **Abu al-Fadl ibn Nasir al-Salami al-Baghdadi (d. 550/1155).**

In al-Hamawi (*Fara'id al-sinnayn*, simi 2, bab 55). *Tawthiq* by Ibn al-Jawzi.<sup>90</sup>

242. **Abu al-Mu'ayyad Muwaffaq ibn Ahmad al-Makki, known as Akhtab Khwarazm (d. 538/1143).**

In his *al-Manaqib* with his *isnad* from Zayd ibn Arqam.

**243. Al-Hafiz Abu al-'Ala' al-Hasan ibn Ahmad al-'Attar al-Hamadani (d. 569/1173).**

In al-Khwarazmi (*Maqatal al-Husayn*, I, 104) from him, from Abu al-Qasim Zahir ibn Tahir al-Shahhami al-Mustamli al-Nishaburi. *Tawthiq* by al-Jazari.<sup>92</sup>

**244. 'Umar ibn Isa al-Khatibi al-Dihlaqi.**

In his book *Lubab al-'albab fi fada'il al-Khulafa' wa al-'Ashab*, bab 4, F. 147, MS. 3912 in Maktabah Nur 'Uthmaniyyah and MS. 3343 in al-Maktabah al-Sulaymaniyyah in Turkey.

**245. Abu al-Qasim Ali ibn al-Husayn ibn Hibat Allah al-Dimashqi, known as Ibn 'Asakir (d. 571/1175).**

In *Ta'rikh Ibn Kathir* (V, 208) and al-Kanji in *Kifayat al-'alib*. One of the great traditionists and historians.

**246. Muhammad ibn 'Umar ibn Ahmad ibn 'Umar al-'Isfahani, known as Abu Musa al-Madini (d. 581/1185).**

In his *Tarimmat Ma'rifat al-Sahabah*, appended to Abu Nu'aym's book, and as mentioned by al-Sakhawi, al-Samhudi, Ibn al-'Athir (*Udd al-ghabab*) and Ibn Hajar (*al-'Isabah*). *Tawthiq* by al-Dhahabi, al-Sam'ani, Ibn al-Najjar, al-Tha'alibi and others.<sup>93</sup>

**247. Abu 'Abd Allah Muhammad ibn Muslim ibn Abi al-Fawaris al-Razi.**

In his *al-Kitab al-mubin fi fada'il al-Imam Amir al-Mu'minin*, MS.

**248. Siraj al-Din Abu Muhammad Ali ibn 'Uthman ibn Muhammad al-'Ushi al-Farghani al-Hanafi (d. after 569/1174).**

In his *Nisab al-'akhyar li tadhkirat al-'akhyar*, as mentioned by al-Dawlatabadi in *Hidayat al-su'ada*. A leading scholar of his age.<sup>94</sup>

**249. Abu al-Faraj 'Abd al-Rahman ibn Ali ibn Muhammad, known as Ibn al-Jawzi (d. 597/1200).**

In his *al-Musalsalat*.

#### Seventh/Thirteenth Century

**250. Abu al-Futuh As'ad ibn Mahmud ibn Khataf al-'Ijli al-'Isfahani (d. 600/1203).**

In his *Fada'il al-Khulafa'*, as mentioned by al-Samhudi, *op. cit.*

**251. Al-Mubarak ibn Muhammad ibn Muhammad ibn 'Abd al-Karim, known as Ibn al-'Athir al-Jazari (d. 606/1209).**

In *Jami' al-usul*, I, 187; X, 102, 103, from Jabir and Zayd ibn Arqam and also in his *al-Nihayah*, under 'thaql' and 'irah'. A great grammarian, philologist, exegetist and legist.

**252. Fakhr al-Din Muhammad ibn 'Umar al-Razi (d. 606/1209).**

In his exegesis *Mafatih al-ghayb*, VII, 173. A great exegetist, mutakallim and philosopher.

**253. Abu Muhammad 'Abd al-'Aziz ibn al-'Akhḍar al-Janabadhi al-Baghdadi (d. 611/1214).**

In his *Ma'alim al-'Irāq al-Nabawiyyah*, as mentioned by al-Samhudi, *op. cit.*, and Ibn Ba Kathir al-Makki (*Wasilat al-ma'al*, MS.). *Tawthiq* by al-Dhahabi.<sup>94</sup>

**254. Al-Rafi'i (d. 623/1226).**

In *al-Tadwin*, twice, in the biographical account of Ahmad ibn Mehran Abu Ja'far al-Qattan, from Jabir, and that of 'Amr ibn Rafi' ibn al-Furat al-Bajali, from Zayd ibn Arqam. A leading scholar.

**255. Muwaffaq al-Din 'Abd al-Latif al-Baghdadi (d. 629/1231).**

In his *al-Mujarrad li lughat al-hadith*, I, 253.

**256. Abu al-Hasan 'Izz al-Din Muhammad ibn Muhammad ibn 'Abd al-Karim, known as Ibn al-Athir (d. 630/1232).**

In *Usd al-ghabah*, III, 147, from 'Abd Allah ibn Hantab. One of the leading historians.

**257. Abu 'Abd Allah Muhammad ibn Mahmud ibn al-Hasan ibn Hibat Allah, known as Ibn al-Najjar (d. 642/1244).**

As mentioned by al-Kanji in his *Kifayat al-talib*. A leading scholar of his era, traditionist, historian and author of several works.<sup>95</sup>

**258. Diya' al-Din Muhammad ibn 'Abd al-Wahid al-Maqdisi al-Hanbali (d. 643/1245).**

In his *al-Mukhtarah*, as mentioned by Ibn Ba Kathir al-Makki (*Wasilat al-ma'al*). A leading scholar and traditionist.<sup>96</sup>

**259. Radi al-Din Hasan ibn Muhammad al-Saghani (d. 650/1252).**

In his *Mashariq al-'anwar* (Ibn al-Malik's *Sharh*, III, 157) from Zayd ibn Arqam. An eminent grammarian, traditionist and legist.<sup>97</sup>

**260. Abu Salim Muhammad ibn Talhah al-Qarashi al-Nasibi al-Shafi'i (d. 652/1254).**

In his *Matalib al-sa'ul*, 8, from *Sahih Muslim*. A leading scholar of his era.<sup>94</sup>

**261. Abu al-Muzaffar Shams al-Din Yusuf ibn Qizughti, Sibte ibn al-Jawzi (d. 654/1256).**

In his *Tadhkirat khawass al-'ummah*, 322-323, where he establishes its authenticity and *sihah*. A leading scholar whose biography has been written by all the major biographers.

**262. Abu al-Abbas Ahmad ibn 'Umar al-Qurtubi al-'Ansari (d. 656/1258).**

In his *Talkhis Sahih Muslim*, II, F. 100. A leading scholar of his era.<sup>95</sup>

**263. 'Izz al-Din 'Abd al-Hamid ibn Hilbat Allah ibn Abi al-Hadi al-Mu'tazili (d. 656/1258).**

In his *Sharh Nahj al-balaghah*, VI, 375. An eminent Mu'tazili scholar of his era and man of letters.

**264. Abu 'Abd Allah Muhammad ibn Yusuf ibn Muhammad al-Kanji al-Shafi'i (d. 658/1260).**

In his *Kifayat al-talib. bab fi bayan sihhat khutbatih bima' yud'a Khumman* 259, from al-Laythi, from Abu al-Waqt, from al-Dawudi. A leading scholar.

**265. Abu al-Fath Muhammad ibn Muhammad ibn Abi Bakr al-'Abiwardi al-Shafi'i (d. 667/1268).**

As mentioned by al-Suyuti in *Ihya' al-mayyit*, 30, and al-Badakhshi, *op. cit.* from him, from Abu Sa'id. A leading traditionist (*al-imam al-muhaddith*).<sup>96</sup>

**266. Abu Zakariyya Muhyi al-Din Yahya ibn Sharaf al-Nawawi (d. 676/1277).**

In his *Tahdhib al-'asma' wa al-lughat*, I, 347, and *al-Minhaj fi sharh Sahih Muslim*, XV, 180, from *Sahih Muslim*. One of the leading scholars (*al-imam al-'allamah*).

**267. Abu Muhammad Sharaf al-Din 'Umar ibn Muhammad ibn 'Abd al-Wahid al-Musili.**

In his book *al-Na'im al-muqim li 'Itrat al-Nabi al-'Azim*, Maktabat Ayasofiya, MS. 3504, F. 64, 69.

**268. Al-Qadi Nasir al-Din al-Baydawi (d. 685/1286).**

In *Tuhfat al-'abrar*, F. 236, *Sharh* on al-Baghawi's *Masabih al-Sunnah*,



from Jabir. A leading exegetist and legist.

**269. Abu al-Abbas Muhibb al-Din Ahmad ibn 'Abd Allah al-Tabari al-Makki al-Shafi'i (d. 694/1294).**

In *Zakha'ir al-'uqba fi manaqib Dhawi al-Qurba*, 16, from Zayd ibn Arqam. A well-known scholar.

**270. Sa'id al-Din Muhammad ibn Ahmad al-Farghani (d. 699/1299).**

**271. Nizam al-Din Hasan ibn Muhammad ibn al-Husayn al-Qummi al-Nishaburi, known as al-Nizam al-'A'raj.**

In his exegesis *Ghara'ib al-Qur'an*, I, 349. An outstanding scholar and exegetist.

#### **Eighth/Fourteenth Century**

**272. Zahir al-Din 'Abd al-Samad al-Fariqi al-Farabi (d. after 707/1307).**

In his *Sharh* of al-Baghawi's *Masabih al-Sunnah* (MS. 60 in al-Maktabat al-Sulaymaniyyah, Istanbul, F. 340 b.)

**273. Abu al-Fadl Jamal al-Din Muhammad ibn Mukarram al-'Ansari al-'Ifriqi al-Misri (d. 711/1311).**

In *Lisan al-'Arab*, XI, 137, from Ibn Ishaq al-'Azharī. A leading lexicographer and philologist.

**274. Sadr al-Din Abu al-Majami' Ibrahim ibn Muhammad ibn Muhammad ibn al-Mu'ayyad al-Hamawi (d. 722/1322).**

In his *Fara'id al-simtayn* (II, 250, 268, 272, 274) from Zayd ibn Arqam, Abu Sa'id al-Khudri, and Hudhayfah ibn Usayd. An eminent scholar.

**275. Abu al-Abbas Najm al-Din Ahmad ibn Muhammad ibn Makki ibn Yasin al-Qamuli (d. 727/1327).**

In *Takmilat Tafsir al-Razi*. A leading jurist of his era.<sup>101</sup>

**276. Ibn Taymiyyah al-Harrani (d. 728/1328).**

In his *Minhaj al-Sunnah*, 105, from *Sahih Muslim*, where he tries to misinterpret its meaning.

**277. 'Ala' al-Din Ali ibn Muhammad ibn Ibrahim al-Baghdadi, known as al-Khazin (d. 741/1340).**

In his tafsir, *Lubab al-Ta'wil*, I, 328, VI, 102, VII, 6. A leading scholar and exegetist.<sup>162</sup>

**278. Fakhr al-Din al-Hansawi.**

In his *Dustur al-Haqa'iq* from Zayd ibn Arqam, as mentioned by Malik al-'Ulama' al-Dawlatabadi in *Hidayat al-su'ada'*, MS. A leading scholar.

**279. Abu 'Abd Allah Wali al-Din Muhammad ibn 'Abd Allah al-Khatib al-Tabrizi.**

In his *Mishkat al-masabih*, III, 255, 258, from Zayd ibn Arqam and Jabir. An eminent scholar.

**280. Abu al-Hajjah Yusuf ibn 'Abd al-Rahman ibn Yusuf al-Mizzi (d. 742/1341).**

In his *Tahfat al-'ashraf bi ma'rifat al-'atraf* from al-Tirmidhi, Muslim and al-Nasa'i. A leading scholar and writer.<sup>163</sup>

**281. Hasan ibn Muhammad al-Tayyibi (d. 743/1342).**

In his *Sharh al-Mishkat*, MS. A leading scholar of his era.<sup>164</sup>

**282. Shams al-Din Muhammad ibn al-Muzaffar al-Shahrudi al-Khalqali (d. 745/1344).**

In his *al-Mafatih fi sharh al-Masabih*, MS. A leading scholar.<sup>165</sup>

**283. Athir al-Din Abu Hayyan al-'Andalusi (d. 745/1344).**

In his exegesis *al-Bahr al-muhit*, I, 12. A leading scholar of his era.<sup>166</sup>

**284. Shams al-Din Abu 'Abd Allah Muhammad ibn Ahmad al-Dhahabi (d. 748/1347).**

As mentioned by al-Shaykhan al-Qadiri in *al-Sirat al-sawi*, MS. A leading scholar, historian, biographer, traditionist and an authority on rijal.

**285. 'Ala' al-Din ibn al-Turkamani al-Hanafi (d. 749/1348).**

In his *al-Jawhar al-nagi 'ala Siman al-Bayhaqi*, VII, 31 (published with *Siman al-Bayhaqi*, Hyderabad, India). An eminent scholar.

**286. Jamal al-Din Muhammad ibn Yusuf ibn al-Hasan al-Zarandi al-Madani al-'Ansari (d. after 750/1349).**

In his *Nazm Durur al-sinayn*, 231-232, from Zayd ibn Arqam, Abu Sa'id and Jabir. An eminent scholar and writer.

**287. Badr al-Din Abu Muhammad al-Hasan ibn Habib al-Halabi.**  
In *al-Najm al-thaqib fi ashraf al-manasib* (F. 86, MS. No. 5883, Dar al-Kutub al-Zahiriyyah, Damascus). An eminent scholar.<sup>137</sup>

**288. Zayn al-'Arab Ali ibn 'Abd Allah ibn Ahmad al-Misri (d. after 751/1350).**  
In his *Sharh* of al-Baghawi's *Masabih al-Sunnah* (F. 356, MS. No. 59, al-Maktabat al-Sulaymaniyyah, Istanbul).

**289. Sa'id al-Din Muhammad ibn Mas'ud ibn Muhammad al-Kazeruni (d. 758/1357).**  
In *al-Muntaqa fi sirat al-Mustafa*. An eminent scholar and traditionist.

**290. Isma'il ibn Kathir ibn Daw' al-Qurashi al-Dimashqi (d. 774/1372).**  
In his exegesis (V, 457, VI 199, 200) and his work on history. A leading historian, exegetist and legislator.

**291. Muhammad ibn Qasim al-Nuwayri al-'Iskandarani (d. after 775/1373).**  
In *Kitab al-'Ilm* (Hyderabad, 1390), III, 154.

**292. Shams al-Din Muhammad ibn al-Hasan al-Wasiti (d. 776/1374).**  
In his *Majma' al-'ahbab* (MS. No. 2096 in al-Maktabat al-Sulaymaniyyah, Istanbul, F. 78) from *Sahih Muslim*. An exegetist and legislator.

**293. Al-Sayyid Ali Shihab al-Din al-Hamadani (d. 786/1384).**  
In his *al-Muwaddah fi al-qurba* from Abu Sa'id and Jubayr ibn Mut'im. An eminent scholar.

**294. Al-Sayyid Muhammad al-Taliqani.**  
In *Risalah-ye Qiyafeh-namch*, as mentioned by al-Badakhshani in *Jami' al-salasil*, MS. in the former's biographical account.

**295. Sa'id al-Din Mas'ud ibn 'Umar al-Taftazani (d. 791/1389).**  
In *Sharh al-Maqasid*, II, 221. A great scholar, grammarian, legislator, exegetist and mutakallim.<sup>138</sup>

**296. Abu 'Abd Allah Husam al-Din Hamid ibn Ahmad al-Mahalli.** In his *Mahasin al-'azhar fi tafsil manaqib al-'itrat al-'akhyar al-'athar* as mentioned by al-'Allamah Muhammad ibn Isma'il al-'Amir in *al-Rawdat al-nauliyyah*. An eminent scholar and legist.

#### Ninth/Fifteenth Century

**297. Nur al-Din Ali ibn Abi Bakr ibn Sulayman al-Haythami (d. 807/1404).**

In his *Majma' al-zawa'id wa manba' al-fawa'id*, 9. An eminent scholar.<sup>108</sup>

**298. Majd al-Din Muhammad ibn Ya'qub al-Firuzabadi al-Shirazi (d. 817/1414).**

In his *al-Qamus al-muhit*, III, 343. One of the great lexicographers.

**299. Muhammad ibn Mahmud al-Hafizi al-Bukhari al-Naqshbandi, known as Khwajah Parsa (d. 822/1419).**

In his *Fasl al-khitab* from al-Tirmidhi, from Jabir, Hudhayfah ibn Usayd and Zayd ibn Arqam. An eminent scholar and the most eminent of the Khulafa' of Khwajah Baha' al-Din Naqshband.

**300. Abu al-Abbas Taqi al-Din Ahmad ibn Ali al-Maqrizi (d. 845/1441).**

In his *Ma'rifat ma yajib li Ahl al-Bayt al-Nabawi* (Cairo: Dar al-'Itisam, 1392, ed. by Muhammad Ahmad 'Ashur, p. 38) from al-Tirmidhi. A great historian and traditionist.<sup>109</sup>

**301. 'Uthman ibn Haji ibn Muhammad al-Harawi.**

In his *Sharh on Masabih al-Sunnah* (F. 178, MS. No. 288 in al-Maktabat al-Sulaymaniyyah).

**302. Malik al-'Ulama' Shihab al-Din ibn Shams al-Din al-Zawali al-Dawlatabadi (d. 849/1445).**

In his *Hidayat al-su'ada'* (MS.) from *al-Masabih*, *al-Mashariq*, *Mishkat al-'anwar*, *al-'Umdah*, *al-Durar*, *Taj al-'asami*, *al-'Arba'in 'an al-'arba'in*, *Kitab al-Shifa'*, *Nisab al-'akhhbar*, etc., and *Manaqib al-sadat*. A leading scholar of his era.<sup>110</sup>

**303. Nur al-Din Ali ibn Muhammad, known as Ibn al-Sabbagh al-Maliki (d. 855/1451).**

In *al-Fusul al-muhimmah*, 23. An eminent scholar.

**304. Al-Hafiz ibn Hajar al- 'Asqalani (d. 852/1448).**

In *al-Matalib al- 'aliyah bi zawa'id al-masanid al-thumaniyah*, IV, 65, from Imam Ali (a.s.), where he judges its *isnad* to be *sahih*. From Ali and Abu Hurayrah in his *Zawa'id Musnad al-Bazzaz*, MS., F. 277. One of the leading scholars.<sup>112</sup>

**Tenth/Sixteenth Century****305. Abu al-Khayr Shams al-Din Muhammad ibn 'Abd al-Rahman al-Sakhawi (d. 902/1496).**

In his *Istijlab irtiga' al-ghuraf*, MS. through many different *asnaaf* and sources from a number of Sahabah, such as Abu Sa'id, Zayd ibn Arqam, Jabir, Hudhayfah ibn Usayd, Khuzaymah, Sahl ibn Sa'd, Damrah al- 'Aslami, 'Abd al-Rahman ibn 'Awf, Ibn Abbas, Ibn 'Umar, Imam Ali (a.s.), Abu Rafi', Abu Hurayrah and others. A leading scholar of his era.<sup>113</sup>

**306. Husayn ibn Ali al-Kashifi (d. 910/1504).**

In his *al-Risalah al- 'aliyya fi al- 'uhadith al-Nabawiyyah*, 29, 30 and his exegesis *al-Muwahhib al- 'aliyyah*, II, 367

**307. Jalal al-Din 'Abd al-Rahman ibn Abi Bakr al-Suyuti (d. 911/1505).**

In his *Ihya' al-mayyit bi fada'il Ahl al-Bayt*, 11, 12, 19, 26, 27, 30, *Nihayat al- 'ifdal*, MS. *al- 'Asas fi fada'il Bani al-Abbas*, MS. *al- 'Inafah fi ruthbat al-Khilafah*, *al-Budur al-safirah*, his exegesis *al-Durr al-manthur*, 11, 60, VI, 70, *al-Jami' al-saghir*, and *al-Khasa'is al-kubra*, II, 266 through several chains from Muslim, al-Tirmidhi, al-Nasa'i, al-Hakim, 'Abd ibn Hamid, Ahmad, Abu Ya'la', al-Bazzaz and al-Tabarani from Zayd ibn Arqam, Zayd ibn Thabit, Abu Sa'id al-Khudri, Abu Hurayrah, Imam Ali (a.), Jabir and 'Abd Allah ibn Hantab. One of the great scholars in the history of Islam.

**308. Nur al-Din Ali ibn 'Abd Allah al-Samhudi (d. 911/1505).**

In his *Jawahir al- 'iqdayn fi fadl al-sharafayn sharaf al- 'ilm al-jafi wa al-nusab al- 'ali*, MS., from more than 20 Sahabah from various recognized compilations of hadith. An eminent scholar of his era.

**309. Al-Fadl ibn Ruzhahan al-Khunji al-Shirazi.**

In his *Sharh-e 'aqa'id*, in Persian, written at the behest of 'Abd Allah Khan Uzbek, the ruler of Bukhara.

**310. Shihab al-Din Ahmad ibn Muhammad al-Qastallani al-Shafi'i** (d. 923/1517).

In his *al-Mawahib al-madaniyyah* (al-Zarqani's *sharh*, VII, 4-8). An eminent scholar and author of famous commentaries on *Sahih Muslim* and *Sahih al-Bukhari*.

**311. Shams al-Din Muhammad al-'Alqami** (d. 929/1522).

In *al-Kawkab al-munir fi sharh al-Jami' al-saghir*, MS. A leading scholar of his era.

**312. 'Abd al-Wahhab ibn Muhammad ibn Rafi' al-Din al-Bukhari** (d. 932/1525).

In his exegesis *Tafsir Anvari* (MS) from al-Tha'labi and Ahmad ibn Hanbal from Abu Sa'id. A leading scholar in his era.<sup>114</sup>

**313. Shams al-Din Muhammad ibn Yusuf al-Dimashqi al-Salihi** (d. 942/1535).

In his *Subul al-huda wa al-rashad fi sirat khayr al-'ibad*, known as *al-Sirat al-Shamsiyyah*, as mentioned in al-Halabi in *Insan al-'ayyam*. A scholar of eminence.

**314. Al-Hafiz ibn al-Dayba' al-Shaybani** (d. 943/1536).

In his *Taysir al-'usul ila Jami' al-'usul*, III, 297. An eminent scholar and traditionist.

**315. Shams al-Din Ibn Tulun al-Dimashqi** (d. 953/1546).

In his *al-Shadharat al-dhahabiyyah*, 66 (published under the title *al-'A'imat al-'Ithan 'ashar*, Beirut, 1377 A.H.), ed. Dr. Salah al-Din al-Munjid, from *Sahih Muslim*. A leading scholar of his era.<sup>115</sup>

**316. Muhammad ibn Ahmad al-Sharbini al-Khatib** (d. 968/1560).

In his exegesis *al-Siraj al-munir*, II, 528, IV, 167.

**317. Shihab al-Din Ahmad ibn Muhammad ibn Ali ibn Hajar al-Haythami al-Makki** (d. 973/1565).

In his *al-Sawa'iq al-muhriqah*, 25, 89-90, 132 and *al-Minah al-Makkiyyah fi sharh al-qasidat al-hamziyyah* under the couplet

A leading scholar of his era.

**318. Nur al-Din Ali ibn Husam al-Din al-Muttaqi al-Hindi (d. 975/1567).**

In his *Kanz al-'ummal* from al-Tabarani from Zayd ibn Arqam. A leading scholar, traditionist, author and legist.

**319. Muhammad Tahir al-Fitawni al-Gujrati (d. 986/1578).**

In his *Majma' al-bihar fi gharib al-hadith* under *thaql* and *'irah*, as well as in *Tukmilat Majma' al-bihar* under *thuql*. A leading scholar of his age.

**320. Abbas ibn Mu'in al-Din, known as Mirza Makhdam al-Jurjani al-Shirazi (d. 988/1580).**

In his *al-Nawaid* from *Sahih Muslim* from Zayd ibn Arqam. An eminent scholar.

**321. Al-Shaykh Ibn 'Abd Allah ibn al-Shaykh 'Abd Allah al-'Aydarus al-Yamani (d. 990/1582).**

In *al-Iqd al-Nabawi wa al-sirr al-Mustafawi* (MS.) from Ibn Abi Shaybah, from 'Abd al-Rahman ibn 'Awf. An eminent scholar.

**322. Kamal al-Din ibn Fakhr al-Din al-Jahromi (d. after 994/1586).**

In his *al-Barahin al-qati'ah fi tarjumat al-Sawa'iq al-muhriqah*, in Persian. An eminent scholar from Bijapur, India.<sup>116</sup>

**323. Muhammad ibn Ahmad ibn Mustafa ibn Ibrahim al-Sufi, known as Badr al-Din al-Rumi,**

In his *Taj al-durrah fi sharh al-burdah* under the lines.

**324. 'Ata' Allah ibn Fadl Allah al-Shirazi, known as Jamal al-Din al-Muhaddith (d. 1000/1591).**

In his *al-'Arba'in fi fada'il Amir al-Mu'minin* (MS) and *Rawdat al-'ahbab fi siyar al-Nabi wa al-'Al wa al-'Ashab*, from Hudhayfah ibn Usayd. An eminent scholar.

#### **Eleventh/Seventeenth Century**

**325. Ali ibn al-Sultan Mushammad al-Ilarawi, known as Ali al-Qari (d. 1013/1604).**

In his *Sharh al-Shifa'*, 485, from Muslim and al-Nasa'i, from Zayd ibn Arqam. In his *al-Mirqat fi sharh al-Mishkat*, V, 593-594, 600-601 from Muslim,



from Zayd ibn Arqam; from Ahmad from Abu Sa'id al-Khudri, and from al-Tirmidhi from Jabir and Zayd ibn Arqam. An eminent scholar.

**326.** 'Abd al-Ra'uf ibn Taj al-'Arifin al-Munawi (d. 1031/1621). In his *Fayd al-Qadir fi sharh al-Jami' al-saghir*, II, 174, 571; III, 14, 15, a *sharh* of al-Suyuti's work that expounds it with the help of the *riwayat* of al-Qurtubi and al-Samhudi. An eminent scholar.

**327.** Nur al-Din Ali ibn Ibrahim ibn Ali al-Halabi al-Shafi'i (d. 1033/1623).

In his *Insan al-'ayun fi sirat al-'Amin wa al-Ma'mun*, III, 336. An eminent scholar.

**328.** Ahmad ibn al-Fadl ibn Muhammad Ba Kathir al-Makki (d. 1037/1627).

In his *Wasilat al-Ma'al fi 'add manaqib al-'Al* (MS.) from Ahmad, al-Tabarani, Abu Ya'la, al-Hakim, al-Tirmidhi, Ibn 'Uqdah, al-Diya', al-Zarandi, Abu al-Hasan Yahya ibn al-Hasan, al-Ji'abi, al-Dulabi, al-Bazzaz, Abu Nu'aym, Ibn Hajar and al-Darqutni. An eminent scholar.<sup>117</sup>

**329.** Mahmud ibn Muhammad ibn Ali al-Shaykhani al-Qadiri al-Madani.

In *al-Sirat al-sawi fi manaqib Al al-Nabi* (MS.), from Muslim, al-Hakim, al-Bazzaz, Ibn 'Uqdah, al-Tabarani, Ibn Sa'd and al-Zarandi, from Zayd ibn Arqam, Abu Sa'id, Zayd ibn Thabit, 'Abd al-Rahman ibn 'Awf, Abu Hurayrah, Jabir, Hudhayfah ibn Usayd and others.

**330.** Al-Sayyid Muhammad ibn al-Sayyid Jalal Mah 'Alam al-Bukhari (d. 1045/1635).

In *Tadhkirat al-'abrar* (MS.). A respectable scholar.<sup>118</sup>

**331.** Al-Shaykh 'Abd al-Haqq al-Dehlawi (d. 1052/1642).

In his *al-Lum'at fi sharh al-Mishkat* from Muslim and al-Tirmidhi, and also in *Madarij al-nubuwah*, 520. A leading legist, traditionist and scholar of his era in India.<sup>119</sup>

**332.** Shibhab al-Din Ahmad ibn Muhammad ibn 'Umar al-Khafaji al-Misri al-Ihnafi (d. 1069/1658).

In his *Nasim al-riyad fi sharh Shifa' al-Qadi 'Iyad*, III, 409; IV, 283, 324, while expounding the narrations of al-Qadi 'Iyad. A leading scholar.<sup>120</sup>

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**333. Ali ibn Ahmad ibn Muhammad ibn Ibrahim al-'Azizi al-Bulaqi al-Shafi'i (d. 1070/1659).**

In his *al-Siraj al-munir fi sharh al-Jami' al-saghir*, I, 322; II, 51. A leading traditionist.<sup>121</sup>

**334. Muhammad ibn Muhammad ibn Sulayman al-Susi al-Maghribi (d. 1094/1683).**

In his *Jam' al-fawa'id min Jami' al-'usul wa Majma' al-zawa'id*, I, 16; II, 236 (Mecrut 1346 A.H.), from al-Tirmidhi and Muslim. A leading traditionist.<sup>122</sup>

**335. Mulla Ya'qub al-Banyani al-Lahori (d. 1098/1686).**

In his *'Aqa'id*. A well-known scholar of his age.<sup>123</sup>

#### Twelfth/Eighteenth Century

**336. Salih ibn Mahdi ibn Ali al-Muqbili al-San'ani (d. 1108/1696).**

In his *Mulhaqqat al-'abkath al-musaddadah* as quoted in *Khulasat 'Abaqat al-'amwar*, I, 312.

**337. 'Abd al-Malik al-'Islami al-Makki (d. 1111/1699).**

In his *Simt al-nijum al-'awali*, II, 502 from Ibn Abi Shaybah.

**338. Muhammad Amin al-Muhibbi (d. 1111/1699).**

In his *Jana al-jannatayn fi tanyiz naw'ay al-mathnawayn*, 31.

**339. Ahmad Afandi, known as Mumajjim Bashi (d. 1113/1701).**

As mentioned in his biographical account in *Tandid al-'uqud al-saniyyah*. An eminent scholar, as mentioned in the above account.

**340. Kamal al-Din Ibn Hamzah al-Husayni (d. 1120/1708).**

In his *al-Bayan wa al-ta'rif*, I, 164; II, 136, from Ahmad, Muslim, 'Abd ibn Hamid, al-Tabarani and al-Hakim. A leading scholar, traditionist and grammarian of his era.<sup>124</sup>

**341. Muhammad ibn 'Abd al-Baqi ibn Yusuf al-'Azhari al-Zarqani al-Maliki (d. 1122/1710).**

In his *Sharh al-Mawahib al-laduniyyah*, VII, 4-8, while expounding the traditions narrated by al-Shihab al-Qastallani in *al-Mawahib al-laduniyyah*.

**342. Husam al-Din ibn Muhammad Ba Yazid ibn Badi' al-Din al-Saharanpuri.**

In *Marafid al-ravafid* from Muslim, al-Tirmidhi and al-Tabarani.

**343. Mirza Muhammad ibn Mu'tamad Khan al-Harithi al-Badakhshi.**

In *Miftah al-raja fi manaqib Al al-'Aba* (MS.), from Muslim, al-Tirmidhi, al-Tabarani, al-Hakim, 'Abd ibn Hamid, Ibn al-'Anbari, al-Barudi and al-Hakim al-Tirmidhi. Also in *Nazl al-'abrar bima sahha min manaqib Ahl al-Bayt al-'Ahar*, from Muslim, al-Hakim al-Tirmidhi and al-Tabarani. An eminent scholar of his era.<sup>125</sup>

**344. Radi al-Din ibn Muhammad ibn Ali ibn Haydar al-Husayni al-Shami al-Shafi'i (d. 1142/1729).**

In his *Tandid al-'uqud al-saniyyah bi tanzid al-dawlat al-Husayniyyah*.

**345. 'Abd al-Ghani ibn Isma'il al-Nabulusi al-Hanafi (d. 1143/1730).**

In his *Dhakha'ir al-mawarith*, I, 215. An eminent scholar of his era.

**346. Muhammad Sadr al-'Alam.**

In his *Ma'arif al-'ula fi manaqib al-Murtada* (MS.). An eminent scholar.<sup>126</sup>

**347. Ibrahim al-Shabrawi Shaykh al-'Azhar (d. 1162/1749).**

In his *al-'Itah bi hubb al-'ashraf*, 6, from Muslim and al-Tirmidhi.

**348. Shah Wali Allah ibn 'Abd al-Rahim al-Dehlawi (d. 1176/1762).**

In his *Izalat al-Khafa' 'an sirat al-Khulafa'*, from Muslim, al-Hakim and Abu 'Amr and in *Qurrat al-'aynayn*, 119, 168, from Muslim and al-Tirmidhi. An eminent scholar.

**349. Muhammad Mu'in ibn Muhammad Amin al-Sindi.**

In his *Dirasat al-labib fi al-'uswat al-hasanah bi al-habib*. An eminent scholar of hadith, kalam and Arabic literature.<sup>127</sup>

**350. Muhammad ibn Isma'il al-'Amir al-Yamani al-San'ani (d. 1182/1768).**

In his *al-Rawdat al-nadiyyah fi sharh al-Tuhfat al-'Alaviyyah*, through several chains and from several sources.

**351. Muhammad ibn Ali al-Saban.**

In *Is'af al-raghibin*, 110-111, from Muslim, Ahmad and al-Nasa'i, from Zayd ibn Arqam.

**352. Abu al-Fayd Muhibb al-Din Muhammad Murtada al-Wasiti al-Zubaydi al-Hanafi al-Bilgirami.**

In his *Taj al-'arūs min jawahir al-qamūs*, VII, 345 under *thaql*. A leading philologist and a legist and traditionist.<sup>128</sup>

**353. Ahmad ibn 'Abd al-Qadir ibn Bakr al-'Ujayli al-Shafi'i (d. 1182/1768).**

In his *Dhakhirat al-ma'al fi sharh 'iqd jawahir al-li'al fi manaqib al-'Al* (MS.). An eminent scholar.<sup>129</sup>

### Thirteenth/Nineteenth Century

**354. Mir Ghani al-Husayni (d. 1207/1792).**

In his *Durrat al-yatimah fi ha'd fada'il al-Sayyidat al-'Azimah* (MS. No. 3671 in al-Maktabat al-Zahiriyyah, F. 71-77). An eminent scholar of his days.

**355. Muhammad Mubin ibn Muhibb Allah al-Lacknowi (d. 1220/1805).**

In his *Wasilat al-najat fi manaqib al-sadat*, from Muslim, al-Tirmidhi and al-Hakim.<sup>130</sup>

**356. Muhammad Ikram al-Din ibn Muhammad Nizam al-Din al-Dehlawi.**

In his *Sa'adat al-Kawnayn fi bayan fada'il al-Hasanayn*, from *al-Mashdriq*, *al-Masabih* and other works. An eminent scholar.<sup>131</sup>

**357. Rashid al-Din Khan al-Dehlawi (d. 1243/1827).**

In his *al-Haqq al-mubin fi fada'il Ahl Bayt Sayyid al-Mursalin* from *al-Sawa'iq*, *al-Shifa'*, *Qurrat al-'aynayn*, *Nazl al-'ahrar* and *Shahr al-Maqasid*, and from Ahmad, Ibn Jarir, and al-Hakim.<sup>132</sup>

**358. Mirza Hasan Ali Muhaddith al-Lakhnawi (d. 1255/1839).**

In his *Tafrih al-'ahbab fi manaqib al-'Al wa al-'Ashab* from Muslim and al-Tirmidhi. An eminent scholar.<sup>133</sup>

**359. 'Abd al-Rahim ibn 'Abd al-Karim al-Saffiuri (d. 1267/1850).**

In his *Muntaha al-'arab*, I 143, under *thaql*. An eminent philologist and grammarian.<sup>134</sup>

**360. Wali Allah ibn Habib Allah al-Lakhnawi (d. 1270/1853).**

In his *Mir'at al-mu'minin* (MS.). An eminent scholar.<sup>135</sup>

**361. 'Ashiq Ali Khan al-Lakhnowi.**

In his *Dakhirat al-'uqba fi dhikr fada'il A'immat al-Huda*.

**362. Al-Shaykh Hasan al-'Adawi al-Hamzawi.**

In his *Mashariq al-'anwar fi jawz ahl al-'i'tibar*, 86, from Ibn Hajar, Ahmad, al-Suyuti, Muslim and al-Nasa'i.

**363. Sulayman ibn Ibrahim, known as Khwajah Kalan al-Husayni al-Balkhi al-Qunduzi.**

In his *Yanabi' al-mawaddah*, 27-41, from many early authorities on tradition, such as Muslim, al-Tirmidhi, al-Tha'labi, Ahmad, 'Abd Allah ibn Ahmad, and later scholars such as al-Samhudi, al-Khwarazmi, al-Sayyid Ali al-Hamadani, al-Zarandi and others from eminent Sahabah.

**364. Mawlawi Siddiq Hasan Khan al-Qannawji.**

In his *al-Siraj al-wahhaj fi sharh Sahih Muslim ibn al-Hajjaj*. Has expounded Muslim's narrations and cited the narrations of al-Tirmidhi and others.

**365. Mawlaw Hasan al-Zaman.**

In his *al-Qawi al-mustahsan fi fakhir al-Hasan*.

**Fourteenth/Twentieth Century**

**366. Ahmad Zayni Dahlan.**

In his *al-Sirat al-Nabawiyyah*, II, 300.

**367. Ahmad Diya' al-Din al-Kamushkhanawi.**

In his *Ramuz al-'ahadith*, 144.

**368. Mu'min ibn Hasan al-Shablanji.**

**369. Behjat Bahlul Afandi.**

In his *Ta'rikh Al-e Muhammad*, 45.

**370. Al-Shaykh Mansur Ali Nasif al-Misri.**

In his *al-Taj al-jami' li al-'usul*, III, 308-309.

**371. Yusuf ibn Isma'il al-Nabhani.**

In his *al-Fath al-kahir*, I, 451 and *al-Sharaf al-mu'abbad*, 18, 24.

**372. Al-Abbas ibn Ahmad al-Yamani.**

In his *al-Rawd al-nadir*, V, 343, 466.

**373. Muhammad ibn 'Abd al-Rahman al-Mubarakpur.**

In his *Tuhfat al- 'ahwadhi bi sharh Jami' al-Tirmidhi*, X, 287-291.

**374. Ahmad al-Banna al-Sa'ati.**

In his *al-Fath al-rabbani bi tartib Musnad Ahmad ibn Hanbal al-Shaybani*, I, 186 and *Bulugh al- 'amani min asrar al-Fath al-rabbani*, IV, 26.

**375. 'Abd Allah al-Shafi'i.**

In his *Arjah al-matalib*, 335-341, from leading traditionists from Zayd ibn Thabit, Zayd ibn Arqam, Abu Sa'id al-Khudri, Jابر ibn 'Abd Allah, Zayd ibn Aslam, Imam Ali (a.s.), Abu Dharr, Abu Rafi, Abu Harayrah, Unun Salamah, and Hudhayfah ibn Usayd.

**376. Mahmud Abu Rayyah.**

In his *Adwa' 'ala al-Sunnat al-Muhammadiyah*, 404.

**377. Tawfiq Abu 'Alam.**

In his *Ahl al-Bayt*, 77-80.

**378. Habib al-Rahman al-'A'zami.**

In his *kawashi* on *al-Matalib al- 'aliyah bi zawaj'id al-masanid al-thumaniyah*, IV, 65

*To be continued, insha'Allah.*

**Endnotes**

14. Al-Dhahabi, *Siyar a 'lam al-mubala'*, MS.
15. *Tahdhib al-Tahdhib*, VI, 197.
16. *Ta'rikh Baghdad*, VII, 80-84.
17. *Tahdhib al-Kamal*, MS; *Taqrib al-Tahdhib*, II, 147.
18. *Tabaqat al-Shafi'iyah*, II, 83; *Tahdhib al-Tahdhib*, I, 216. *Huda al-sari*.
19. *Tahdhib al-Kamal*, MS; *Tahdhib al-Tahdhib*, MS; *Taqrib al-Tahdhib*, II, 337.
20. *Tahdhib al-Tahdhib*, II, 87; *al-Kashif*, I, 184; al-Khazaji, *al-Khudrah*, I, 166.
21. *Tahdhib al-Tahdhib*, I, 335.
22. *Ibid.*, IV, 123.
23. *Ibid.*, VI, 455; *Tadhkirat al-huffaz*, II, 534; *Mir'at al-faam*, II, 155; *Taqrib al-Tahdhib*, I, 529.
24. Al-Sam'ani, *al-Ansab*; al-Dhahabi, *Tahdhib al-Tahdhib*, MS; *Tadhkirat al-huffaz*, II, 152; *al-Kashif*, III, 93; *Taqrib al-Tahdhib*, II, 204.
25. *Al-Ansab*, under al-Ghazali. *Tahdhib al-Kamal*, MS; *Tahdhib al-Tahdhib*, *Tadhkirat al-huffaz*, II, 152; *al-Kashif*, III, 93; *Taqrib al-Tahdhib*, II, 204.
26. *Ta'rikh Baghdad*, III, 374.

27. *Tahdhib al-Tahdhib*, XI, 425.
28. *Ibid.*, I, 83.
29. *Al-Ansab*; *Tadhkirat al-huffaz*, II, 535; *al-Kashif*, I, 103; *Taqrib al-Tahdhib*, I, 429.
30. *Tahdhib al-Kamal*, MS.; *al-Kashif*, II, 296.
31. *Akhbar Isfahan*, I, 81; *Ta'rikh Baghdad*, V, 223.
32. *Tahdhib al-Tahdhib*, I, 163.
33. *Ibid.*, II, 344.
34. *Ibid.*, IX, 319.
35. *Al-Ansab*, under 'al-Riqashi'; 'Abd al-Ghani al-Maqfisi, *al-Kamal*, MS.
36. *Al-Ansab*, under 'al-Rivabi'.
37. *Tahdhib al-Tahdhib*, XI, 385; *Tadhkirat al-huffaz*, I, 582; *al-Thar*, II, 58.
38. *Ta'rikh Baghdad*, VI, 25.
39. *Tadhkirat al-huffaz*, II, 677; *Tabaqat al-huffaz*, 294; *Fawa'id al-Wafayat*, II, 228.
40. *Tadhkirat al-huffaz*, II, 665; *Tahdhib al-Tahdhib*, V, 141; *Tabaqat al-huffaz*, 288.
41. *Ta'rikh Baghdad*, III, 153.
42. *Tabaqat al-huffaz*, 290.
43. *Ta'rikh Baghdad*, IV, 349.
44. *Ibid.*, IX, 322-328.
45. *Al-Thar*, II, 106.
46. *Al-Thar*, I, 355.
47. *Tadhkirat al-huffaz*, 709.
48. *Ibid.*, I, 707; *al-Thar*, II, 124; *Wafayat al-'a'yan*, VII, 241; *Mur'at al-jum'at*, II, 243; *Tabaqat al-huffaz*, 306.
49. *Ta'rikh Baghdad*, XII, 152.
50. *Tadhkirat al-huffaz*, II, 732.
51. *Wafayat al-'a'yan*, V, 436.
52. *Ta'rikh Baghdad*, IX, 464.
53. *Tadhkirat al-huffaz*, 808.
54. *Ibid.*, 833.
55. *Al-Ansab*, under 'al-'Aubari'; *Wafayat al-'a'yan*.
56. *Tadhkirat al-huffaz*, III, 824.
57. *Al-Thar*, III, 259.
58. *Akhbar Isfahan*, II, 80.
59. *Al-Thar*, II, 293.
60. *Al-Ansab*, under 'al-Qasbi'.
61. *Akhbar Isfahan*, II, 90; *al-Lubab*, I, 404; *Tadhkirat al-huffaz*, 945; *Shadharat al-dharab*, II, 69; *al-Thar*, II, 351.
62. *Wafayat al-'a'yan*, III, 458.
63. *Ta'rikh Baghdad*, I, 282.
64. *Tadhkirat al-huffaz*, III, 980; *al-Wafi bi al-Wafayat*, V, 34; *Tabaqat al-huffaz*, 389.
65. *Al-Thar*, III, 28; *al-'Asudi*, *Tabaqat al-Shafi'iyyah*, MS.; *al-Qamawji*, *al-Taj al-mukaffat*, 82.



66. *Thaḡalayn Baghdad*, XII, 40.
67. *Al-Anṣab*, under 'al-Mukhtalaf'.
68. *Tadhkirat al-huffaz*, III, 93; *Wafayat al-a'yān*, III, 408; *al-Mukhtasar*, II, 144; *Adir 'at al-jinan*, III, 14; *al-Thar*, III, 91; *al-Sabhi*, *Tabaqat al-Shafi'iyyah*, IV, 155.
69. *Tabaqat al-Shafi'iyyah*, V, 222.
70. *Al-Thar*, IV, 118.
71. *Tabaqat al-Shafi'iyyah*, I, 429; IV, 58; *Wafayat al-a'yān*, I, 61; *al-Thar*, III, 161; *Adir 'at al-jinan*, III, 46; *al-Dawudi*, *Tabaqat al-mufasssin*, I, 65.
72. *Tadhkirat al-huffaz*, III, 1091; *al-Wafi bi al-Wafayat*, VII, 81; *al-Thj al-makallat*, 31.
73. *Tatimmat al-akhbar*, IV, 397.
74. *Al-Anṣab*, under 'al-Dawudi'.
75. *Tadhkirat al-huffaz*, III, 1132.
76. *Al-Dhahabi*, *Shyar a'lam al-nabala'*, MS.
77. *Tadhkirat al-huffaz*, III, 1135.
78. *Thaḡalayn Baghdad*, III, 108; *al-Muntazam*, VII, 283.
79. *Al-Anṣab*, under 'al-Dawudi'.
80. *Al-Anṣab*, under 'al-Ghawṣiqani'.
81. *Wafayat al-a'yān*, II, 410; *Tadhkirat al-huffaz*, IV, 1218; *al-Wafi bi al-Wafayat*, IV, 317.
82. *Wafayat al-a'yān*, II, 380.
83. *Ibn al-Wardi*, *Tatimmat al-Mukhtasar*, II, 31.
84. *Al-Anṣab*, under 'al-Muṣṣaqi'; *al-Dhahabi*, *Ma'rifat al-qurra' al-kibar*, I, 391.
85. *Al-Wafi bi al-Wafayat*, III, 28.
86. *Tabaqat al-qurra'*, I, 288.
87. *Tadhkirat al-huffaz*, IV, 1282; *Tabaqat al-huffaz*, 464.
88. *Wafayat al-a'yān*, III, 152; *Tatimmat al-Mukhtasar*, II, 72; *Tabaqat al-huffaz*, 468.
89. *Ibn Farḥan*, *al-Dihaj al-mudhahhab*, II, 57.
90. *Al-Muntazam*, X, 162; *Tadhkirat al-huffaz*, 1289.
91. *Tabaqat al-qurra'*, I, 204.
92. *Tadhkirat al-huffaz*, III, 1334; *Tabaqat al-Shafi'iyyah*, VI, 161; *al-Tha'alibi*, *Maqalid al-ʿarā'id*, *Wafayat al-a'yān*, III, 414.
93. *ʿAbd al-Qadir al-Qurashī*, *al-Jawahir al-mudīʿah*, I, 367.
94. *Tadhkirat al-huffaz*, IV, 1383.
95. *Al-Thar*, V, 179; *Tadhkirat al-huffaz*, IV, 1405.
96. *Ibid.*, IV, 1428.
97. *Ibn Shakir*, *Fawat al-Wafayat*, I, 358; *al-Thar*, V, 205; *Adir 'at al-jinan*, IV, 121.
98. *Al-Kauji*, *Kifayat al-raḥib*, 231; *al-Badrakhshi*, *Alfah al-naja*, MS.
99. *Ibn ʿAbūn*, *al-Dihaj al-mudhahhab*, 68.
100. *Tadhkirat al-huffaz*, IV, 1476; *Tabaqat al-huffaz*, 511.
101. *Al-ʿAsnawi*, *Tabaqat al-Shafi'iyyah*, II, 332; *al-Suyuti*, *Husn al-mahadarah*, I, 424.
102. *Ibn Hajar al-ʿAsyāmī*, *al-Durar al-kamīnah*, II, 79.

103. Al-Shawkani, *al-Badr al-tali' li mihasin min ha'id al-qarn al-sabi'*, II,
- 352.
104. *Al-Durar al-kaminah*, II, 68; *Bughyat al-w'at*, 228; *al-Badr al-tali'*, I,
- 229.
105. Al-'Asnawi, *Tabaqat al-Shafi'iyyah*, I, 505.
106. *Al-Wafi bi al-Wafayat*, V, 267-283.
107. *Al-Durar al-kaminah*, II, 113; *Abna' al-ghunyar*, I, 249.
108. Al-Shawkani, *al-Badr al-tali'*, II, 303.
109. Al-Sakhawi, *al-Daw' al-lami'*, V, 200.
110. *Al-Manhal al-Safi*, I, 394-399; *Abna' al-ghunyar*, IX, 170.
111. 'Abd al-luq al-Dahlawi, *Nuzhat al-khawair*, II, 19.
112. *Al-Daw' al-lami'*, II, 36-40.
113. *Ibid.*, VII, 1-32.
114. Al-Suyyid Muhammad al-Bukhari, *Tadhkirat al-nubar*, MS.; *Nuzhat al-khawair*, IV, 223.
115. Al-Ghazzi, *al-Kawakib al-zahrah*, II, 52.
116. *Nuzhat al-khawair*, IV, 274.
117. Al-Muhibbi, *Khulasat al-'athar*, I, 271; Radi al-Din al-Shami, *Tandid al-'uqud al-saniyyah*.
118. *Ibid.*, V, 337.
119. *Ibid.*, V, 201.
120. *Khulasat al-'athar*, I, 331; *al-Taj al-mukallal*, 289.
121. *Khulasat al-'athar*, III, 201.
122. *Ibid.*, IV, 204.
123. *Nuzhat al-khawair*, IV, 285.
124. Al-Muradi, *Silk al-durar*, I, 22.
125. *Nuzhat al-khawair*, VI, 259.
126. *Ibid.*, VI, 113.
127. *Ibid.*, VI, 351-355.
128. Al-Qannawji, *Abjad al-'ulum*.
129. *Idem.*, *al-Taj al-mukallal*, 509.
130. *Nuzhat al-khawair*, VII, 403.
131. Haydar Ali Faydahadi, *Izalat al-ghurur*; *Nuzhat al-khawair*, VII, 69.
132. *Ibid.*
133. *Ibid.*, VII, 136.
134. *Ibid.*, VII, 258.
135. *Ibid.*, VII, 527.

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## *The Four Principal Works of 'Ilm al-rijal*

*Ayatullah Sayyid Ali Khamene'i*

*Translated by Dr. S. Waheed Akhtar*

Before entering into discussion on the subject of the present work, that is, introduction and evaluation of the four basic books of the science of *rijal*<sup>1</sup>, it would be in the fitness of things to give a brief historical account and scope of this discipline.

### **Definition of 'Ilm al-rijal**

Firstly, this is to be remembered that we refer in this discourse to *'ilm al-rijal* in its general sense that may be defined as the study of a particular group of persons having some common characteristics and their lives, ancestry and works or some other specific features. According to this definition, this is a special science dealing with bibliographies, biographical works, genealogy and teachers of this group. In its particular sense *'ilm al-rijal* is the study of the narrators of *hadith* (traditions) with reference to their names or characteristics that determine their authenticity in accepting or rejecting their authority.

*'Fihrist*' means a bibliography giving details of the authors and their works. *Tarajim*, in general, is a term used for biographies of scholars or narrators (of *hadith*) without any reference to their authenticity with regard to acceptance or rejection of their narrations. *'Mashikhah*' indicates the chain of the authorities of *hadith*.

Again, *'ilm al-rijal*, in its particular sense, is further divided into smaller branches according to the subjects and topics of study and books dealing with these special branches of the discipline are compiled differently. Some of these books generally contain names of the narrators, without evaluating their respective authenticity or inauthenticity, such as the *Tabaqat al-rijal* (probably) by Ahmad ibn Abi 'Abd Allah al-Barqi (d. 274 or 280 A.H.) Some other books give accounts of 'praiseworthy' or 'blameworthy' narrators such as the *Kitab* of Ibn Dawud al-Qummi (d. 368 A.H.) and the book by his teacher, Ahmad ibn Muhammad ibn 'Ammar al-Kufi (d. 346 A.H.), which is more detailed than the former. Some books are about the comparisons of one Imam like the book by Ibn 'Uqdah (d. 332 or 333 A.H.) which

deals with the companions of Imam Ja'far al-Sadiq (a.) and contains the names of 4,000 narrators. Other books have some particular aspect in view, such as the book by 'Abd al-Aziz ibn Yahya al-Jaludi (d. 332 A.H.) which consists of the names of those companions of the Prophet (s.) who narrated from Imam Ali (a.), or the book by Ibn Zaydwayh<sup>2</sup> which consists of the accounts of the lives of the ladies of the descent of Abu Talib. There are several other such works that would be mentioned later.

### A Brief Account of the History of *'Ilm al-Rijal* upto the Period of al-Najashi

From the earliest period of Islam, this discipline has been a matter of interest for Muslims. With the realization of increasing dependence on it, this science was gradually expanded.

If we define it in the same general way as we did in the very beginning, that is, as covering biography, its history can be traced to the first half of the 1st Century Hijrah. For, around 40 A.H.,<sup>3</sup> Amir al-Mu'minin Imam Ali (a.) commissioned 'Ubayd Allah ibn Abi Rafi' to compile a list, in the form of a book, of the companions of the Prophet (s.) who fought on the side of Imam Ali (a.) in his battles. 'Ubayd Allah was the first person to write a book on *rijal*. Al-Shaykh al-Tusi, in *al-Fihrist*, has referred to this book by the title, *Man shahida ma 'a Amir al-Mu'minin (a.) al-Jamal wa Siffin wa Nahrawan min al-Sahabah*, and mentioned the chain of his own authorities in regard to its narratives.

In the 3rd Century Hijrah, as a result of the compilation of the books of traditions and popularity of the works of *usul* in this field, this science naturally found larger circulation and comparatively a large number of books were compiled and written on *'ilm al-rijal*, of which some are still extant and are regarded as valuable contributions of the Shi'ah to this science. Among the more important are: *Tabaqat al-rijal* by Ahmad ibn Abi 'Abd Allah al-Barqi,<sup>4</sup> an incomplete copy of which is extant, the *Kitab* of Abu Muhammad ibn Jabalah ibn Hayyan ibn Abjar al-Kinani (d. 219 A.H.),<sup>5</sup> who is considered by al-Shaykh al-Tusi, in his *Rijal*, as a companion of Imam Musa al-Kazim (a.) and a number of books on *rijal* are ascribed to him by al-Najashi. Some other works of *rijal* compiled in the 3rd Century Hijrah are: the *Rijal* by al-Hasan ibn Ali ibn Faddal (d. 224 A.H.) that was probably available to al-Najashi and was famous in this period;<sup>6</sup> *Kitab al-rijal* by al-Hasan ibn Mahbub (d. 224 A.H.) entitled *Ma'rifat a-r-rwat al-'akhbar*,<sup>7</sup> which is different from his book on *mashikhat* that was edited by Abu Ja'far al-Awfi

and arranged according to the names of the narrators; *Kitab al-rijal* by Ibrahim ibn Muhammad ibn Saʿid al-Thaqafi (d. 283 A.H.); *Kitab al-rijal* by Hafiz Abu Muhammad ʿAbd al-Rahman ibn Yusuf ibn Khirash al-Marwazi al-Baghdadi<sup>9</sup> (d. 283 A.H.).

It is evident from what has been said that the contention of al-Suyuti in *al-Awaʿil*, that Shuʿbah ibn al-Hajjaj, a leading theologian of the Ahl al-Sunnah (d. 160 A.H.), is the first writer on *ʿilm al-rijal*,<sup>10</sup> is contrary to reality and research. As we have seen, the science of *rijal* originated in the 1st Century Hijrah, a century before Shuʿbah ʿUbayd Allah ibn Abi Rafiʿ had already compiled his book in this field.

A similar and greater blunder is committed by an eminent contemporary Egyptian scholar, Shaykh Muhammad Abu Zuhrah, in his valuable and useful book, *al-Imam al-Sadiq*, which undoubtedly is the result of his inability to probe the original Shiʿi sources and not a result of any sectarian prejudice against the Shiʿah. He holds that *al-Fihrist* of al-Shaykh al-Tusi is the first Shiʿi work in *rijal*, and from this viewpoint has greatly praised him as the founder of a new path in Shiʿi scholarship.<sup>11</sup> Abu Zuhrah's judgement in this matter also reveals that he did not study *al-Fihrist* itself closely, for al-Shaykh al-Tusi himself, in the introduction of the book, has referred to books in this field by earlier Shiʿi scholars.

However, the compilation of books of *rijal* found a larger and wider scope in the 3rd century, blossomed in the 4th century in much larger, varied and comprehensive areas of study.

On the basis of study of the books of *rijal* of this century one may come to the point that these books covered smaller and more limited areas of specialization. Various subjects were treated as independent disciplines by the experts and scholars of this science. This is in itself evidence of the development and expansion of the scope of this science during the 4th century. For instance, Abu al-ʿAbbas Ahmad ibn Muhammad, known as Ibn ʿUqdah (d. 332 or 333 A.H.),<sup>12</sup> as mentioned above, compiled a book containing the accounts of 4,000 pupils of al-Imam al-Sadiq (a.) who benefited from his company or narrated traditions on his authority. Similarly, Abu al-Husayn ibn ʿUbayd Allah al-Ghadaʾiri compiled two books about Shiʿi authors (which are technically called *fihrist* and a book listing weak and untrustworthy narrators under the title *al-Ithʿafa*).<sup>13</sup> Qadi Abu Bakr Muhammad ibn ʿUmar al-Jiʿabi al-Baghdadi (d. 355 A.H.), an eminent scholar of *hadith* and *rijal* of his times,<sup>14</sup> wrote a huge book, *al-Shiʿa min ashah al-hadith wa tabaqatuhum*, dealing with various generations (*tabaqat*) of Shiʿi narrators of *hadith*, which was narrated to al-Shaykh al-Najashi. The same author compiled a book on



the *tabaqat* of the narrators of *hadith* in Baghdad.<sup>15</sup> He also compiled some other books, in limited areas, dealing with the narrators of *hadith*.

Some other famous books of *rijal* of the 4th century are as follows.

*Al-Rijal*, Ibn Dawud al-Qummi (d. 368 A.H.) dealing with the praise-worthy and the blameworthy narrators.

*Al-Rijal*, Muhammad ibn Ali ibn Babawayh, known as al-Shaykh al-Saduq (d. 381 A.H.)

*Al-Fihrist*, al-Hasan ibn Muhammad ibn al-Walid al-Qummi, teacher of al-Saduq and other scholars of Qum (d. 343 A.H.).

*Kitab al-tabaqat*, Ibn Dul (d. 350 A.H.)

*Kitab al-rijal*, Muhammad ibn Yaqub al-Kulayni, author of the famous compendium of *hadith*, *Usul al-Kafi* (d. 328 or 329 A.H.).

The famous *Risalah* by Abu Ghalib Zurari addressed to his grandson giving accounts of the narrators from the Al-A'yan, etc., that was compiled once in 356 A.H. and revised and rewritten in 367 A.H.

The most famous among all these works is *Ma'rifat al-naqilin 'an al-A'immat al-Sadiqin, 'alayhim al-salam* by Shaykh Abu 'Amr Muhammad ibn 'Umar ibn 'Abd al-Aziz al-Kashshi (d. ca. middle of the 4th century), "a selected and abridged edition of which is entitled *Ikhtiyar al-rijal* and printed editions of it are well-known and available.

Near about the middle of the 5th century, after more than three centuries since the earliest work of *rijal* was compiled, the four famous and authentic source books of *rijal*, the *al-Usul al-'arba'ah*, which were the result of combining, correcting and editing of the earlier books in this field came to be written. They opened new avenues of research in the history of this science. These four books have fortunately remained secure from the vagaries of time and are preserved in their original form. Some of them have undergone several editions. They are: *Ikhtiyar al-rijal*, *al-Fihrist*, and *al-Rijal* (these three, by Shaykh Abu Ja'far Muhammad ibn al-Hasan al-Tusi [d. 460 A.H.]); and *Kitab al-Fihrist*, known as *Rijal al-Najashi*, by Ahmad ibn Ali al-Najashi (d. 450 A.H.).<sup>16</sup>

These books, in the course of many centuries since their compilation, have been serving as source books for researchers and specialists in this field. As shall be seen in detail at a later stage, much work on arrangement, chapterization, collection of relevant material and other details, has been done on their basis. This century is considered to be the culmination of earlier centuries and the climax of academic activities in the field of *rijal* up to that time.



### The Beginning of Various Branches of 'Ilm al-rijal and the Factors Leading to Their Development

As said earlier, 'ilm al-rijal, in its general sense, consists of various branches of knowledge. These are: *rijal* in its specific sense (acquaintance with the names of the narrators and their characteristics relevant to the acceptability or inacceptability of their narrations); *fihrist* (list of the authors and their works); *tarajim* or *ta'rikh al-rijal* (accounts of the lives and works of scholars or narrators of traditions without dealing with details relevant to accepting or rejecting their narrated tradition); and *mashikha* (knowledge of the chains of the teachers of tradition in chronological order).

Sufficient information pertaining to the exact dates of the beginning of each branch of this science is not available. However, as mentioned above, compiling of the names of the persons belonging to a particular group having common features in one respect was taken up for the first time by one of the Shi'i authors of the 1st century Hijrah, 'Ubayd Allah ibn Abi Rafi'.

Compilation of the books of *rijal*, in its technical sense, that is, relating the accounts of narrators of *hadith* according to their reliability or weakness with regard to acceptance or rejection of *hadith* narrated by them, most probably began in the first half of the 2nd century Hijrah with the prevalence of *hadith* narration. It may be said with certainty that the chief reason of the birth of this science and compilation of books relevant to it was the keen interest and concern, amounting sometimes to anxiety, of the traditionists and collectors of *hadith* in regard to its compilation.

In that period many factors were responsible for fabricating traditions. Firstly, the importance and position of traditionists in society induced some worthless and fame-seeking persons to enlist themselves among the group of traditionists. Secondly, political and sectarian interests, each one of them effective in fabrication of traditions, played an important role in this respect. As a consequence, a large number of *hadith* were wrongly ascribed to the Holy Prophet (s.) or, among the Shi'ah, to the Imams of the Prophet's family (Ahl al-Bayt [a.]). This problem, which is reflected in the sayings of the Imams (a.) or narrations related to them, compelled the experts of tradition to distinguish inauthentic from authentic (*sahih*) traditions by giving the names of the narrators separating the praiseworthy from the blameworthy narrators. Thus books were compiled concerning this science.

With regard to the beginning of the compilation of books in the department of bibliography (*fihrist*) exact information is not available. Undoubtedly, compilation of bibliographies, like the books of *rijal*, was in vogue a

long time before al-Shaykh al-Tusi and al-Shaykh al-Najashi. This is evident from the statements of al-Tusi in his introduction to *al-Fihrist*. He says:

*"For when I observed that a group of elders (shuyukh) of our sect from among the traditionists had compiled lists of the books of our companions (i.e. Shi'is), including the systematic works (tasnif) compiled by them and the usul narrated by them..."*

According to Muhaqqiq Shushtari in his foreword to his valuable work, *Qamus al-rijal*, most of the early scholars had authored bibliographies.<sup>20</sup> However, in the majority of cases these lists were brief and the scholars did not list books other than those from which they narrated traditions or which they had in their own libraries.<sup>21</sup>

Al-Shaykh al-Tusi, in *al-Fihrist*, has referred to some of these bibliographies, such as the *Fihrist* of Ibn 'Abdun (d. 423 A.H.) in the context of the account of Ibrahim ibn Muhammad ibn Sa'id ibn Hilal.<sup>22</sup>

The first person to compile an elaborate book in this field was Abu al-Hasan Ahmad ibn Husayn ibn 'Ubayd Allah al-Ghada'iri, known as Ibn al-Ghada'iri, a senior contemporary of al-Tusi and al-Najashi. As mentioned by al-Tusi in his introduction to *al-Fihrist* he compiled two large complete books in this field, one exclusively about *usul* and the second about other books.<sup>23</sup> After his untimely death, however, the manuscripts of these two valuable books were lost while in possession of one of his descendants. Had these great works been preserved, they would have been a valuable heritage of the Shi'ah in the field of *rijal*.<sup>24</sup> The motive behind the compilation of his bibliographical work can be seen in what al-Najashi mentions in the introduction of his authentic and comprehensive *fihrist*, popularly known as *Rijal al-Najashi*. He writes:

*"I came to learn what al-Sayyid al-Sharif (i.e. al-Murtada)—may God prolong his life and give him perpetual success—has mentioned concerning the statement of a group from among our opponents, that you haven't any a tradition (of scholarship) nor any writer. And this can be said by someone who has neither any knowledge of the people, nor acquaintance with their chronicles, nor familiarity with their positions and the history of their learned, nor has met anyone who might inform him..."*

Most probably, the reason for compiling at least half or more of the books of bibliography was the same as indicated in the passage quoted above,

that is, to introduce early Shi'i scholars and their valuable works in different branches of knowledge and to refute the sneering critics ignorant of these works, who taunted the Shi'ah for not having any kind of scholarly background.<sup>25</sup>

During the later part of the 2nd and the early years of the 3rd centuries we come across the book by Ibn Mahbub (d. 224 A.H.) entitled *Mashikhaah*, one of the well-known books of *rijal*, which was edited by Abu Ja'far al-Awdi<sup>26</sup> in accordance with the assorted names of the scholars. Thus, the origin of the books known as *mashikhaah*, one of the branches of *rijal*, goes back to the years before 224 A.H.

In the field of biography also books like *Ta'rikh al-rijal* by Ahmad ibn Ali al-Aqiqi (the father), and others, were compiled in the 2nd and 3rd Centuries, whose names are contained in the books of *fihrist*.<sup>27</sup>

On the basis of all these facts it may be said that all the different branches of *'ilm al-rijal* (in its general sense) came into existence during the early centuries within a short period of time and later developed gradually. In each of these branches, according to the needs of the time, books were written and compiled as was felt necessary.

### *Ikhtiyar al-rijal and al-Fihrist*

In view of what we have said about a brief history and development of *'ilm al-rijal* during the first three centuries, one can estimate the high position of al-Shaykh al-Ta'ifah Muhammad ibn al-Hasan al-Tusi (385-460 A.H.), a great jurist (*faqih*) and an expert of traditions (*hadith*) in the field of *rijal*. He, who could create a landmark in the history of this science by compiling some invaluable works in the field. As he went much ahead of other compilers of the four compendia of *hadith* in *'ilm al-hadith* and *'ilm al-fiqh* because of his unprecedented originality, he holds an outstanding place by compiling three of the four famous books acclaimed as the most authentic sources of this science also. As a result of his comprehensiveness and systematic way of dealing with the subject, as well as his beautiful style, good presentation and intellectual genius, the books of his predecessors were made obsolete by his works.

These three books, *Ikhtiyar al-rijal*, *al-Fihrist*, and *al-Rijal* or *al-Abwab*, each of which deals with a different branch of *'ilm al-rijal*, —from the time of the author to date—a period of more than nine centuries—have throughout been sources for research and reference for the authorities on the subject. Several commentaries, subsidiaries and versions of these books have been

written so far. Following is a brief account and introduction of each of these books.

### *Ikhtiyar al-Rijal or Recension of al-Rijal al-Kashshi*

Originally this book is written by Shaykh Abu 'Amr Muhammad ibn 'Abd al-Aziz al-Kashshi (d. ca. middle of the 4th Century Hijrah)<sup>28</sup> and is entitled *Marifat al-Naqilin 'an A'immat al-Sadiqin*. Since a number of errors and mis-statements had crept into the text of the book, al-Shaykh al-Tusi took pains to prepare a condensed and corrected edition of it entitling its abridgement *Ikhtiyar al-rijal*. According to the testimony of Sayyid Ali ibn Tawus, in his book, *Faraj al-mahmum*, based on a manuscript written by the author himself, al-Tusi started dictating it to his pupils on Tuesday, 26th Safar, 456 A.H.

### **Salient Features of the Book**

The subject of this book is the history of personages and their chronological classification (*tabaqat*) based on the traditions that have been transmitted in their praise or criticism without evaluating these traditions. Under the account of each name, one or more *musnad* traditions (i.e. with the chain of their narrators) are cited in which the person is referred to in a particular way. Occasionally these traditions, which praise or cast blame on the person in question, conflict with each other. Usually, in such cases, nothing is said about preferring one tradition to the other and the author is merely content to narrate them. Only in a few cases does the author proffer his view about the person or the *sanad* (chain of transmission) or the content of the traditions dealing with him.

For instance, in the account of Zurarah ibn A'yan, after quoting a tradition that condemns him on the authority of Muhammad ibn Bahr al-Kirmani, Abi al-Abbas al-Muhavibi al-Jani, Yaqub ibn Yazid, Fadalah ibn Ayyub, etc., he says:

*"This Muhammad ibn Bahr is a ghali, and Fadalah is not a pupil of Ya'qub, and this tradition contains interpolations that alter its import."*<sup>29</sup>

The book is neither specifically about the Shi'i personages, nor is it confined to the account of only trustworthy and creditable narrators. The account of Zurarah, an eminent and credible Shi'i narrator, is given in the book. Side by side we also find the account of Abu al-Khattab Maqallās, a

renowned extremist (*ghali*). Of non-Shi'i personages only those names are mentioned who narrated traditions for the Shi'ah and are regarded among transmitters of Shi'i *hadith*.<sup>30</sup> Therefore, the inclusion of the name of any person in this book is not a proof of his being a Shi'i, nor is it a proof of his credibility. Similarly, the absence of a name is not a proof of one being a non-Shi'i or his weakness as a narrator.

In the beginning of the book, seven traditions are quoted in praise of the narrators and scholars of *hadith* and four deal with the companions and intimate supporters of Imam Ali (a.). Afterwards the author starts to deal with the accounts of the personages (*rijal*). He begins with mentioning the name of the person whose account is given, and then deals with the traditions about him, e.g., Zayd ibn Sawhan. Jibra'il ibn Ahmad said: "*Narrated to me Musa ibn Mu'awiyah ibn Wahb...*". In this account, Jibra'il ibn Ahmad is the first narrator in the chain of narrators who gives the account of Zayd ibn Sawhan. After this, the next tradition begins thus: "*Said Ali ibn Muhammad al-Qutaybi...*". (In this way, all the traditions about Zayd ibn Sawhan are cited one after the other.)

Sometimes the name of a person whose account is given is mentioned with the prefix *fi* (concerning), e.g., "*fi al-Husayn ibn Bashshar, narrated to me Khalif ibn Hammad, saying, narrated to us...*". This is the account of Husayn ibn Bashshar. Occasionally, the account begins with *ma rawiya fi* (that which has been narrated concerning), e.g., "*fi al-Hasan ibn Muhib...*".

The traditions that are quoted under each title sometimes begin with the word '*haddathni*' and sometimes with the phrase '*Wajadai bih Khatt-e fulan*' (I saw that it was written by so and so), and occasionally without these two phrases and with only the name of the first narrator. The total number of personages, whose accounts are given in this book, comes to about 515 and are divided into six parts in a chronological order.

The names of the personages are not arranged according to any principle, neither on the basis of their dates of death nor on the basis of their companionship to a particular Imam of the Prophet's family (a.), nor are they given according to an alphabetical order. Due to this, it is difficult to locate the account of any particular person. In the Bombay edition, an index of the names is given in the same order in which they are dealt with in the book, together with the number of the relevant page, which makes it easier to refer to the required account. Since sometimes different narrations about the same person occur in different places in the book, they are not listed together and until now the published editions do not contain an appended index of names that might compensate for this defect.<sup>31</sup> Without such an index, one cannot



be certain that he has gathered all the relevant information available about a particular person in the book.

### Ascription of the Book to al-Shaykh al-Tusi

Regarding the book's ascription to al-Shaykh al-Tusi, there is some controversy. Most of the scholars in this field hold the view that this work is a selection and recension of the book of *rijal* compiled by Abi 'Amr Muhammad ibn 'Abd al-Aziz al-Kashshi made by al-Shaykh al-Tusi. This view is supported by the title of the book to a great extent.

The other view is that the book is the original work compiled by al-Kashshi and not a selection by al-Tusi. This view is held by Ahmad ibn Tawus al-Hilli (d. 673 A.H.) and his two pupils, al-'Allamah al-Hilli (648-726 A.H.) and ibn Dawud al-Hilli (b. 647 A.H.).<sup>32</sup> Several reasons and indications regarding the ascription of the book to al-Shaykh al-Tusi and its being a selection of the original work of *Kitab al-Kashshi* conclusively support the first view. Some of the arguments are as follows:

Ali ibn Tawus (d. 664 A.H.), brother of Ahmad ibn Tawus, in his book, *Faraj al-mahmum*, has mentioned a manuscript of this book in the handwriting of the Shaykh himself. Al-Tusi had written there, "These are the traditions abridged and selected by me from traditions of *Kitab al-rijal* by Abi 'Amr Muhammad ibn 'Umar ibn 'Abd al-'Aziz (hadha al-akhbar akhtasaruha min kitab al-rijal li Abi 'Amr Muhammad ibn 'Umar ibn 'Abd al-'Aziz)".<sup>33</sup> This statement is clear evidence that the present book is a selection of al-Shaykh al-Tusi, not the original work of al-Kashshi.

The Shaykh, in *al-Fihrist*, has attributed the book entitled *Ikhtiyar al-rijal* to himself and has mentioned it in the list of his own works.<sup>34</sup> From the time of al-Shaykh al-Tusi to the present time, the same title is continuously mentioned for the book under discussion. There is no other work by this name.

Occasionally al-Shaykh al-Najashi, the author of the famous *al-Fihrist* and al-Shaykh al-Tusi's contemporary, makes certain citations from *Kitab al-Kashshi* which are not found in the present book.<sup>35</sup> This is again evidence that the original manuscript of *Kitab al-Kashshi* was available during the period of al-Najashi on which he depended, different from the *Ikhtiyar*, and that it is a selection and abridgement of the work of al-Kashshi, not the original work.<sup>36</sup>

Anyhow, there is no doubt that the *Rijal al-Kashshi*, that has been in our hands for several centuries, is nothing but the selection of the book made

by al-Shaykh al-Tusi. There is a strong probability that after the time of al-Shaykh al-Tusi, the original work of al-Kashshi was not accessible to any of the scholars of this discipline and had become extinct. The only person who probably possessed the original work was al-Shahid al-Awwal because in his gloss on the *Khulasah* of the ʿAllamah, after quoting something from *Ikhtiyar al-rijal*, he has reproduced the same content in a different form from the book of al-Kashshi.<sup>37</sup> This is an indication that he also possessed the original work of al-Kashshi apart from *Ikhtiyar al-rijal* and has compared the contents of both the books with each other. However, Muhaqqiq Shushtari, his contemporary and compiler of *Qamus al-rijal*, who holds an eminent place in this field, believes that Shahid made a mistake in considering the book that he possessed to be the original work and thus a copy of *Ikhtiyar al-rijal* was regarded by him as the work of al-Kashshi because various manuscripts of *Ikhtiyar* are different from one another in some details. The best evidence of the lapse made by Shahid is that the same sentence that he attributed to the work of al-Kashshi, Mawla Inayat Allah Quhpa'i,<sup>38</sup> who has prepared an edition of the *Ikhtiyar* with a rearrangement of its contents, has reproduced in the same work from the *Ikhtiyar*.

From some sentences of the ʿAllamah in his *Khulasah* it may be inferred that he had the original copy of al-Kashshi's book, for with regard to certain matters he quotes from Kashshi with the words "*al-Kashshi has mentioned it...*" or "*al-Kashshi says...*", while there is no trace of such statements in *Ikhtiyar al-rijal*. Taking into consideration the fact that the ʿAllamah, in his book, *Khulasah*, has reproduced the original passages of the authors of the *usul* of *rijal* and is not content with paraphrasing them, one may conclude that in the matters mentioned above, the phrases "*al-Kashshi has mentioned it...*" or "*al-Kashshi says...*" are themselves taken from one of these works such as *Kitab al-Najashi* or *al-Fihrist* of al-Shaykh al-Tusi and these passages are not by the ʿAllamah himself.<sup>39</sup>

It may be summed up that since the period after al-Shaykh al-Tusi and Najashi, none of the scholars of this field had access to the original work of al-Kashshi or saw any trace of it. It means that this work, which did not have much currency even before al-Shaykh al-Tusi, totally went out of currency after he abridged it and selected from it, and its selection, because of the station of its compiler, replaced it.

From the statement of al-Najashi about al-Shaykh al-Kashshi, "*He has a book, al-Rijal, very informative and replete with errors*"<sup>40</sup> and from the fact that al-Shaykh al-Tusi took up the job of editing it, it may be concluded that reliable and error-free manuscripts of the book were not available even



to the Shaykh and al-Najashi, or it may be said that the book in itself was full of errors. That may be considered the reason for the original book's going out of currency after the compilation of the *Ikhtiyar* by al-Tusi.

Muhaqqiq, the compiler of *Qamus al-rijal*, believes that what is meant by al-Najashi in assessing the book to contain numerous errors is that the book itself had errors in its contents, and not that copyists and manuscript writers were responsible for them. Muhaqqiq later expresses his view saying that al-Najashi's remark is unfounded, for the errors found in *Kitab al-Kashshi* are too gross to be attributed to a scholar like al-Kashshi.<sup>41</sup> This view of Muhaqqiq is surprising, for while accepting that the original manuscript of *Kitab al-Kashshi* was not available at all, on what ground could he know that the errors occurring in the book were gross or not, and how could he judge the possibility or impossibility of ascribing them to al-Kashshi? In other words, it may be asked as to which book is he attributing the errors? Is it *Ikhtiyar al-rijal*, the result of al-Shaykh al-Tusi's research and recension, to which al-Najashi's remark could not apply; or the original work of al-Kashshi which has been extinct for centuries and without any trace except its title? In the second case, how could the compiler of *Qamus al-rijal* ascertain the errors in the book to be too gross to be ascribed to al-Kashshi?

In each case, if we accept that the errors in the original work of al-Kashshi were the result of copyists and were not committed by the author, inevitably we should attribute the cause of its corruption to the indifference or inattention of the contemporary scholars regarding the book, because al-Kashshi and his teacher, al-Ayyashi, narrated traditions of unreliable narrators. And this, in the view of the early scholars, was considered to be objectionable. Because of this, al-Kashshi's work, during his lifetime and thereafter, remained unused and abandoned. As a result its copies became subject to corruption and interpolation. Surprisingly, the *Ikhtiyar*, which is a recension of the book and edited by al-Tusi, and undoubtedly free from the many errors and defects found in *Kitab al-Kashshi*, nevertheless, still contains numerous instances of distortions, corruption and errors.

According to 'Allamah Kalbasi, the author of *Sana' al-maqal*,<sup>42</sup> there are reasons for believing that this book, in the course of time, underwent unfavorable circumstances and gradually some of its contents were dropped or discarded. Muhaddith al-Nuri, at the end of *Mustadrak al-wasa'il* has pointed out from *Ikhtiyar al-rijal*, some instances where the compilers of books of *rijal* give citations, but which are not found in the version of the book that is in our possession.

Moreover, in the extant copy of the book, some errors and dubious statements are found which have been pointed out by later scholars of *rijal*. Muhaqqiq al-Shushtari holds that the errors in the book are innumerable, while correct statements free from error are only a few. Among such errors that Muhaqqiq enumerates, some are related to wrong ascription in a number of cases of some traditions which deal with a certain person but are cited under the name of some other person, or traditions related to a person are referred to some other person carrying the same name and belonging to another generation. For example, the traditions related to Abu Basir Layth al-Muradi are confused with the traditions dealing with Abu Basir Yahya al-Asadi, or Himyari, one of the companions of Imam al-Askari (a.) is included and mentioned among the companions of Imam Ali ibn Musa al-Rida (a.). The first tradition about 'Abd Allah ibn 'Abbas is mentioned among the traditions regarding Khuzaymah (whose account is given before that of Ibn 'Abbas). In the account of Muhammad ibn Zaynab, called Abi al-Khattab, 23 traditions are reproduced that are not at all related to him.<sup>4</sup>

It is quite clear that these types of errors are not attributable to scholars of the status of al-Kashshi or al-Shaykh al-Tusi, and these can be attributed to no one but the copyists and manuscript writers. Similarly, some other types of errors, such as the date of the death of Hammad ibn 'Isa, the age of Mu'awiyah ibn 'Ammar, altering the name of Jibra'il ibn Ahmad Faryabi in the very beginning of the book to Jibra'il ibn Muhammad Faryabi and many such errors, which are pointed out by 'Allamah Kalbasi in *Sama' al-maqal* are also not attributable to al-Shaykh al-Tusi by any stretch of imagination.

On the basis of what has been said so far, it may be justifiably concluded that the view of Mawla Inayat Allah Quhpa'i that these errors were made by al-Tusi and the original work of al-Kashshi was free from them is totally contrary to research and unsupported by any evidence.

### The Original Title of *Kitab al-Kashshi*

In most of the books of the early scholars, such as al-Tusi's *Fihrist* and *Fihrist* of al-Najashi, the title of his book is not mentioned and only the existence of such a book is referred to.

In *al-Fihrist*, al-Shaykh al-Tusi, under the entry "*Abu 'Amr Kashshi*", describes him as "*Trustworthy; having insight in traditions and rijal, of straight belief; he has a book on rijal...*" Al-Najashi's statement concerning him also does not add anything in this particular regard. He writes: "*He was*

*trustworthy; eminent, narrated profusely from weak narrators, associated with al-'Ayyashi and received (hadith) from him, meeting him in his house which remained open in generous hospitality for the Shi'ah and the learned. He has a book on rijal.*"<sup>45</sup>

So far as I know, the first person to mention the title of *Kitab al-Kashshi* is Shahr Ashub (d. 588 A.H.), author of *Ma'alim ul-'ulama*. In this book, which was compiled as a supplement to the Shaykh's *Fihrist*, the title of the book is given as *Ma'rifat al-naqilin 'an al-A'immat al-Sadiqin*.<sup>46</sup> Because of the proximity of his period to that of al-Kashshi and al-Tusi there is no doubt that what he says is based upon definite facts and the title of the book of al-Kashshi is the same as mentioned by him.

Al-Shaykh al-Tusi, in *al-Fihrist*, under the account of Ahmad ibn Dawud ibn Sa'id, after giving a list of books attributed to him, says, "*al-Kashshi says in his book, Ma'rifat al-rijal (dhakarahu al-Kashshi fi kitabi hi fi ma'rifat al-rijal)...*"<sup>47</sup> The compiler of *Suma' al-maqal*, on the basis of this statement, considered the title of al-Kashshi's book to be *Ma'rifat al-rijal* and he ascribes this view to al-Shaykh al-Tusi also, though this statement only indicates that this book of al-Kashshi relates to the study of *rijal* and says nothing about its title. Probably the statement quoted above occurred in the manuscript that Kalbasi possessed in the following manner: "*al-Kashshi narrates in his book Ma'rifat al-rijal...*" (without the word *fi*), and it was due to this that Kalbasi was misled.

In the Bombay edition of *Ikhtiyar al-rijal* (1317) also, at the end of Part Five of the book, *Kitab al-Kashshi*, is referred to in these words: (*qud tanma al-juz' al-khamis min kitab Abi 'Amr al-Kashshi fi ma'rifat al-rijal*). It is obvious from this sentence that there is indication in it that the book's title is *Ma'rifat al-rijal*.

Al-'Allamah al-Majlisi,<sup>48</sup> as well as one of our contemporaries, the compiler of *Qamus al-rijal*,<sup>49</sup> have also mentioned the title of the work of al-Kashshi as *Ma'rifat al-rijal*.<sup>50</sup> But, as mentioned above, this claim is not supported by any evidence.<sup>51</sup> There is no reason to reject the view expressed by Ibn Shahr Ashub.

From what has been discussed so far it may be said that the title *Ma'rifat akhbar al-rijal*, occurring in the beginning and end of the Bombay edition of the work of al-Kashshi has no ground and basis. Besides the fact that the present printed edition of the work of al-Shaykh al-Tusi is entitled *Ikhtiyar al-rijal* and not *Ma'rifat akhbar al-rijal*, such a title for the work of al-Kashshi is not found in any authentic and dependable sources. Probably the publisher of the Bombay edition or some copyist of the manuscript of the

book have conjectured this title for the work of al-Kashshi from two descriptions of the book, i.e., *Kitab Abi 'Amr al-Kashshi fi akhbar al-rijal* and *Kitab Abi 'Amr al-Kashshi fi ma'rifat al-rijal*, as the book al-Kashshi is referred to in some works on *rijal* and concluded that the title of the book should be the same.

### The Method of Selection and Abridgement of al-Shaykh al-Tusi

As we said, errors and superfluous material in al-Kashshi's book compelled al-Shaykh al-Tusi to edit and abridge the book under the title *Ikhtiyar al-rijal*. Now it is to be seen as to what type of errors and superfluous material were found in the book of al-Kashshi that made al-Tusi to take up the job of its editing.

Some scholars<sup>22</sup> think that originally al-Kashshi's book consisted of the accounts of both Sunni and Shi'i scholars. Al-Shaykh al-Tusi deleted the accounts of the Sunnis and limited his book, *Ikhtiyar*, to the accounts of the Shi'a only. Considering that the present copy of *Ikhtiyar* contains accounts of some Sunni *rijal* also, this view proves to be wrong. The fact is that al-Kashshi's book, like a number of the works on *rijal*, such as *al-Fihrist* of al-Tusi and *al-Fihrist* of al-Najashi, had accounts of both Shi'i and non-Shi'i scholars that had narrated the traditions of the Imams (of the Prophet's family) for the Shi'ah. Accordingly, in the *Ikhtiyar*, we come across the accounts of persons like Muhammad ibn Ishaq, Muhammad ibn al-Munkadir and 'Amr ibn Khalid, etc. These were *not* Shi'a, but narrated the traditions of the Imams of the Shi'a.

It is most probable that the selection and abridgement made by al-Tusi, before taking into account the faith of the authors, took into consideration the traditions that were recorded by each of them. Even if supposedly al-Shaykh al-Tusi deleted the names of some persons due to some reason, there are stronger reasons to believe that since among the traditions recorded in the original work of al-Kashshi some were weak in respect of their chain of narration or relevance to the biography of a given person in the view of al-Tusi, he either deleted them or corrected them. This view probably explains, in a better manner, the method of selection and correction adopted by al-Tusi and is in greater accord with the position of the Shaykh and al-Kashshi.

There are certain indications from which it may be conjectured that al-Tusi, in the *Ikhtiyar*, has not included the names of all the reliable persons whose accounts were given in the original work of al-Kashshi. For instance, in *al-Fihrist*, after giving the account of Dawud ibn Abi Zayd Nayshaburi

and crediting him with truthfulness and trustworthiness, he adds that he has authored books which have been mentioned by al-Kashshi and Ibn al-Nadim in their books, but in the present version of *Ikhtiyar al-rijal* his name is not mentioned. On this ground it may be said that if we accept the book of al-Kashshi from which the above statement is quoted is the same book that is entitled *Ma'rifat al-naqilin*, i.e., the original work on which *Ikhtiyar al-rijal* is based, and also admit that the present copy of it has not undergone any change or deletion, there would remain no doubt that al-Shaykh al-Tusi has deleted the accounts of some reliable persons also.

### The Works Compiled on the Basis of *Ikhtiyar al-rijal*

As mentioned earlier, *Ikhtiyar al-rijal* is one of the four basic source books in the field of *ilm al-rijal*. After al-Tusi, in all periods, it has been studied and referred to by Shi'i scholars. Because of the attention paid to this work, a number of books have been compiled on its basis. Since the book of al-Kashshi was not properly arranged and chapterised, it was difficult to refer to it and quote from it. Most later works relating to it were done in view of arranging and chapterising it in a proper order so that the job of making use of it was made easier for scholars. Within the scope of this study we shall introduce some of these books which were written on the basis of al-Kashshi's work.

### Qubpa'i's Arrangement of the Book

Mawla Inayat Allah ibn Sharaf al-Din Qubpa'i al-Najafi (d. after 1016 A.H.)<sup>53</sup> arranged the book according to alphabetical order (the first letter of the names) and enlisted all the persons mentioned independently or secondarily under the account of other persons and reproduced the original passages from al-Kashshi's work in total without any addition or deletion. After giving the tradition at the beginning of the book, he listed the names beginning with 'ibn', then the names beginning with 'abu', and thereafter all the other names from Aban to Yunus in order of the first letter of the names. The date of completion of this book is 1011 A.H.

As we said, the book is written in a manner that the compiler does not go beyond the original text of al-Kashshi and reproduces all the accounts without any addition or deletion. For this reason, according to the alphabetical order observed in the book, he inevitably made changes in the headings given in *Ikhtiyar al-rijal*, and also in the cases where al-Kashshi mentioned two or more persons together in one heading, Qubpa'i has listed these names



separately in an alphabetical order. In some places, his version differs from the printed version of the *Ikhtiyar*, e. g., in the account of al-Hasan ibn Saʿid al-Ahwazi and Muhammad ibn Ishaq, author of *al-Maghatzi*.<sup>54</sup>

#### The Version of Sayyid Yusuf ibn Muhammad al-Husayni al-ʿAmili, Author of *Jamiʿ al-Maqal*

He arranged the book, *Ikhtiyar al-rijal*, according to the generations (*tahayat*) of the companions of the Maʿsumin (the Infallibles) (a.), like the *Rijal* of al-Tusi, that is, firstly the accounts of the companions of the Prophet (s.), then the companions of Amir al-Muʾminin (a.), afterwards the companions of al-Imam al-Hasan ibn Ali (a.), and the same order continues until the accounts of the companions of the eleventh Imam (a.). All are listed after each other in the same order. According to Muhaddith al-Nuri, at the end of *Mustadrak al-wasa'il*, the date of completion of this book is 981 A.H.<sup>55</sup>

#### The Version of Shaykh Dawud ibn al-Hasan ibn Yusuf al-Bahrani

He was nearly a contemporary of Shaykh Hurr al-ʿAmili, author of *Wasa'il al-Shi'ah*. He edited *Ikhtiyar al-rijal* in a strict alphabetical order. That is, according to the first, second, third, and succeeding letters<sup>56</sup> like *Mianhaj al-maqal*.<sup>57</sup>

#### *Hall al-Ishkal* of Sayyid Ahmad ibn Tawus al-Hilli

Ahmad ibn Tawus was a famous scholar of the 7th century Hijrah. He compiled the text of the *Ikhtiyar*, together with three other basic works in *rijal*, i.e., *al-Fihrist* and *Rijal* by al-Tusi, and *al-Fihrist* of al-Najashi, supplementing them with the text of *al-Du'afa'* by ibn al-Ghada'iri and named his collection *Hall al-ishkal fi ma'rifat al-rijal*. It is believed that Shahid al-Thani had it in his possession.<sup>58</sup>

Kalbasi, author of *Sama' al-maqal* (d. 1356 A.H.), while praising its good arrangement, has criticised it for the reason that most of the traditions recorded in the *Ikhtiyar* are not found in it and some of them have been merely referred to or paraphrased. Therefore, it does not allow the reader to do without the original work and also contains errors in some places.<sup>59</sup>

After ibn Tawus, some of his pupils and later authors followed his method and compiled the four principal works of *rijal* together, supplementing them with some works of earlier scholars such as *al-Du'afa'*, the *Rijal* of al-Barqi and *Rijal* of al-Aqiqi in a collection.<sup>60</sup>

***Tahrir al-Tawusi* by Shaykh al-Hasan ibn Shahid al-Thani, Author of al-Ma'alim (959-1011 A.H.)**

He extracted the text of the *Ikhtiyar al-rijal* from the collection, *Hall al-ishkal*, and entitled it *Tahrir al-Tawusi*. This book, essentially contains the text of the *Ikhtiyar* with the difference that its entries follow the pattern of *Hall al-ishkal* and not of the original works of al-Kashshi and al-Shaykh al-Tusi.<sup>61</sup>

***Kutab Majma' al-Rijal* by Mawla Inayat Allah ibn Sharaf al-Din Qubpa'i**

In addition to editing *Ikhtiyar al-rijal*, the original text of this book is compiled together with the contents of other books of rijal, *al-Fihrist* by al-Tusi, *al-Fihrist* by al-Najashi and *al-Du'afa'* by ibn al-Ghada'iri. He named this collection *Majma' al-rijal*.

This work was completed in the year 1016 A.H. One of its manuscripts, in the handwriting of the author, exists in the library of al-'Allamah al-Tehrani, author of *al-Dhari'ah*.<sup>62</sup>

**Were Any Other Selections of al-Kashshi's *Rijal* Compiled?**

We know that the book which we have by the name of *Rijal* of al-Kashshi is a selection and abridgement, known as *Ikhtiyar al-rijal*, of the work made by al-Shaykh al-Tusi from the book of *rijal* written by Abu 'Amr al-Kashshi, *Ma'rifat al-naqilin 'an al-A'immat al-Sadiqin*. The original version of *Ma'rifat* was not available to anybody even during the period of al-'Allamah al-Hilli (648-726 A.H.).

It may be inferred from some writings that besides al-Shaykh al-Tusi, other persons also tried their hand at a selection from the book of al-Kashshi and this selection has appeared in the form of an independent work. The following passage from *Sama' al-maqal* need to be read carefully:

*"That which is surprising is what has been said by the learned 'Inayat (Allah Qubpa'i). That a thorough study of the work shows that the errors do not pertain to it as much, but are solely due to those who have made selections from it, such as the Shaykh, may his soul be sanctified."*

Afterwards the author of *Sama' al-Maqal* adds:

*"Yes, that is probable in part."<sup>63</sup>*



Sina, in the above quoted passage, refers to *Ikhnyar al-rijal*, it is possible to interpret the word 'selectors' to mean that in making this selection, a group of scholars collaborated with al-Shaykh al-Tusi and the *Ikhnyar* was the product of their joint effort. Since there is no doubt regarding the attribution of this selection to al-Shaykh al-Tusi and the practice of compiling a work with collective effort was not prevalent in those days, the view that some persons other than al-Tusi had also attempted abridgement and selection of *Kitab al-Kashshi* is strengthened on the basis of this statement.

### *Al-Fihrist*

This book is one of the most valuable Shi'i works in the field of *ilm al-rijal* and has always been considered by scholars a reliable source. As mentioned in the beginning of this discourse, *fihrist* is a term applied to catalogues of the authors of the *usul* and other compilations.<sup>65</sup> The early experts of this science had produced such lists of books which were confined to the introduction of some Shi'i authors or the authors of the books in their own libraries, such as *Fihrist* by Zurari and that of Ibn 'Abdun.

The first to write a comprehensive book in this field was Abu al-Husayn Ahmad ibn Husayn ibn 'Ubayd Allah al-Ghada'iri, a famous scholar of *rijal* and a contemporary of al-Shaykh al-Tusi and al-Najashi. He compiled two books, one concerning the *usul* and the other about the other compilations. Unfortunately, these two books did not reach the later generations.

It is evident from the words of al-Shaykh al-Tusi, in the introduction of *al-Fihrist*, and from the statements of his eminent contemporary, al-Shaykh al-Najashi, that these two eminent contemporary scholars were motivated due to the unavailability of any work that could be regarded as detailed and comprehensive in this field.

The work of Ibn al-Nadim (d. 385 A.H.), is somewhat of a departure from *fihrist* in its technical sense, as it deals with all branches of knowledge, arts, schools of jurisprudence and traditions prevalent among the Muslims. It covers the works of both Muslims and non-Muslims in various fields. This book was compiled in the year 378 A.H. Except for Ibn al-Nadim's book, *al-Fihrist* by al-Shaykh al-Tusi is the oldest comprehensive work in this field which still exists and was accessible to the later periods. The *Fihrist* of Abu Ghalib Zurari (d. 368 A.H.) and some other such lists prior to the work of al-Tusi,<sup>66</sup> which are available up to now, are short treatises introducing a few works only.<sup>67</sup>

No conclusive research has been done as to which of the two books, *al-*

*Fihrist* by al-Tusi and *al-Fihrist* by al-Najashi, was preceded by the other. Since al-Najashi, in his book, has listed the *fihrist* of al-Tusi and his other works, while in al-Tusi's book no mention is made of al-Najashi, it may be conjectured that al-Najashi's book was compiled after al-Tusi's. Firstly, the mention of the book of al-Tusi in al-Najashi's work is no proof of the priority of the Shaykh's work. It is possible that al-Najashi, in the first instance, listed the titles of al-Tusi's other works and consequent to the compilation of al-Tusi's *al-Fihrist*, added to his account in his work, similar to what al-Tusi did in adding to his works the name of his latest book, *al-Mabsut*, in *al-Fihrist*. Secondly, if absence of a listing for al-Najashi's work in *al-Fihrist* is evidence that, at the time of writing *al-Fihrist*, the work of al-Najashi had not been compiled, at a later date, when the work of al-Najashi was completed it should have been included. We know that al-Tusi was alive for 10 years after the death of al-Najashi and he should have been aware of the existence of his work. On this basis there should be some other reason for not mentioning the name of the work of al-Najashi in al-Tusi's book and the mention of al-Tusi's *al-Fihrist* in al-Najashi's book. Probably the reason to be sought is in al-Shaykh al-Tusi's eminent position and fame as a scholar whose books were well known in the Shi'i society, while al-Shaykh al-Najashi was an obscure figure without the fame that could attract the attention of scholars towards him or his book.

However, a perusal and comparison of these two books reveals that there are some passages in al-Najashi's book that are identical with the passages in al-Tusi's book with only some additions. Moreover, the style of al-Najashi, in a number of matters that shows his critical evaluation of the contents of al-Tusi's *al-Fihrist*, leaves no ground for doubting that al-Najashi's book was compiled after al-Tusi's was completed.

### The Salient Features of *Al-Fihrist*

This book contains over 900 accounts of authors and their books and *usul*, most of which are recorded with chains of the narrators that existed between the Shaykh and the listed authors.

The compilation of the book was taken up at the instance of one of the contemporaries of the Shaykh, whom he remembers as al-shaykh al-fadil in the introduction. Though there is no reliable evidence available regarding his personality, yet the expression, "al-shaykh al-fadil" and al-Tusi's submitting to his request to compile the book (similarly, two other works viz. *al-Rijal* and *al-Jumal wa al-nuqul*) point to an eminent scholarly personality of his

time and leads us to believe that such a person enjoyed a considerable academic status.<sup>68</sup>

The book is aimed at introducing the author of *usul* and writers who were either Shi'i or wrote books for the Shi'ah.<sup>69</sup> Al-Tusi, in the introduction, makes a promise that in the account of each author and authority of *usul*, he would mention all the critical statements regarding their credibility and indicating whether his narration is authentic or not, and also would mention the faith or sect he belonged to. Despite the intention, with few exceptions, he has refrained from following such a perusal of the narrators' reliability.<sup>70</sup>

While dealing with non-Imami Shi'i like the Fathiyyah or the Waqifiyyah, he has abstained from indicating their creed in some cases. Only in the cases of Sunni authors has he mentioned their faith. On this ground one may be certain that whenever al-Tusi maintains silence regarding the faith of an author, he cannot be a Sunni ('Ammah), though he may not be an Imami Shi'i as well. It is just possible that such an author may belong to some Shi'i sect like the Fatahi or the Waqifi, etc. In time, it may be said that in al-Tusi's al-Fihrist an author is sometimes mentioned as being an Imami or a non-Imami Shi'i and occasionally no such mention is made, but as for non-Shi'i, he has always mentioned the faith of the author or narrator. Similarly, he has abstained from mentioning the weakness of an Imami because, as mentioned earlier, the subject and scope of the book was limited to listing the names of the authors who wrote books for the Shi'ah, irrespective of their being Shi'is or non-Shi'is, praiseworthy or blameworthy, since such evaluation was outside the scope of the book.

### The Method of Arrangement

The book is compiled in alphabetical order. Under each alphabet, and for every name beginning with it, a separate part is given. For instance, under the letter 'alif', there are separate parts dealing with Ibrahim, Isma'il and Ahmad. For all other names that do not denote more than one person, under each letter a chapter is given entitled "*bah al-wahid*". For example, under 'alif', the *bah al-wahid* lists the names Asbaghi, Idris and Asram, each of which relates only to one person. In the same manner all the names are catalogued up to the last letter. The total number of names listed in this book are more than 900 given in different chapters or parts.

### Variations in the Manuscripts of *al-Fihrist*

According to the view of the experts of this field, manuscripts of *al-Fihrist*, like those of most other old and reliable sources of *rijal* such as the works of al-Kashshi, al-Najashi, al-Barqi, and al-Ghada'iri, have undergone corruption, additions and deletions. A correct manuscript of the book has not reached the people of our time. Al-'Allamah al-Kalbasi writes in this regard:

*"Most of the present manuscripts of al-Fihrist are not free from errors and corruption. As some experts have said, most of the copies which are available to present researchers have been tampered with by copyists and distorted in the course of time. Muhaqqiq Shaykh Sulayman al-Bahrani (d. 1121 A.H.) took up the task of making a correct edition of the book and corrected a number of errors made by copyists, but did not arrange the titles completely except for placing them in the order of their letters or origin."*<sup>72</sup>

From this assertion it may be inferred that corrections made by Muhaqqiq al-Bahrani were based upon textual collation and on the basis of a comparative study of other books on *rijal*. He did not edit it on the basis of correct versions and reliable manuscripts of *al-Fihrist* itself and their collation with each other. Had it been so, Muhaqqiq would have himself mentioned it and Kalbasi also would have referred to this matter. Moreover, as a consequence, the problem of differences found in various manuscripts would have been noted, specifying which of them was complete and correct to a greater extent.

So far as we know, a correct manuscript of *al-Fihrist* existed until the time of Ibn Dawud al-Hilli (b. 647 A.H.), for he has made it clear that the manuscripts of *al-Rijal* and *al-Fihrist* of al-Tusi, in the author's own handwriting, were in his possession. After him we do not have any information about the availability of a correct version of the book. Since we find definite corruptions in the contents of the presently available versions and the authors of the periods succeeding Ibn Dawud, such as Mirza Muhammad Astarabadi, author of *Rijal al-Kabir* (d. 1028 or 1026 A.H.), Mir Mustafa Taftishi, a scholar of the 11th Century Hijrah and compiler of *Naqd al-rijal*, differ from one another in reproducing the contents of the book, it may be justifiably concluded that none of them had access to a corrected version of al-Tusi's two works and the copy that Ibn Dawud possessed has been lost.

Therefore, whenever there are differences between the present copies

of *al-Fihrist* and what Ibn Dawud has quoted from the book he had, unhesitatingly, we should prefer Ibn Dawud's text and consider his version conclusive, for correctness and closeness of his citation to the original writing of al-Tusi has more firm and reasonable grounds. It should be added that wherever there is a difference between the versions of Ibn Dawud and al-Allamah al-Hilli, who was a contemporary and classmate of Ibn Dawud in the classes of Ahmad ibn Tawus, the version of Ibn Dawud may not be always preferred, for the 'Allamah also possessed corrected copies of *al-Rijal* and *al-Fihrist*. Of course, the possibility of errorneous reading on the part of Ibn Dawud is not out of the question.

### Differences Among Printed Editions

The text of *al-Fihrist*, in its original order, was printed for the first time in 1356 A.H. by Maiba'ah Haydariyyah, Najaf, with corrections and footnotes along with an introduction by Sayyid Muhammad Sadiq Al Bahr al-'Ulum. This edition was reprinted in 1380 A.H. It consists of 252 pages super octavo size and includes indices of names and serial numbers of persons with proper diacritical marks. On the whole it is a noteworthy edition. Many years before the printing of this edition, i.e., in the year 1271 A.H./1853, an edition was printed according to first, second and third letters of the names of authors, their fathers and grandfathers, edited by Springer and Mawlawi 'Abd al-Haqq in India. 'Allamah Shaykh Aga Buzurg al-Tehrani, author of *al-Dhari'ah*, saw this edition and described its features in Vol. 16, p. 384. Sayyid Muhammad Sadiq Al Bahr al-'Ulum, in his introduction to *al-Rijal* of al-Tusi (p. 69) says that it is defective, full of errors and badly printed.

The learned editor, in his introduction of *al-Rijal*, gives an account of another printed edition of *al-Fihrist* quoted by 'Allamah Tehrani, in his introduction to *al-Rijal*. It may be summarized in the following words:

*Many years ago (ca. 1315 A.H.) I saw an edition of al-Fihrist in Tehran in the library of the great scholar Hajj Mirza Abu al-Fadl Tehrani, which was printed in Lieban and as for meticulousness and quality of print, it was very valuable and impressive. After much effort, I got a translation of the last part written in a European language, and I came to know that the publisher had put in much labor in comparing various manuscripts and correcting it rigorously. Still I have a copy of it made by myself, which is preserved with the same paper and*



### *writing.*

It is surprising that 'Allamah Tehrani, who was so much impressed by this edition, has not mentioned it under the entry of *al-Fihrist* in his book, *al-Dhari'ah*, and was just content to refer to the Indian edition. On this basis is it not possible to believe that since nobody has made mention of such an edition of *al-Fihrist* and has not seen it at all, it may be presumed that the 'Allamah made an error in identifying it and confused the Indian edition with (the supposed) edition of Leiden, or did he, at the time of writing about it due to a long lapse of time, forget the characteristics of this edition and was confused?

### *Authenticity of al-Fihrist and its Critical Appraisal*

For positing the credibility the works of al-Shaykh al-Tusi before making an evaluation of his book, we may depend more on the authenticity of the author himself. The great and indisputably high station of al-Tusi, as a scholar, is such that any doubt about the authenticity of his works is totally out of the question, or at least of little consequence. His writings, in all the fields, opened new avenues with his ingenuity and originality and revealed his rare command of the subjects.

As we know, two of his books, *al-Tahdhib* and *al-Ishtibār*, are counted among the four principal works of *hadith*, and three of his books, *al-Fihrist*, *al-Rijal* and *Ikhtiyār al-rijāl*, form the major bulk of the four authentic source books in the field of *'ilm al-rijāl*. His other books, in each of the fields, such as exegesis (*tafsir*), *kalam*, jurisprudence and *fiqh* are very outstanding and original. On this ground, any doubt regarding the views expressed by him in the field of *rijāl* is very difficult and far from caution. Practically two of his books, *al-Fihrist* and *al-Rijal* always attracted the attention of great and well-known scholars like Muhaqqiq, 'Allamah, Ibn Tawus, Shahid, and others. According to 'Allamah Kalbasi, in *Sama' al-maqāl* (p. 52), the majority of 'ulama' have relied upon his authentications, critical assessments and other opinions about *rijāl* and regarded them as reliable and precise.

In spite of this, all the views and judgements of al-Shaykh al-Tusi in the field of *rijāl* may not be accepted as accurate and occurrence of some errors in his books cannot be ignored. Of course, it may be asserted that these errors, as compared to the valid and correct views expressed by the Shaykh al-Ta'ifāh, are negligible and rare.

A great contemporary scholar of *rijāl*, Shaykh Muhammad Taqi al-Shushtari, in his analytical and comprehensive work, *Qamus al-rijāl*, has

pointed out some of the errors Shaykh al-Tusi made in two of his books, *al-Fihrist* and *al-Rijal*. From among such errors, in Chapter 20, he has pointed out some regarding the account given about Abu Ghalib al-Zurari.

According to the view of Muhaqqiq, the main reason of the occurrence of these errors is that al-Tusi has followed the accounts given in Ibn al-Nadim's *Fihrist* which is not very accurate and dependable. For this reason, whenever we find difference of opinion between al-Shaykh al-Tusi and al-Najashi, we should prefer al-Najashi's view, for in the whole of his book, with a single exception, he has not reproduced anything from Ibn al-Nadim's book.<sup>72</sup>

In spite of this, in the matters of differences between al-Tusi and al-Najashi, the latter's view may not always be taken as correct and the judgement in most of the case is to be made in accordance with external evidence. (We shall have more to say about this matter while making a comparative study of the *Fihrist*s of al-Najashi and al-Tusi.)

### Books Compiled on the Basis of *al-Fihrist*

A number of books and supplementary works were compiled on the basis of al-Tusi's book in later periods, which is indicative of the attention paid to it by scholars. In this regard, we shall deal with all the books in this field that we could find access to.

1. *Ma'alin al-'ulama'*. This book, according to its author, Rushd al-Din Muhammad ibn Ali ibn Shahr Ashub al-Mazandarani (d. 588 A.H.), is a complementary work in relation to the Shaykh's *al-Fihrist*. Besides all the names dealt with in *al-Fihrist*, it consists of the names of some contemporaries and successors of al-Tusi also. The total number of persons discussed in this book comes to 990 apart from the poets whose names are listed at the end of the book specified for this purpose. Though this book contains names of 90 persons and 600 books more than those in *al-Fihrist*, due to deletion of the chain of narrators and authorities, it is, on the whole, shorter than the former. Under the accounts of some names, their authenticity or weakness is occasionally discussed and also dates of their deaths are mentioned. This is one of the distinctions of this book as compared to al-Tusi's. In arranging the names, the first letter only is taken into account and second and third and other letters are not considered. Accordingly, Bilal comes after Ibrahim, but there is no order between Ibrahim and Ahmad.

This book was published for the first time in 1353 A.H. with the corrections, comparisons and introduction by the late Abbas Iqbal from Tehran. The second publication was in 1381 A.H. with the annotations and a detailed introduction by Sayyid Sadiq Bahr al-'Ulum consisting of 153 pages by



Haydariyyah Press, Najaf, and is still available.

2. *al-Fihrist*: This book is by Shaykh Muntajib al-Din Ali ibn Abi al-Qasim 'Ubayd Allah Babawayh al-Qummi (d. after 585 A.H.)<sup>72</sup>

The title of this book is *'Asma' masha'ikh al-Shi'a wa musannafihim* and its subject is authorities of the *usul* and other authors who succeeded al-Tusi or were his contemporaries, but their names were not mentioned in *al-Fihrist*. Hence, this book, because of dealing with the contemporaries and successors of al-Tusi is different from the book contemporaneous to it, i.e., *Ma'alim al-'ulama'*, which deals with the predecessors of the Shaykh also. According to the research of Abbas Iqbal, as written in the introduction of *Ma'alim al-'ulama'*, despite being compiled by two contemporary scholars at about the same time, they were unaware of each other. This view, with regard to Shaykh Muntajib al-Din, is undoubtedly correct, for he, in the introduction of his book, after mentioning *al-Fihrist* adds: "Nothing has been written after it on this subject." Therefore, either *Ma'alim al-'ulama'* was not compiled by that time or Shaykh Muntajib al-Din had no access to it.

The arrangement of the book is similar to that of the *Ma'alim* without any addition or deletion. The book is shorter than the latter. This book, in large size (*rihli*), was published only once included in the famous work, *Bihar al-amwar*—in the beginning of the 25th volume—and needs a corrected revised edition.

3. *Talkhis al-Fihrist*: The author is Shaykh Najm al-Din Abu al-Qasim Ja'far ibn al-Husayn ibn Yahya, known as al-Muhaqqiq al-Hilli (d. 676 A.H.). In this book the author is content to give only the names of *rijal* and authors and some of their characteristics. He has deleted the titles of the books and also the author's chain of authorities for them. According to 'Allamah Tehrani, in *al-Dhari'ah*, a copy of this book is in the personal library of 'Allamah Sayyid Hasan Sadr.

4. *Tartib-e Quhpa'i*: As we know, Mawla 'Inayat Allah Quhpa'i, who compiled the four principal works of *rijal* in a collection, *Majma' al-rijal*, has also edited some of these principal works separately, as mentioned while dealing with *Ihtiyar al-rijal*. One of them is *al-Fihrist* as mentioned by him in the introduction of *Majma' al-rijal*.<sup>73</sup>

5. *Tartib-e Bahrani*: Shaykh Ali ibn 'Abd Allah al-Asba'i al-Bahrani (d. 1127 A.H.) also edited *al-Fihrist*. This book is mentioned under entry no. 277, in Vol. 4 of *al-Dhari'ah*. We do not have any knowledge about its characteristics and whereabouts.

6. *Sharh al-Fihrist*: Shaykh Sulayman ibn Shaykh 'Abd Allah al-Bahrani al-Mahauzi (1074-1121 A.H.) edited *al-Fihrist* and wrote a com-

mentary on it. He has arranged its entries and given the title *Meʿraj al-Kamal ila Maʿrifat al-rijal* to his book. But this work was not completed and he could compile it only up to the letter *alif* (according to Kalbasi in *Samaʿ al-Maqal*, p. 42) or up to letter *taʾ* (according to Sayyid Sadiq Bahr al-ʿUlum in the introduction to *al-Rijal* of al-Tusi citing *Luʾluʾa al-Bahrayn* by Shaykh Yusuf al-Bahrani).

According to ʿAllamah Tehrani, in *al-Dhariʿah* (Vol. 4, p. 66), one of the scholars edited *al-Fihrist* in alphabetical order: the first, second and third letters, and completed it in 1005 A.H. This same edition was published in 1271 A.H. from Calcutta, India.<sup>76</sup>

## ENDNOTES

1. What is denoted by *Taʾrikh al-rijal*, as mentioned in some books in the field of *rijal* and in some works of the early scholars such as the work of al-ʿAqifi (ʿAqifi, the father), is biography.

2. This nickname (*kunya*) occurs in some sources as Ibn Raydawayh, and in some other as Ibn Raywiyah. The spelling of the name in the text of this book is taken from *al-Fihrist* of al-Shaykh al-Tusi. However, Ali ibn Muhammad ibn Jaʿfar ibn ʿAbbas al-Ihaddad al-ʿAskari is the person referred to here.

3. This date is determined by ʿAllamah Shaykh Aga Buzurg al-Tehrani, in *al-Dhariʿah* (Vol. X, p. 84). But, in view of the fact that ʿUbayd Allah was alive until the end of the 1st Century Hijrah (*al-Fihrist*, Najaf, footnote p. 133, cf. Ibn Hajar, *al-Taqrib*), this assertion seems to be unfounded. Anyhow, he might have compiled this work in about the same years.

4. *Al-Dhariʿah* (Vol. X, p. 99) and *al-Isnad al-musaffa* (p. 79). What is written above is borrowed from ʿAllamah Tehrani with reference to his famous work, *al-Dhariʿah*, and his *risalah* on *mashkhat*, known as *al-Isnad al-musaffa*. In accepting this view he has followed al-Najashi and probably some other authority of *rijal*. Another group of scholars attribute this book to his father, Abu ʿAbd Allah Muhammad ibn Khalid al-Barqi. But a contemporary scholar of *rijal*, Shaykh Muhammad Taqi Shushtari, author of the book, *Qamus al-rijal*, rejects both of these views and holds that the author of *Tabaqat al-rijal*, according to the nature of traditions narrated, was ʿAbd Allah ibn Ahmad al-Barqi, one of the *mashayikh* of al-Kulayni, or Ahmad ibn ʿAbd al-Barqi, a teacher of Shaykh Saduq. Again, among these two, he prefers to accept the second to be the most probable. For details refer to *Qamus al-rijal*, Vol. I, pp. 31-32.

5. *Fihrist al-Najashi*, Tehran, p. 160. In *Qamus al-rijal*, the date, with reference to *Fihrist al-Najashi*, is recorded as 229. By referring to the two printed editions of al-Najashi's *Rijal* and some books which have cited the date from al-Najashi, such as *al-Dhariʿah* and *Taʾlis al-Shiʿa*, one may be convinced that this is an error by the author of *Qamus* or al-Matnani, the author of *al-Rijal*. [*Qamus* is almost a gloss on this work].

6. *Al-Dhariʿah*, Vol. X, p. 89.

7. *Maʿalim al-ʿulamāʾ*, by Muhammad ibn Ali ibn Shahr Ashub (d. 588 A.H.), ed. Abbas Iqbal, p. 28. But, in al-Tusi's *al-Fihrist*, only his *Kitab al-mashkhat* is mentioned

and no reference is made to this book.

8. *Al-Dhari'ah*, Vol. X, p. 147.

9. *Ibid.*, Vol. X, p. 154.

10. *Ta'ris al-Shi'a li-funun al-Islam*, 'Allamah Sayyid Hasan Sadr (d. 1354 A.H.). He, by the slip of his pen, mentioned the death of Shu'bah in 260 A.H. Therefore, he considered him to be junior to Ibn Jabal and considering the latter "the first author to deal with *ihm al-rijal*."

11. *Al-Inam al-Sadiq*, Egypt, p. 458.

12. Al-Tusi in *al-Fihrist* mentions his death to occur in 333, and in *al-Rijal* in 332. Shushtari, in *Qamus al-rijal*, considers the former date to be nearer to fact. *Qamus*, Vol. I, page 397.

13. For the first time Jamal al-Din Abu al-Fadl Ahmad ibn Tawus al-Hilli (d. 673) has discovered and included its text in his book, *Hall al-Ishkal*, which is a collection of the four *usul* (basic books) in *ihm al-rijal*. Later Mawla 'Abd Allah al-Tustari (d. 1021 A.H.) extracted it from *Hall al-Ishkal* and edited it separately. For more details refer to *al-Dhari'ah*, Vol. X.

14. *Qamus al-rijal*, Vol. VIII, p. 323 (cf. *Anzah al-Sam'ani*).

15. *Al-Dhari'ah*, Vol. I, p. 323.

16. *Al-Fihrist*, ed. Najaf, p. 178 and *Qamus*, Vol. VIII, p. 322.

17. Regarding this book's name, a detailed discussion is given in the section pertaining to *Ikhriy al-rijal*.

18. Refer to Sayyid Muhammad Sadiq Bahr al-'Ulum's introduction to al-Tusi's *Rijal*, ed. Najaf, p. 61.

19. This is a popular version of al-Shaykh al-Najashi's date of death which is repeated by later authors such as 'Allamah Mashaqani and 'Allamah Tehrani and others. Some others have referred to this date to be prior to the Shaykh's death. Only Muhaqqiq Shushtari, in *Qamus al-rijal*, has refuted this view arguing that al-Shaykh al-Najashi himself, giving an account of Muhammad ibn al-Hasan ibn Hamzah ibn Abi Ya'la, mentioned his death in 463. Therefore, he argues, Najashi should have been alive until that date and died afterward (*Qamus*, Vol. I, p. 347). But, an eminent scholar, Sayyid Musa Shabbiri al-Zanjani, has rejected the view given in *Qamus* on strong grounds. He argues:

"Since al-Najashi has not mentioned the date of the death of al-Shaykh al-Tusi (d. 460 A.H.) in his book, and also did not refer to his famous works like *al-Mabrut* and *al-Tibyan*, one could justifiably believe that the said date (i.e. the year of the death of Muhammad ibn al-Hasan ibn Hamzah, as given in al-Najashi's *Rijal*) is either an error, the correct date being 456, or that the date 460 is added later to al-Tusi's account in this book by some other person, which happens with many other books. For instance, the death of 'Abd al-Karim al-Qushayri (d. 465 A.H.) is mentioned in some manuscripts of *Ta'rikh Baghdad*, authored by al-Khatib, who himself died in 463. Such additions are numerous in the case of Ibn al-Nadim's *al-Fihrist* (d. 380 or 385 A.H.). On this basis, it may be concluded that the second conjecture is nearer to the truth as is evident from *Farhat al-Ghari* by 'Abd al-Karim ibn Tawus."

20. *Qamus*, Vol. I, p. 34.

21. Al-Tusi, *al-Fihrist al-Shaykh*, Najaf (1380 A.H.), p. 24.

22. *Ibid.*, p. 28.

23. Probably *asf* [pl. *asaf*] is the term for books in which contents were not arranged in an order and in chapters, while '*tasnif*' is the term for books arranged according to specific headings. Or *asf* is a book that contains solely the traditions and '*tasnif*' is that in which the compiler includes his views and comments.

24. *Al-Fihrist*, p. 24. The editor of *Qamus al-rijal* believes that these two books were not destroyed and after him al-Najashi had access to them. For this claim he has forwarded certain reasons that in no way conclusively confirm his contention. Refer to *Qamus*, Vol. I, pp. 291-292.

25. Ibn Shuhrawah, in his introduction to *Ma'alm al- 'ulama'*, while quoting al-Ghazzali's assertion in regard to the first book written in Islam, rejects his view and asserts that the first books were by Imam Ali (p.s.) and after him by Salman, Abu Dharr, Asbagh [Ibn Nabatsh], etc. This statement also indicates this factor of sectarian motive that has been at work.

26. Al-Najashi mentions this name as Azadi.

27. If the book of 'Ubayd Allah ibn Abi Rafi, which was mentioned earlier, consisted of the accounts of individuals also, naturally it may be considered the first book in the field of biography. Since the Shaykh has recorded its title as *Tasmiyyat awn Shahida ma'a Awh al-Mu'minin*, it may be conjectured that it contained the names of *rijal* only, without giving accounts of their lives. In that case, the book may not be included among the works of biography.

28. Related to Kashsh, a village in Gorgan, and according to some, a town in Transoxiana.

29. *Iktiyar al-rijal*, (Bombay), p. 99.

30. *Qamus*, Vol. I, p. 16.

31. *Iktiyar*, ed. Haj Mirza Hasan Mustafawi. It contains a comprehensive index of names dealing with the accounts of all authors and others mentioned in the book including those which have entries assigned to them and others that haven't. Undoubtedly, this has taken a lot of labor and effort. May God reward him for his effort. The researcher and scholar, Sayyid Musa Zanjani, has also compiled a complete index of the authors with entries, which has not yet been published. Another edition of the book, published from Najaf, edited and corrected with annotations by Sayyid Ahmad al-Husayni, includes indices of names, kunyahs, and titles. A list of names, kunyah and titles of women is separately compiled along with the index of various subjects.

32. *Qamus*, Vol. I, p. 33.

33. *Faraj al-Muhimm* (Najaf), p. 130.

34. *Al-Fihrist*, p. 190.

35. For details refer to *Qamus al-rijal*, Vol. I, p. 33.

36. Mawla 'Inayat Allah Qubba'i also advanced other arguments in favor of this view, most of which are inconclusive. For details refer to *Qamus al-rijal*, Vol. I, p. 34.

37. He first reproduces this statement from the 'Allamah: "*Al-Kashshi narrates from Ja'far ibn Ahmad ibn Ayyub, from Safwan...*", which refers to 'Abd Allah al-Bujali; then he proceeds to say: "*This tradition, besides being bereft of any proof of his authenticity and good repute, has an unfamiliar and confused chain of transmission, for al-Tust has given the tradition's chain of authorities in the above quoted form, but in al-Kashshi's book it is given as follows: 'From Ja'far ibn Ahmad, from Ja'far ibn Bashir...'*" *Qamus al-rijal*, Vol. I, p. 36.

38. Qubpa'i with *Qaf* is the Arabicized version of Kulpa'i, belonging to Kuhpayeh or Kupa in the vicinity of Isfahan. He is one of the pupils of al-Shaykh al-Baha'i and has to his credit many books on *rijal*.

39. *Qamus*, Vol. I, pp. 36 & 37.

40. *Fihrist al-Najashi* (Tehran: Markazi Nashr-e Kitab), p. 288.

41. *Ibid.*, p. 321.

42. *Sama' al-Maqal*, p. 32.

43. *Qamus*, Vol. I, pp. 43-44.

44. *Al-Fihrist*, p. 167.

45. *Rijal al-Najashi*, p. 288.

46. *Ma'ali al-'ulum*, p. 91. The original words are: "*Lahu Ma'rifat al-Naqilin 'an al-'A'immat al-Sadighin, 'alayhim al-salam.*"

47. *Al-Fihrist*, p. 59.

48. cf. Kulbasi, *Sama' al-maqal*, p. 27.

49. *Qamus*, Vol. II, p. 15.

50. The title *Ikhtiyar Ma'rifat al-rijal* is indicative that the learned editor of this edition of the book also considers the original title of the book of al-Kashshi to be *Ma'rifat al-rijal* and hence he has entitled al-Tusi's selection of the book as *Ikhtiyar Ma'rifat al-rijal*. Naming the book this way is based on two misunderstandings. Firstly, the original title of al-Kashshi's book is *Ma'rifat al-naqilin 'an al-'A'immat al-Sadighin*, and not *Ma'rifat al-rijal*. Secondly, the title of the selection made by al-Shaykh al-Tusi, is referred to in all authentic sources as *Ikhtiyar al-rijal* and not as *Ikhtiyar Ma'rifat al-rijal*.

51. Ibn Shahr Ashub in his other book, *Al-Manaqib Al Abi Talib*, has referred to the book of al-Kashshi as *Ma'rifat al-rijal* (Vol. IV, p. 147). It is obvious that what he means is the abridgement of the book made by al-Shaykh al-Tusi and not the original book, for he says: "*Ma'rifat al-rijal 'an al-Kashshi 'an Abi Basir.*"

52. Among them refer to Shaykh Muha'ddith al-Qurmi, *al-Kuna wa al-alqab*, Vol. III, p. 116 (Najaf).

53. This is the year in which he completed his famous work, *Magma' al-Rijal*. Thereafter we do not have any information about him. The exact date of his demise could not be found in biographical works.

54. For details refer to *Qamus al-rijal*, Vol. I, p. 46.

55. This book is listed under entry no. 281 in *al-Dhari'ah*, Vol. IV.

56. Mirza Muhammad Ashtabadi (d. 1026 or 1028), *Rijal al-kabir*.

57. This book is listed under entry no. 279, *al-Dhari'ah*, Vol. IV.

58. *Sama' al-maqal*, p. 30.

59. For details refer to *Sama' al-maqal*, pp. 30-31.

60. *Al-Dhari'ah*, Vol. X, p. 81.

61. Two manuscripts of this book are in Kitab Khaneh-i Astan-e Quds, Mashhad, under nos. 3623 and 3603/14.

62. Introduction to al-Shaykh al-Tusi's *al-Rijal*, (Najafi, p. 81).

63. *Sama' al-maqal*, p. 26.

64. A clarification pertaining to the terms *asf* and *musammaf* (or *tasniif*) and the difference between the two is given in endnote no. 23.

65. Abu Ghubib's *Fihrist* is a part of his famous letter to his grandson in which he has given an account of his ancestors and their cousins and family members and has given



him an *ijazah* (permission) to narrate from the books listed in the *fihrist*. A not very old manuscript of this book, in good *naskh*, consisting of 29 pages in small size is in Kitab Khaneh-i Astan-e Quds, Mashhad, under no. 7669. It begins with the following passage:

66. Among the well-known catalogues before al-Shaykh al-Tusi, the *fihrist* of the books of Sayyid Murtada may be mentioned. ʿAllamah al-Tebrani writes that a manuscript of this, probably by the Sayyid himself or his pupil, Muhammad ibn Muhammad al-Basrawi (d. 443 A.H.) is in the possession of the Kitab Khaneh-i Sipahsalar. (cf. *al-Dhariʿah*, Vol. XVI, pp. 381 & 392).

67. However, the view of the late Abbas Iqbal, in the introduction of *Maʿalim al-ʿulamaʾ*, is that al-Tusi's *Fihrist* is the oldest extant work of a Shiʿi scholar, reveals a lack of research. For, besides the *fihrist*s of Abu Ghalib and Sayyid Murtada, both of which are extant, Ibn al-Nadim, the compiler of the famous *al-Fihrist*, was also a Shiʿi. (cf. *al-Dhariʿah*, Vol. XVI, p. 375).

68. Al-ʿAllamah al-Tebrani, in *al-Dhariʿah*, Vol. V, p. 145, states, on the basis of some old manuscripts of *al-Jamal wa al-Uqūd*, that "al-Shaykh al-ʿadil" is in reality Qadi ʿAbd al-ʿAziz ibn al-Barruj, the Qadi of Tripoli (d. 481 A.H.).

69. The late Abbas Iqbal, in his introduction to *Maʿalim al-ʿulamaʾ*, says that *al-Fihrist* is exclusively devoted to the accounts of Shiʿi authors and authorities of *usul*. This claim is refuted by the statement of al-Tusi himself, in his introduction to *al-Fihrist*.

70. For details refer to *al-Fihrist* (Najaf, 1380 A.H.), pp. 71, 78, 88, 89 and *Samāʾ al-Maqal*, pp. 41-42.

71. *Qanun al-rijal*, Vol. 1, p. 18. Thus the claim of ʿAllamah Tabatabaʾi and Sayyid Darnud (as cited in Managani, *al-Rijal*, Vol. 1, p. 205) that al-Tusi's approach is based on expressly mentioning non-haninis—like the Fatahiyyah and the Wasfiyyah—as such does not stand any ground.

72. *Samāʾ al-maqal*, p. 42.

73. *Qanun al-rijal*, Vol. 1, pp. 37-39.

74. Munfajib al-Din lived a long life. He was issued general permission for narration of hadith. This is confirmed by the following. Ibn al-Fuwari, in *Mafhum al-adab fi taphsus Maʿjam al-aqab*, p. 775. "*Kitab al-Mun*" writes: "*Munfajib al-Din Abu al-Hasan Ali ibn ʿUbayd Allah ibn al-Hasan ibn al-Hasan ibn al-Hasan ibn Ali ibn al-Husayn ibn Musa ibn Bahawayh al-Qummi al-Razi al-Muhaddith al-Miqari, according to Shaykh al-Hafez Saʿbi al-Din Abu Rushd Muhammad ibn Abu al-Qasim ibn al-Ghazal al-Isfahani, in his work, al-Jamʿa al-musharak wa al-nafaʾ al-musharak, and he said: 'He gave a general ijazah in 600 A.H....'*" (Notes and annotations on the *Diwan* of Qawami al-Razi, ed. Jalal al-Din Muhaddith al-Urumawi, p. 229.)

75. *Al-Dhariʿah*, Vol. IV, p. 64.

76. So far two principal works in *Im al-rijal*, that is, *Ihtiyar al-Rijal* and *al-Fihrist* by Shaykh al-Tusi, have been discussed. In the same manner, the complementary part of this treatise deals with two other works, viz. *al-Rijal* or *al-Awḥad* by al-Shaykh al-Tusi and the *Fihrist* of al-Najashi, popularly known as *Rijal al-Najashi*, by Abu al-Abbas Ahmad al-Najashi. It is hoped that this part would be also completed.

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## *The Development of Political Fiqh in Islam (Part 2)*

*A. A. Amid Zanjani*

*Translated by A. N. Baqirshahi*

*What follows is the translation of the second part of Amid Zanjani's book entitled Fiqh-e Siyasi dealing with the development of political fiqh and the issue of leadership in Islam. The first part discussed the notion of shari'ah and fiqh, fiqh and ordinary law, type of religious injunctions, and a brief history of the compilation of fiqh in the Sunni and Shi'i schools.*

*The second part deals with the development of Shi'i fiqh, the classification of fiqh, and issues in both Sunni and Shi'i schools of thought. In the next chapters, the author embarks upon political fiqh, bringing forth the sources in the Sunni and Shi'i world. Then he puts forward three theories on wilayat-e faqih in the 20th Century.*

### **Shi'i Fiqh in Retrospective**

Following are the different stages through which Shi'i fiqh (jurisprudence) proceeded:

1. The first stage commenced from the time of the Holy Prophet (s.) and extended to the era of Sadiqin. In fact, the origin of Shi'i fiqh is traceable to the following tradition from the Holy Prophet (s.):

*"So far as Ali is in the mosque, none is permitted to pass any religious decree but him."<sup>1</sup>*

In such books as *A'yan al-Shi'ah*, *Al-Muraja'at*, *T'asis al-Shi'ah* and *Jami'a*, the fiqhi issues are referred to Imam Ali (a.).<sup>2</sup> There are also certain Sunni authors who have collected the fiqhi views of Imam Ali (a.).<sup>3</sup> The author of *Ma'asir al-Fiqh* *Ali bin Abi Talib* stated that Ali used to pass decrees even in the time of the Prophet and the Prophet also used to subscribe to the decrees passed by Ali. Accordingly, *sahabah* (companions) took into account Ali's views in all matters. The caliphs acknowledged: "We were ordered (by the Prophet) to consult with him (Ali)." *Sahabah* never ventured beyond his decrees. In this regard Ibn Abbas said:

*"Whenever Ali made his comment we followed no other comments."<sup>4</sup>*

### The Early Phase of Political *Fiqh*

The first compiling of the political *fiqh* dates back to the invaluable heritage of Imam Ali (a.), that is, *Nahj al-Balaghah*. Nevertheless, it passed many obstacles to reach us.

Owing to strenuous efforts made by certain historians and traditionists in collecting the sermons and saying of Imam Ali (a.), they succeeded to compile tens of books<sup>2</sup> and left behind an invaluable heritage.

Sayyid Razi, by compiling *Nahj al-Balaghah*, and collecting the sayings of Imam Ali (a.), did his utmost to enrich it, particularly his arrangement of the sermons, saying and speeches of Imam Ali (a.) which is remarkable. In arranging those sermons, not only did he take into account their rhetorical aspect, but he considered the meaning of them as well.

Therefore, every sentence in *Nahj al-Balaghah* contains political issues, in fact. This book is recognized as an authentic and authoritative source of political *fiqh* and jurists can draw political precepts from this source.

One of the distinguishing features of *Nahj al-Balaghah* is that it is not only a theoretical book, but a practical one as well. *Nahj al-Balaghah* is not only a collection of speeches of an infallible Imam, it is also a source of guidance and *fiqh*. In other words, it is the translation of what has come in the Qur'an in the general form.

Besides *Nahj al-Balaghah*, Imam Ali's (a.) epistle to Malik Ashtar and Muhammad bin Abi Bakr are also authentic sources for political *fiqh*. The letter of instruction to Malik Ashtar covers general political issues, viz. internal policy, external policy, and international relationships. It also deals with the ways of administrating an Islamic society. The issues of economics, politics, even military and political sociology are dealt with in this letter.

It is a reliable source for a jurist to explore political *fiqh* and draw political precepts so to overcome the problems concerning human rights, and international rights of Islam.

The reason behind the issue of such a letter by Imam Ali (a.) was to establish justice and lead the Egyptians to the right path within a government based on Islam. Thus, he appointed a person who was committed to execute his orders exactly. Malik Ashtar was a person of this kind, for he had full faith in Imam Ali (a.).

The interesting point in the letter to Malik Ashtar is that it is not addressed to an Infallible Imam to execute it, but a person other than an Imam, like Malik Ashtar who is not infallible. In other words, this letter of instruction is addressed to a just jurist who lacked infallibility. Though, due to the shortage of time, he could not execute it fully. The point is that anybody,

other than him, with the same qualification (justice, ability in jurisprudence, etc.) could carry out the commands of Imam Ali (a.).

Nevertheless, Malik Ashtar enjoyed the valor and nobility, but lacked the wisdom of Ibn Abbas, record of Ammar, articulation of Sasah bin Suhan and experience of those companions who were with Imam Ali (a.). To sum it up, he was not the best from among the persons at that time to execute the Islamic law, yet appointing such a personality underscores the fact that the ruler of Muslims should enjoy all qualities.<sup>6</sup>

To conclude, there is no room for excuse for any just jurist to implement such commandments. The major responsibility in the instructions go to the ruler. In this letter the duty of the people, before the ruler, is not touched upon. Perhaps the duty of the people is provided by the successful implementation of the orders of the letter. This rule is applicable in the case of every just jurist who is at the helm of government.

The following objectives, underlying the appointment of Malik Ashtar as the Governor of Egypt, were:

a) To collect the legal funds of the government in order to meet the current expenditures. This task is called *jibayah*. Though, *jibayah* possesses a deeper meaning, that is, *jibayah*, in its etymological meaning, contains a sense of choice and freedom. Accordingly, *ijba'* means *astafa* (to select) as well. *Jawab* is also drawn from this term which means a big ditch which attracts the waters of its surrounding areas. Rains also move towards such a big ditch due to its depth. Concluding that in collecting the funds of government, there should be a kind of freedom and possibility of choice, not compulsion, in order to facilitate the mechanism of attraction.

b) To wage Holy War against the enemies in order to bring about security and to establish a government in a way to curtail the enemy from infiltrating the territory of a country or hatching conspiracy from within its borders.

*Jihad*, in fact, brings about security, paves the way for development and removes the tension and chaos in a society.

c) Improving the condition of the people and steering them. It is interesting to note that in this letter, instead of *Islah* (reform), the term *Istislah* is used which means to urge for reform and accepting reform as well.

*Istislah* means that the ruler of Egypt, or any other country, should act in a way that people move voluntarily to improve their conditions and not by force.

d) Construction of the country, exploiting the resources and distributing the goods justly. Nevertheless, every country enjoys certain resources

with regard to its geographical condition.

These four objectives underlie the appointment of Malik Ashtar as the ruler of Egypt.

There are many annotations over this letter. Jurists and traditionists undertook this task. These annotations are also considered to be one of the main sources of political *fiqh*<sup>7</sup> in the Shi'i school.

If we take into account the following statement of Imam Ali (a.) to Malik Ashtar: "*Act according to your views, then nothing would be left in this instruction.*"<sup>8</sup> That is, Imam Ali (a.) touched all the issues in general. In fact, this letter deals with all issues which are necessary for a constitution of an Islamic government.

There are certain jurists who received their education from the *fiqhi* school of Imam Ali (a.). They then became authorities in *fiqh* such as: Saeed bin Musayyab, Ghasim bin Muhammad bin Abi Bakr, Ulqamah ibn Abbas, Saeed bin Jabir, Abu Rafi, Muhammad bin Ghays Bigli, Sulayman bin Mihran Asadi, better known as Amash, Abu al-Aswad Duli, Tawus Yamans, Ibrahim bin Yazid Nakhai who were all jurists. Shi'a and Sunnis are in agreement so far as their scholarship in *fiqh* is concerned.<sup>9</sup> *Fiqhi* views of these jurists intermingled with the Sunni jurisprudence to the extent that it is inseparable.<sup>10</sup>

2. The second stage was the *Sadiqin* era. This era was suitable for development of Shi'i *fiqh*. It was in this era that thousands of scholars attended the study circles of Imam Muhammad Baqir (a.) and Imam Ja'far Sadiq (a.) and then disseminated the knowledge throughout the world. Accordingly, the Shi'i jurisprudence found its foundation.

In this era certain eminent figures in jurisprudence emerged such as: Aban bin Taqlab, Muhammad bin Muslim, Zarah bin Ayan, Jabir bin Yazid Ja'afi, Mu'awiyah bin Ammar Sabati. Referring to their personalities, Imam Sadiq (a.) stated that had some of them not been available, the sign of prophethood would have vanished.<sup>11</sup> It was in this era that thousands of works on *hadith* were compiled.<sup>12</sup>

3. The third stage, through which *fiqh* passed, was known as the *Ridwi* era. This era bears witness to the emergence of divergent views and chaos concerning *hadith*. *Hadith* was the main source of Shi'i *fiqh*. Imam Rida (a.) checked and edited the books on *hadith* and thereby made a significant change.<sup>13</sup> Hasan bin Ali bin Washsha, one of the companions of Imam Rida (a.) said that once he saw 900 shaykhs (scholars) in the Kufa mosque saying: "*We are related to Ja'far bin Muhammad.*"

4. The next stage was known as the *Askareen* era. The rulers in this era leveled the repressive measures against Imam Hadi (a.) and Imam

Hasan Askari (a.), to the extent that they were under the control of the tyrant rulers. Shi'i *fiqh* had a setback in this era. Shi'i were in a state of *taqqiyyah* (dissimulation). Despite all these difficulties, books on Shi'i *hadith* reached 6,600.<sup>12</sup>

5. Following the *Askareen* era, we entered the *Nurwab* and four appointees era (260-329 A.H.). This era is better known as the era of minor occultation of Imam Mahdi (a.). That is, *fiqhi* matters were dealt with by Imam Mahdi (a.) through four appointees or representatives one after the other. Owing to the suffocating and repressive atmosphere at that time, Shi'a *fiqh* was discussed underground.

6. Next, the era of major occultation (329 A.H.) until the era of Shaykh al-Tusi (460 A.H.) existed. This era marks the culmination of Shi'i *fiqh* and the development of *Ijtihad*. In this era the 400 principles were compiled in the form of four principles. During his 20 years journey and research work, Kulayni collected 16,190 *hadith* in his *al-Kafi*. These *hadith* are more than those *hadith* in *Sihhah Sittah*.

Muhammad Ali bin Babwiyah (381 A.H.) collected 5,963 *hadith* in his *Man La Yanzar al-Faqih*. These were a source for his *fiqhi* decrees. Al-Shaykh al-Tusi (460 A.H.) collected 13,590 *hadith* in his *Tahdhib* and 5,511 *hadith* in his *Istibsar*.

In this era, the great jurists such as Shaykh-e Mufid, Sayeed Murtaza, Sayed Radi, and Shaykh al-Taifah existed. These eminent scholars not only depicted the proper way of *Ijtihad*, but founded the methodology and logic of *fiqh* which is called *usul al-fiqh*. The following scholarly books written in this era were:

1. *Al-Tadhkirah bi usul al-fiqh* by al-Shaykh al-Mufid (413 A.H.).
2. *Al-Dhariah ila usul al-Shari'ah* by Seyed Murtaza (436 A.H.).
3. *Idat al-Usul* by Shaykh al-Tusi (460 A.H.).
4. *Al-Mabsut fi fiqh al-Imamiyyah* by Shaykh al-Tusi.
5. *Al-Khilaf* by Shaykh al-Tusi.

7. The next era to affect *fiqh* was the *Fitrat* era (from al-Shaykh al-Tusi up to Ibn Idris). The dominant figure of this era is al-Shaykh al-Tusi. Other jurists referred to him in the matters related to *fiqh*. This era is known as the era of *Taqlid* (imitation) and lasted for 10 decades. It was Ibn Idris Hilli who ended this state and thereupon revived *Ijtihad* (individual reasoning). One of his main works is *Al-Sarair*.

8. The era of reconstruction of *fiqh* next emerged on the scene (from Ibn Idris to 'Allamah Hilli (726 A.H.)). In this era the great scholars,



like Saeed Abul Makarim bin Zuhrah (585 A.H.), Ja'far bin Hasan Hilli, better known as Muhaqqiq (677 A.H.), and Hasan bin Hasan Muta'har Hilli, better known as 'Allamah Hilli (726 A.H.) were authorities in *fiqh* and *usul al-fiqh*.

9. The next era is known as the second *Furat*. This era commenced with 'Allamah Hilli and extended up to the era of 'Allamah Wahid Bihbahani (1208 A.H.). *Ikhbariyyat* trends, in this era, impeded *Ijtihad* somewhat. The most noncontroversial book in this era is written by al-Shaykh Yusuf Bahrani (1186 A.H.) entitled *Al-Hadiq al-Nazirah*.

10. The era of reconstruction of *Ijtihad* followed. After the severe criticism of 'Allamah Wahid Bihbahani against the *Ikhbariyyat* trend of thought, he revived *Ijtihad* on the basis of principles laid down by Ahl al-Bayt (a.). This trend extends to the present time.

Following are prominent works of this era:

1. *Jawahir al-Kalam* by Shaykh Muhammad Hasan Najafi (1262 A.H.).
2. *Makasib* by Shaykh Ansari (1281 A.H.).
3. *Mishbah al-Faqih* by 'Allamah Haj Agah Rida Hamadani (1322 A.H.).

### The Classification of *Fiqhi* Issues

One of the landmarks in the annals of *fiqh* is the way of classifying the *fiqhi* issues in both Sunni and Shi'i schools of thought. Such classification brought, in its wake, significant changes in *fiqh*. Some of them are as follows:

### The Classification of Sunni *Fiqh*

The most popular and oldest classification in Sunni *fiqh* is the classification of *fiqhi* issues into worship (*ibadat*) and social obligation (*mu'amalat*).

In his *Ahya al-Ulum*, Ghazzali, by reconstructing the old classification of *fiqhi* issues, laid a new foundation, which, later on, exercised a great impact on the *fiqhi* studies.

Ghazzali divided all *fiqhi* issues into four groups, viz, worship (*ibadat*), *munjiyyat*, *muhlikat*, and *adat*.

He made further classification on the basis of this classification as follows: worship, social obligations, matrimonials (*munakihat*) and crimes (*jinayat*).

The following assumption underlies this classification: So far as the *fiqhi* issues are concerned with the celestial world, it subsumed under the



category of worship. If they are related to the temporal world and concerns human relations, they are subsumed under the category of social obligations, and if they concern the protection of humanity they are subsumed under matrimonials. If they deal with the welfare of individuals and society they are subsumed under crimes.<sup>16</sup>

There are two trends in classification of *fiqhi* issues among the contemporary Sunni jurists as follows:

A) Return to the traditional classification of *fiqh*. The reason is that the traditional classification does not imply any further classification. That is, it covers individual, social and governmental issues. Take, for instance, worship, while it comprises a particular worship such as prayer, fasting, hajj, etc., it deals with personal affairs as well, e.g., family or social obligations while dealing with social order or individual and social interest. It does so with civil rights, fundamental rights, international rights, etc. All these issues subsumed under the category of social obligations (*muamalat*).<sup>17</sup>

B) Reconstruction of *fiqhi* issues in the light of the following legal issues such as, family rights, civil rights, criminal rights, fundamental rights, finance and economic rights, and international rights.<sup>18</sup>

### Classification of Shi'i Fiqh

Shi'i jurists have divided all *fiqhi* issues into three parts as: worship, *muharramat* and *ahkam*. This classification can be found in the following books:

1. *Marasim* by Sallar Dailami (448 A.H.).
2. *Al-Mabsut* by al-Shaykh al-Tusi (460 A.H.).
3. *Kafi* by Abu al-Salah Halabi (5th Century Hijrah).

The most popular classification of *fiqhi* issues has been made by Muhaqqiq Hilli. In his *Sharayh*, he had classified *fiqhi* issues into four groups as: worship, contracts (*uqud*), one-sided dispositions (*iga'at*) and judgements (*ahkam*).<sup>19</sup>

Fadil Miqdadi (826 A.H.) and Fayd Kashani (1090 A.H.) also have proposed their own classifications.<sup>20</sup> But, Muhaqqiq Hilli's classification is still being followed.

Muhammad Baqir Sadr, the great contemporary jurist and philosopher, has put forward a new classification inspired by new legal classifications according to which *fiqhi* issues are of four kinds as follows:

1. Worship (*ibadat*).
2. Properties both public viz, tax, *khums*, *anfal*, alms, and private

property which deals with ownership.

3. Personal matters within the family and society.

4. Public affairs ranging from public problems in a society such as judgement, peace and war, international relation affairs, and the issues of general *wilayah*.<sup>21</sup>

Today, a move has been made in Shi'i *fiqh* in order to comply with Islam and meet the present day problems in general and the Islamic Republic of Iran's problems in particular and is underscored in the Constitution of the Islamic Republic of Iran. The persons concerned in legal affairs are asked to take up this issue seriously. Though the Islamic Consultative Assembly and the government, as well as the Supreme Council, have tried their best to change the legal system into a 100% Islamic law, so far it suffers from westernization. It has become necessary to change the traditional classification of legal issues into new classifications with reference to the political, economic and social conditions of the post-revolution era.

Moreover, cultural revolution, Islamization of universities and research centers, necessary for comparative studies in social sciences, interplay between *fiqh* and law, all these pursuits necessitate the development of new classifications of *fiqh*.

### New Classification

However, Islamic revolution brought in its wake some development in the methods of drawing the legal conventions from *fiqh* and teaching, but not to the required extent. There is no precise and sound classification so far, to encompass both the spirit of *fiqh* and contemporary affairs. Anyhow, following is the latest classification of *fiqh*:

1. General *fiqh* deals with *fiqhi* issues on the whole.
2. Judicial *fiqh* touches legal matters and the way of prosecution.
3. Civil *fiqh* comprises various issues of contracts.
4. Family *fiqh* deals with matrimonial affairs viz, marriage, divorce, inheritance and testaments.
5. Economic *fiqh* deals with the issue of ownership, etc.
6. *Fiqh* with regard to rites covers those issues which pertain to Islamic rituals.
7. Political *fiqh* deals with the matters related to religious vigilance (*Hasabah*), rulership, foreign policy, Holy War, and international laws.<sup>22</sup>

## Endnotes

1. Shaykh Muhammad Jawud Maqriyah, *Tarikh al-fiqh al-Ja'fari*, p. 108.
2. *Ibid.*, p. 127.
3. Dr. Muhammad Rawwas Qalachi, *Mawass'ah Fiqh Ali ibn Talib (a.s.)*, (Dar al-Fikr, Damascus).
4. *Ibid.*, p. 6.
5. Al-Shaykh Agah Buzurg Tehrani, *al-Thari'ah ila Tasanif al-Shi'ah*, 3rd. ed., (Dar al-Adwa, Beirut, 1403 A.H.).
6. Tawfiq al-Fakiki al-Mahami, *al-Rai wa al-Raiyyah*. (Mawass'ah Nahj al-Balaghah, Tehran, 1402 A.H.), p. 39.
7. *Ibid.*, p. 8.
8. *Ibid.*, p. 7.
9. Sayyid Hussein Sadr, *T'axis al-Shi'ah li 'ulum al-Islam*, Manshurat al-Islami, Tehran, p. 298. Sayyid Hussain al-Hussein, *Tarikh al-Fiqh al-Ja'fari*, (Dar al-Nasho li al-Jamein), pp. 207-224.
10. *Ibid.*, p. 225.
11. Shaykh Hur 'Amili, *Wasail al-Shi'ah*, Vol. 18, p. 104.
12. Kazim Mudir Shamshehi, *Tim al-Hadith*, (Dafar inteshar-e Islami Publications, Qum, 1362 A.H.), p. 74. Rabhani Shirazi, introduction of *Wasail al-Shi'ah*, p.
13. Rabhani Shirazi, *op. cit.*
14. Al-Tehran, *op. cit.*, Vol. 1, p. 17. 'Amili, *op. cit.*
15. Shaykh Hur 'Amili, *op. cit.*, Vol. 20, p. 49.
16. Ghazali, *ihya al-'ulum*, Vol. 1, p. 3. Dr. Sabuhi Mahmasani, *Falsafa Qomenghi Tha Dar Islam*, p. 19.
17. Dr. Muhammad Solem Madhleur, *Madkhal al-Fiqh al-Islami*, pp. 18-20.
18. Dr. Muhammad Faruq Banham, *Al-Madkhal li Tashri al-Islami*, p. 34. Dr. Wabshah al-Zuhaili, *Wai-Fiqh al-Islami Adillah*, Vol. 1, p. 19.
19. Al-Shahid al-Awwal, *al-Imam abi 'Abd Allah Muhammad bin Makki al-Amali, al-Qagaid wal-Fawaid fil-Fiqh wa al-Usul wa al-Arabiyyah*. (Manshurat Maktabat al-Mufid, Qum), p.30.
20. Hussain Moddurrez: Tobataba'i, *Zamin dar Fiqh Islami*, Vol. 1, pp. 31-32.
21. 'Allamah Shahid Sayyid Muhammad Baqir Sadr, *al-Fatawa al-Wadihah*, Vol. 1, p. 132.
22. Some people ascribe general fiqh to political fiqh and some others take it in the sense of international laws of Islam.

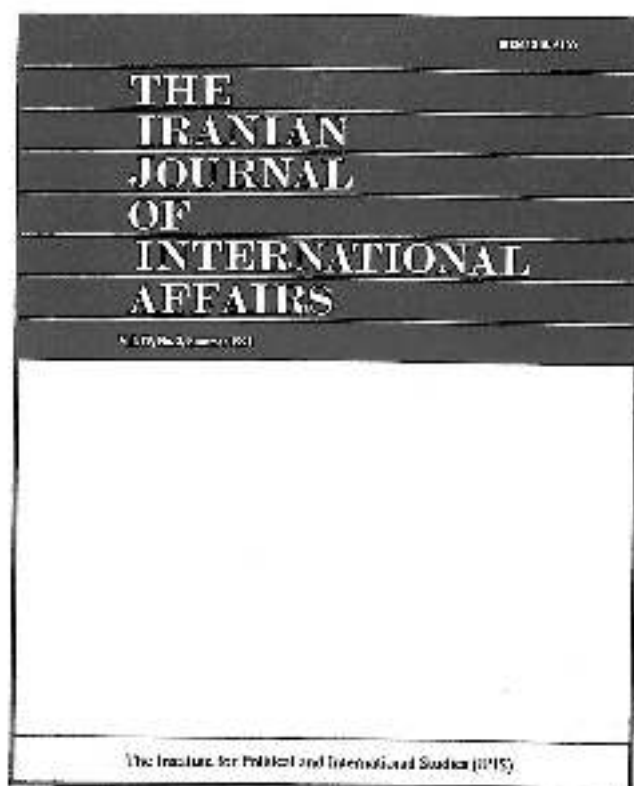
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## *Rationalism in the School of Bahrain: An Historical Perspective*

*Dr. Ali al-Oraibi*

Having emerged in an indigenous Imami environment,<sup>1</sup> the school of Bahrain—one of the earliest seats of Shi'i learning—has played a vital role in Shi'i scholarship. Although it is widely recognized for its traditionalist (*Akhbari*) proclivities, its rationalism is of no less significance. This paper will examine the rise and fall of rationalism in Bahrain.

From its very beginnings in the 7th/13th Century, the school of Bahrain provided fertile ground for rationalism. The rationalist movement was instituted by three seminal thinkers: Kamal al-Din Ibn Sa'adah al-Bahrani (d. ca. 640/1242), Jamal al-Din Ali ibn Sulayman al-Bahrani (d. ca. 670/1271), and Kamal al-Din Maytham al-Bahrani (d. after 681/1282). It is surprising that these jurists, widely viewed as orthodox, did not (to the best of my knowledge) ever compose any work on jurisprudence or topics related to it. All of their intellectual legacy is within the realm of theology, philosophy, mysticism, and the like. This in itself is worthy of notice, as no other Shi'i center of learning was then so preoccupied with the speculative sciences.

These three thinkers were deeply influenced in the area of philosophy by Ibn Sina. As a case in point, Ibn Sa'adah in his only surviving work, the *Risalat al-Ilm* (Treatise on Knowledge) adopts Ibn Sina's definition of knowledge by admitting the philosophical notion of mental existence (*al-wujud al-dhini*).<sup>2</sup> Ali ibn Sulayman was even more influenced by al-Shaykh al-Ra'is (Ibn Sina), to the point that he became one of the leading commentators on his works. He produced a commentary on the *Ayniyah* poem attributed to Ibn Sina, another on his *Risalat al-Tayr*, and a third on the recital of Salaman and Absal which Ibn Sina had alluded to in his *Isharat*.<sup>3</sup> Maytham also wrote on a number of philosophical issues, particularly those related to theology such as epistemology and ontology. Despite these significant efforts, however, the school of Bahrain does not seem—judging by the material that has come down to us—to have constructed a complete philosophical system.

On the basis of such philosophical activities, the school of Bahrain can be regarded as responsible for integrating philosophy into Imami Shi'ism. Granted, Nasir al-Din al-Tusi was, in the result, more influential than the Bahraini philosophers, but his activities are later than theirs. Ibn Sa'adah

seems to have died when his later commentator, al-Tusi, was still in the Isma'ili stronghold of Alamut, prior to assuming his role as the leading intellectual of the Imamis—thus, immediately after the fall of Baghdad. The same can be said of Ali ibn Sulayman, known as al-Hakim (the philosopher). He was a colleague of al-Tusi and not his student, as some items of their correspondence testify. I have recently uncovered, in the Majlis Library in Tehran (MS. #402, p. 79) a significant letter sent by al-Tusi to Ali ibn Sulayman in which he refers to him as the *malik al-hukama' wa-al-mutakallimin* (king of philosophers and theologians). Al-Tusi also consults Bahrani on the problematic recital of Salaman and Absal. He mentions in this letter that he had enclosed what he believes to be the accurate version of the recital, along with his commentary upon it. He proceeds to seek Ali ibn Sulayman's advice on the work prior to including it in his *Sharh al-Isharat*.

The theology of Bahrain in the 13th Century is profoundly influenced by philosophy and mysticism. The only figure who confined himself to theology proper was Maytham, who focused his attention on the question of the imamate. Maytham devoted several of his works to this subject. The remarkable thing about his theory of the imamate is that he disagrees with his Shi'i co-religionists with regard to the principle of *huf* (Divine Grace). This principle is cited by Imami thinkers to prove the necessity of the imamate. Maytham, however, rejects it, supplanting it with the concept of *taklif* (the religious responsibility imposed upon man). His argument for the imamate is therefore formulated as follows:

Imamate is part of *taklif*, which is obligatory.

That which is part of a thing that is obligatory is itself obligatory.

Therefore, imamate is obligatory.

This is introduced by Maytham to replace the following classical syllogism:

Imamate is *huf*.

Every *huf* is obligatory (upon God).

Therefore, imamate is obligatory (upon God).<sup>4</sup>

A salient feature of Maytham is his ironic approach to his opponents. While his contemporaries, al-Tusi and al-Hilli, attribute disbelief to Imam Ali's enemies and ungodliness (*fisq*) to all those who deny Ali's right to the imamate, Maytham remains silent. Maytham also expresses admiration for certain Sunni theologians and quotes Sunni traditions to the extent that it is



said in Shi'i circles that while the Sunni Ibn Abi al-Hadid can be mistaken for an Imami, the Imami Maytham can be mistaken for a Sunni!<sup>5</sup>

Mysticism, whether understood as intellectual Sufism or gnosticism (*irfan*), was another area in which the school of Bahrain was enormously creative in the 13th Century. This mysticism can clearly be seen in the yet unpublished esoteric *Isharat* of Ali ibn Sulayman and *Sharh al-Isharat* of Maytham. In these books, both uphold the notorious mystical doctrine of *wahdat al-wujud* (theomonism), which they have obviously borrowed from their contemporary Ibn al-Arabi.<sup>6</sup> Ali ibn Sulayman and Maytham also advocate the concepts of the *khatm al-walayah al-'ammah* (seal of general sainthood) and the *khassa* (seal of the particular) or Muhammadan sainthood. Thus, the mystics of Bahrain succeeded in interpreting mysticism in a manner compatible with Shi'i imamology. This they accomplished by identifying the seal of general sainthood with Imam Ali and the seal of particular sainthood with the Awaited Imam, the Mahdi. In this they departed sharply from Ibn al-Arabi, who identifies the first with Jesus and the second with himself.<sup>7</sup>

Thus it was the school of Bahrain and not Haydar Amuli, as most scholars believe, that was responsible for establishing a systematic Shi'i mysticism. In fact, Amuli, wishing to justify his own mystical bent, cites Ali ibn Sulayman and Maytham as two scholars who have trodden the mystical path before him.<sup>8</sup>

The Bahraini school of the 13th Century worked out a coherent synthesis of philosophy, theology, and mysticism, and can thus be characterized as a theosophical school. Beginning with its establishment, it greatly influenced the course of Shi'i thought. A reflection of the thought of this school is found in a work of Ibn Abi Jumhur al-Ahsa'i (d. after 901/1497).

This school was indeed unique in its time. It is surely worth our effort to determine its origins and attempt to place it in its proper historical context.

The most outstanding Shi'i seminary in the 7th/13th Century was the school of Hilla, with which the school of Bahrain maintained close ties. Ibn Sa'adah was a graduate of this school, and upon his return to his native land he undertook to establish, for the first time, an independent center of learning there. The first group of scholars to emerge from this new school included Ali ibn Sulayman, his son Husayn, and his disciple Maytham. The school of Bahrain in this initial phase presented, through men such as these, a mode of thought with a distinct regional flavor.

It seems unlikely, however, that the school of Bahrain was influenced in its theosophy by the school of Hilla, for Hilla was at this time preoccupied,

for the most part, with traditionalism. This can be seen in its *fiqh*, and to a certain extent also in the works of *usul al-fiqh* composed there. Hilla showed no interest whatsoever in the speculative sciences, especially philosophy and mysticism. In fact, a certain antagonism to these subjects is detectable. This was certainly the case at the time that Ibn Sa'adah was a student there. We hear of a prominent figure affiliated with the school, Qutb al-Din al-Rawandi (d. 583/1177), writing a *Tahafut al-Falasifa* (Inconsistency of the Philosophers)—presumably on the pattern of al-Ghazali's (d. 505/1111) work of the same name.

It seems logical to assume, however, that Ibn Sa'adah, while he was studying in Iraq, crossed sectarian lines to study also under Sunni authorities in Baghdad. There is abundant evidence of such interaction in his work and that of his students; one example is an exceptionally open-minded approach to dispute with intellectual opponents, including the Ash'arites who had long been foes of the Shi'i.

As faithful followers of Ibn Arabi, the theosophists of Bahrain could well have had a direct link with him or with one of his followers such as Sadr al-Din al-Qunawi, who is quoted by Maytham. Al-Qunawi might also have been quoted by Ali ibn Sulayman, for a passage in al-Qunawi's *Miftah Ghayb al-Jam' wa-al-Wujud* has an exact parallel—word for word—in his *Isharat*.<sup>10</sup> We cannot, of course, rule out the possibility that it was Ali ibn Sulayman who was quoted by al-Qunawi; this seems tenable in light of the fact the theosophical school of Bahrain had already built an impressive reputation for itself. We are told that the renowned Jalal al-Din al-Rumi (d. 672/1273) sent a letter to Ibn Sa'adah asking him about certain issues, in particular the gnostic notions of *qabd* (contraction) and *bast* (expansion). An excerpt from this correspondence is cited by a late historian, Muhammad Ali al-Usturi (d. 1289/1872).<sup>11</sup> At any rate, the relations between the theosophers of Bahrain and the immediate followers of Ibn al-Arabi seems to have been mutual rather than one-sided. The exact nature and extent of this relation, however, remains, for the time being, enigmatic and needs further research.

The theosophical school of Bahrain in the 13th Century can be seen as a reaction to an acute intellectual crisis precipitated by the catastrophic advent of the Mongols. This non-Muslim incursion was viewed as not only a physical but also an intellectual invasion. It is precisely this event which accounts for the phenomenon of Shi'i renaissance in Hilla and Bahrain, culminating in the activities of al-Allamah al-Hilli (d. 726/1325). Bahrain, however, also suffered an internal crisis caused by the diversity of ethnic groups residing permanently or otherwise in that area. For instance, when the Jew-

ish merchant, Rabbi Benjamin, paid a visit to mainland Bahrain in 1171, he estimated the Jewish population to be as high as 5,000 souls in the city of Qatif alone.<sup>12</sup> Groups such as these must have propagated their religious beliefs, at least as a defensive measure.

Intellectual resurgence in the Shi'i world had already met with a favorable political climate, beginning with the final phase of the Abbasid dynasty. It is well known that al-Nasir (d. 622/1225), a powerful Abbasid caliph, was inclined toward Shi'ism. He is even described by some historians, among them both Ibn Tiqtaqa<sup>13</sup> (d. 661/1262) and Ibn Kathir<sup>14</sup> (d. 774/1372), as an actual Shi'i. A correspondence between him and Ali Nūr al-Dīn, the son of Salah al-Dīn al-Ayyubī, reveals that Shi'i sympathies were held by both.<sup>15</sup> Such sympathies were translated into reality as the last Abbasid caliphs nominated Shi'i viziers to their courts. The last of these was Ibn al-Aqami who was suspected of conspiring with Hulagu against the last Abbasid caliph, al-Musta'sim. It has even been speculated by some scholars that had it not been for the Mongol invasion, the Abbasid caliphate would have been transmuted into a Shi'i kingdom.<sup>16</sup>

The fall of Baghdad did not affect Shi'is greatly. If anything it was for them a blessing in disguise. The Mongols were careful not to antagonize the Shi'i community, as their relations with the Sunnis had already been destroyed. They were quick to patronize the Shi'i philosopher Nasir al-Din al-Tusi, who ably rose to the occasion to foster the Islamic cause. In addition to al-Tusi, certain other Shi'is held high administrative posts. Among them were Ata al-Malik al-Juwayni in Baghdad and Abd al-Aziz ibn Ja'far in Basrah. These two became patrons of Maytham, who wrote several of his works at their request or in their honor.

Local politics were no less favorable. Souther Iraq was ruled by the Shi'i Mazyidis, with the city of Hilla as their capital. In Bahrain, another Shi'i dynasty, the Uyunis, ruled after ousting the Qarmatis in 470/1977 with the assistance of the Saljugs. The Uyuni dynasty itself collapsed in 636/1238, and after changing hands many times Bahrain came under the control of the Shi'i dynasty of Banu Usfur, who assumed power no later than 651/1253, and endured until the 9th/15th Century.

There was a great interdependence of politics and intellectual endeavor in Bahrain in the 8th/14th Century. During this period Shi'i theology reached maturity in the works of Nasir al-Din al-Tusi, Maytham al-Bahrani, and al-Allamah al-Hilli. So influential was theology that it persuaded the Ilkhanid monarch, Khudabandeh, to convert to Shi'ism and proclaim a Shi'i state. This turn of events place Shi'i jurists in great demand. Fakhr al-Muhaqqiqin

(d. 771/1370), the son of al-Allamah al-Hilli, was obsessed with jurisprudence, so much so that the whole course of Shi'i thought was shifted toward this discipline. One of his disciples, Ibn al-Mutawwaj al-Bahrani (d. 820/1417) further reinforced this tendency. As a result, rationalistic thought was overshadowed. Finally it ceased to exist altogether.

Under the Shi'i state of Banu Jarwan in mainland Bahrain, Shi'i jurists such as Ibn al-Mutawwaj were appointed to the post of *qada* (judgeship) and *hisbah* (policing market prices). Such institutional positions conferred upon Imami jurists may not have existed, as Professor J. Cole suggests,<sup>17</sup> anywhere else in the Islamic world of the 14th Century. No sooner had Shi'i jurists in Bahrain been deprived of their tenured positions by the Sunni rulers of Banu Jabr, who ousted Banu Jawan in the 9th/15th Century, than the newborn Safavid state began to recruit them for similar purposes. Many jurists migrated to Iran and rendered various religious services there, ranging from leadership of congregational and Friday prayers to chief judgeships and the office of Shaykh al-Islam. Amongst those who attained the prestigious office of Shaykh al-Islam were al-Sharif Majid al-Bahrani (d. 1028/1618), Shaykh Salih ibn Abd al-Karim al-Karzakkani (d. 1098/1681), and Shaykh Abd Allah al-Samahiji (d. 1135/1722).<sup>18</sup> Other jurists held the same positions in Bahrain itself as it came to be dominated by the Safavids. Moreover, they assumed high ranking administrative posts; for instance, Shaykh Muhammad ibn Majid al-Mahuzi (d. ca. 1130/1718) was nominated as the governor of Bahrain.<sup>19</sup>

The official involvement of Shi'i doctors of law in Bahrain made their devotion to traditional disciplines almost inevitable. Another factor which caused these jurists to develop an aversion to speculative disciplines was the prevalence of Akhbarism. The over emphasis of Akhbaris on the exclusion of reason from the juridical domain drove most of them, perhaps unconsciously, to discard it also in other domains of thought. Philosophy and mysticism in particular were fiercely condemned. Thus, the famous Akhbari jurist Ni'mat Allah al-Jaza'iri (d. 1112/1700) states that Shi'i jurists such as himself tolerate the study of only a part of philosophy but prohibit the study of the disciplines as a whole. Accordingly, he seeks excuses for Maytham al-Bahrani and others viewed as orthodox *ulama* by stating that, although in doubt accomplished in philosophy (Maytham he characterizes as 'more versed in philosophy than Plato and Aristotle'), they do not believe in the outcome of philosophical discourse!<sup>20</sup>

This attitude is echoed in Bahrain by the leading Akhbari savant Shaykh Yusuf al-Bahrani, who states that "Shi'i jurists (*al-ashab*) are of the opinion

that philosophers and those who imitate them are disbelievers." He goes even further in attacking Sufism and Sufis. His main target is Ibn al-Arabi, whom he anathematizes as a *zindiq* (disbeliever). No one is spared in his attacks, not even his fellow Akhbari al-Fayd al-Kashani, as al-Bahrani writes:

*Indeed he (al-Kashani) maintains a number of theses in which he follows Sufis and philosophers which would lead necessarily to disbelief—I seek refuge in God! He seems, for instance, to allude in his writing to the doctrine of theomorphism (wahdat al-wujud). I have seen a repugnant treatise of his which clearly points to this doctrine. In it he follows the teachings of Ibn al-Arabi, the heretic, and he quotes him often—although he identifies him only as 'one of the gnostics' (ha'd al-arifin) [not referring to him by name]. We have quoted some of his views from this and other treatises in our work refuting the Sufis.<sup>21</sup>*

Yusuf al-Bahrani expresses his exasperation at the Sufis whenever he finds the opportunity. While refuting Nasir al-Din al-Tusi, he flies into a passion, attacking the mystics and assaulting al-Kashani in particular.<sup>22</sup> On the subject of al-Kashani we should mention, as many scholars have failed to do, that at the end of his life he reached the conclusion that the speculative sciences—philosophy, theology, and Sufism—had no solid grounding. He actually wrote a book in which he expressed his regret at having wasted his time in dealing with these subjects, emphasizing that the Qur'an and traditions are the only valid sources for sound knowledge.<sup>23</sup>

Even Akhbaris outside Bahrain maintained the same frame of mind. For example, a student of al-Majlisi, writing a biography of Mirza Ibrahim, the son of Mulla Sadra, eulogizes him as an *misdaq* (extension) of the Qur'anic verse: "He causes the living to issue from the dead."<sup>24</sup> Mirza Ibrahim deserves such praise, the biographers explain, because he did not follow his father in philosophy and mysticism.<sup>25</sup>

During the 11th/17th Century, Akhbarism stormed the citadels of Shi'i centers of learning. No seminary escaped its influence. Even the philosophical school of Isfahan had to make considerable concessions. Not even Mir Damad and Mulla Sadra, the outstanding philosophers of their age, could afford to neglect traditions, and they produced commentaries on them, albeit in a philosophical manner. These commentaries, *al-Rawashih al-Samarviya fi Sharh al-Ahadith al-Imamiya* and *Sharh Usul al-Kafi* respectively, may



be regarded as gestures toward Akhbarism. Moreover, Mulla Sadra, attempting to preserve his religious authority, wrote a book entitled *Kasr Asham al-Jahiliya*, in which he is extremely severe against the Sufis of his time. He wishes by doing so to show himself to be of the same opinion as the imams, who are reported to have also denounced Sufism. This type of compromise, however, did not prevent him from defending certain prominent Sufis and their apparently profane pronouncements, such as Abu Yazid al-Bisṭami with the 'ecstatic utterance': "Glory be to Me, Glory be to Me, How great is my dignity!"<sup>26</sup>

Let us now examine the achievements of the school of Bahrain following the 7th/13th Century in the areas of mysticism, philosophy and theology. As for mysticism, no serious attempt has been made to treat it as a genre and in a systematic matter. Some inclinations toward mysticism may have existed in Bahrain as, for instance, in the case of a certain Ali ibn Ahmad ibn Abd al-Salam (d. after 1109/1692), who was reported to be predominantly interested in philosophy and gnosticism (*irfan*).<sup>27</sup> A very interesting case in this regard is a commentary on the teaching of Ibn al-Arabi in which its author is cited as 'Mawlana Sayyid Hashim'. Professor Osman Yahyah assumes that the author is Sayyid Hashim al-Bahrani (d. 1107/1690),<sup>28</sup> the author of *al-Burhan*, a work of Qur'anic exegesis. For various reasons, this assumption should be treated with suspicion until the manuscript is unearthed. Having said this, one can by no means deny a certain link between Shi'i traditionalism and mysticism. Ironically, Shaykh al-Bahrani calls his treatise refuting mysticism *al-Nafahat al-Mulakanya*; both words of the title are, as Agha Buzurg al-Tehrani remarks, intrinsically mystical.<sup>29</sup>

Philosophy, on the other hand, was not neglected in Bahrain to the extent that mysticism was. Many scholars developed a strong interest in it, although only after the establishment of the Safavid state. Ahmad ibn Ibrahim al-Uslur, father of Shaykh Yusuf al-Bahrani, (d. 1131/1718), Sulayman al-Mahuzi, Ahmad ibn Ibrahim (d. 1073/1661), Muhammad ibn Sa'id al-Maqabi (d. 1125/1713), Ali ibn Muhammad al-Maqabi (d. 1160/1747), Abd Allah ibn 'Ali (d. 1148/1735), and Dawud ibn Abi Shafiz (d. 1017/1607) are examples of such scholars. When Husayn ibn Abd al-Samad al-Amili (d. 984/1576), father of al-Shaykh al-Baha'i, migrated to Bahrain, scholars there arranged a debate between him and Ibn Abi Shafiz, who was regarded as a skillful dialectician. The latter emerged victorious in the exchange. This irritated al-Amili who composed this satiric verse against his opponent:



*Some people in Uwal have set themselves  
To obliterating knowledge;  
Preoccupying themselves with 'Why?' and 'Why?'  
Should you have a discussion,  
You will find nothing in them  
Except two phrases: 'We do not yield,' and 'Why?'<sup>10</sup>*

In his *al-Maqasid al-Jaliya fi Sharh al-Fusul al-Nasiriya*, Ibn Abi Shafiz leans toward a philosophical theology. His philosophic mentality, however, does not allow him to uncritically accept the colorful theses of the Muslim philosophers. For example, he hesitates to admit the existence of the internal senses, suggesting, it seems, that the soul can perceive particulars without the mediation of such senses.<sup>11</sup> He also rejects the philosophical principle that 'from the one only one proceeds', charging that the arguments put forward in support of this principle are in fact extremely flimsy.<sup>12</sup> Judging from the literature available thus far, philosophy in Bahrain, after the 13th Century, failed to achieve any real originality. The topics Bahraini scholars occupied themselves with had already been thoroughly treated by all the major philosophers: subjects such as *al-juz alladhi la yatajazza* (atomism) and *al-jawahir wa-al-a'rad* (substances and accidents).<sup>13</sup> Plagiarism, instead of originality, seems to have prevailed. For instance, Sulayman al-Mahuzi, known as al-Muhaqqiq al-Bahrani, wrote a commentary on the celebrated *Asyiyah* poem of Ibn Sina. This commentary can, at best, be considered an abridgement of an earlier commentary on the poem written by Ali ibn Sulayman. It is, in fact, a quotation, word by word, but without any kind of acknowledgment of the source. Another salient feature of this philosophy was heavy dependence on the traditions of the Imams for obvious reasons. Evidence of this can be seen in a book written on the human soul by Ali ibn Muhammad al-Maqahi; every point is supported by numerous *hadiths*.

Logic is one area in which the school of Bahrain generated an immense literature, both in verse and prose.<sup>14</sup> Nothing of this genre, however, has survived, thus we know no more than what is stated in the biographical dictionaries.

In the domain of theology the school of Bahrain was fairly active. Theological discourse was resumed in the 16th Century, perhaps as a result of the establishment of the Shi'i Safavid state. Many scholars in this period were *inter alia* theologians. This theology (similar to that under discussion abroad) was somewhat different than the theology of the 13th Century. As we have seen, Shi'i theology in the 13th Century can be classified as philosophy, which

is not true of the theology of the Safavid period. The first was effective in dispensing with certain theological topics peculiar to Shi'ism based exclusively on tradition, such as the doctrines of *bada* and *raj'a*. *Bada*, for instance, seems to have been categorically repudiated by Nasir al-Din al-Tusi on the grounds that it is based only on an isolated report attributed to Imam al-Sadiq—a report upon which, asserts al-Tusi, neither belief nor practice can be established. Furthermore, in his refutation of Fakhr al-Din al-Razi, al-Tusi claims that the Shi'i do not believe in *bada*.<sup>35</sup> Less open than al-Tusi, Maytham al-Bahrani<sup>36</sup> and al-'Allamah al-Hilli<sup>36</sup> merely insinuate its invalidity. Following in their footsteps was al-Miqdad al-Suyuti (d. 826/1422), whose approach to the subject of *bada* is reminiscent of that of al-Tusi.<sup>36</sup>

With the advent of the Safavids, the doctrines of *bada* and *raj'a* became very important in Shi'i theological discourse. Great theologians such as Muhammad Baqir al-Majlisi (d. 1110/1699), al-Fayd al-Kashani, and Abd Allah Shubbar (d. 1242/1826) made a point of tackling these issues. In addition, philosophers such as Mulla Sadra and Mir Damad brought a new dimension to the concept of *bada* as they endeavored to philosophize it.<sup>37</sup> It was in fact this theological environment which was to have the most enduring effect on intellectual activity in Bahrain. Theology was deprived of its philosophical dimension and certain notorious topics were emphasized. Moreover, these were dealt with not only in theological collections, but also in works dedicated exclusively to them. The first of such writings was a treatise on *raj'a* composed by Yahya ibn Asirah al-Bahrani (d. after 967/1559), a student and representative of al-Muhaqqiq al-Karaki<sup>40</sup> (d. 945/1538), who himself wrote a treatise in *raj'a*.<sup>41</sup> Among those who wrote on *bada* were theologians such as Sulayman al-Mahuzi<sup>42</sup> and Ahmad ibn Muhammad al-Maqabi (d. 1102/1690).<sup>43</sup>

This Safavid theological development should be seen against its political background. The hostility between the Shi'i Safavid state and the Sunni Ottoman empire is well known. This atmosphere was reflected in an ongoing sectarian debate as both parties strove to defend themselves and maintain their peculiar religious identities. Nothing illustrates the situation better than the overheated exchange of insults between Ibn Rusbihan and his contemporary al-Qadi al-Tustari (d. 1019/1609), recorded in the latter's work entitled *Ihqaq al-Haqq*. It was in this context that Shi'is endeavored to emphasize and revise some of their controversial doctrines. A cursory glance at the literature generated on the subjects of *bada* and *raj'a* reveals the bulk of it to belong to the Safavid era. However, Agha Buzurg al-Tehrani attributes, strangely enough, a treatise on *raj'a* to al-'Allamah al-Hilli.<sup>44</sup> Since the biog-

raphers of al-Hilli failed to include this treatise in the bibliography of his works, this attribution must be viewed with suspicion.

In Bahrain the situation was even more complicated, especially at the beginning of the 12th/18th Century. The Shi'i population paid dearly for the defence of their land against foreign powers. The Sunni tribe of Utub invaded Bahrain as well as the Kharijis of Oman who in after three incursions were finally able to defeat the Persian army and subjugate the islands. Subsequently, the Wahhabis also made an attempt to annex Bahrain.<sup>45</sup> The *ulama* of Bahrain became prime targets of foreign powers as they stood firm in defence of their country. The Kharijis attacked a religious seminary located on a small island of Bahrain called Jazirat al-Nabih Salih; there they massacred about 70 scholars. The vanquished seminary has ever since been known as *Karbala*. Among the victims of such incidents was Shaykh Husayn al-Ufur (d. 1216/1802), a student and nephew of Shaykh Yusuf al-Bahrani and acclaimed as the *mujaddid* (rejuvenator) of his century.<sup>46</sup>

This political situation increased the zeal of Bahraini theologians for sectarian debate. Mutazilism, even that of the moderate Ibn Abi Hadid who was himself accused of being an extreme Shi'i, was no longer acceptable to Shaykh Yusuf, who thus wrote a work called *Salasil al-Hadid fi Taqqid ibn Abi al-Hadid* (Iron Chains to Bind Ibn Abi al-Hadid). Sayyid Hashim al-Bahrani dedicated almost his entire career to supporting the concept of imamate, to which task he applies a rather unique methodology. He shows great awareness of the traditions related to *imamah*, whether found in Shi'i or Sunni collections. He bases his arguments solely on such traditions, leaving no room whatsoever for reason. Neither does he comment on the traditions. For example, in his *al-Muhajja fi ma nazala fi al-Qa'im al-Mujjah* he enumerates a 120 Qur'anic verses which, the tradition indicates, are relevant to the awaited *imam*.<sup>47</sup> This book seems to have been unprecedented in Shi'i thought. Sayyid Hashim follows the same methodology in all his books, such as *Ma'alim al-Zulfa*, *Nuzhat al-Abrar*, *Ghayat al-Maram*, *Yanabi al-Ma'ajiz*, and even his exegetical work *al-Burhan fi Tafsir al-Qur'an*.

Besides Sayyid Hashim, there are several theologians of the same period who deserve attention and careful study. Among these are Sulayman al-Bahrani, Yusuf al-Bahrani and Husayn al-Bahrani, a master of Shaykh Ahmad al-Ahsa'i. Although most, if not all, of these figures were primarily jurists, nevertheless they developed a keen interest in theology and their writings in this discipline up to the 13th/19th Century, both prose and verse, are extensive. Many poems in the form of *urjuza*, a certain meter used for pedagogical purposes, were composed and commentaries on them were offered ei-

ther by the composer himself or someone else.<sup>48</sup> However, with a few exceptions, this kind of literature does not display any originality.

From the mid-19th Century down to the present day intellectual activities in Bahrain have been almost insignificant. The school has thus lost its former prestige as a center of Shi'i learning. This decline can be attributed to domestic and regional developments, as well as to the prevalence of Akhbarism. Akhbaris, who constitute the vast majority of Shi'is in Bahrain, adhere to the legal opinion that people may do *taqlid* of dead authorities. As a conservative estimate, one can say that wholly half of the Shi'i population of the Island of Bahrain does *taqlid* of one of only three *faqih*s: Shaykh Yusuf, his nephew Shaykh Husayn, and the latter's disciple, Shaykh Abd Allah al-Suri (d. 1270/1853). This practice surely discouraged the *ulama* from seeking the rank of *marja' iya*, since competition with these three well-established figures must have seemed daunting.

However, at this period some persuasive theologians also emerged. One who should be mentioned is Ali ibn Abd Allah al-Suri (d. 1319/1900), who migrated to Oman and subsequently to the Iranian city of Linja, where he met a violent death. In the neighborhood of the Umami Kharijīs he wrote an impressive work on *imamah* entitled *Manar al-Huda*,<sup>49</sup> as well as other polemical works. However, unlike other theologians, he set himself the task of vindicating the faith of Islam in the face of the Christian missionaries who had just then begun to invade the Gulf region. It was with this aim in mind that he wrote his *Lisan al-Sidq*, a thorough refutation of *Mizan al-Haqq*, the work of an anonymous Christian. This book seems to have answered an urgent need, for no sooner was it completed than it was shipped to Bombay for publication in 1307/1888. The author of *Lisan al-Sidq* displays a good command of the Old and New Testaments and his arguments are for the most part textual. In general his theology is traditional, showing little trace of real philosophy. In his arguments for the existence of God, for example, he resorts to, among other things, the argument of *huduth* (generation)<sup>50</sup> which is, philosophically speaking, problematic. In fact, he does not hide his disappointment with Muslim philosophers such as al-Farabi, Ibn Sina, Abu al-Barakat al-Baghdadi, and al-Suhrawardi, the teaching of all of whom, he asserts, contradict the Qur'an, tradition, and *ijma* (consensus).<sup>51</sup> He attacks Sufism in the same way, especially the doctrine of *Qutb* (Axis). The *Qutb*, Bahrani contends, can be no other than the *imam*.<sup>52</sup>

In conclusion, this paper delineates four periods of rationalistic activity in Bahrain. The first is in the 7th/13th Century, when the study of philosophy, theology, and mysticism opened new horizons. For the first time, philosophy

and mysticism were systematically integrated by the orthodox *ulama* into Shi'i thought. The second period extended over two and a half centuries up to the middle of the 10th/16th Century. Rationalism was literally dead as jurisprudence prevailed. In the third period, during the Safavid era, the school of Bahrain was interested in philosophy only sporadically, mysticism disappeared, and theology flourished. The final period, lasting to the present day, witnessed the sharp decline of rationalism as all intellectual activity became dormant.

It was, in fact, politics which caused rationalism both to rise and to fall in Bahrain. We have seen that under the non-Muslim Mongols, who patronized the sciences but were at the same time perceived as a religious threat, rationalism achieved remarkable gains. Under the Safavid, on the other hand, traditionalism—which tends to legitimize the power of a state based on religion—came to the fore. In any case, whatever fluctuations there were in intellectual activity, the literature generated by the school of Bahrain is crucial for a balanced understanding of Shi'a thought and should not be overlooked by modern scholarship.

## Endnotes

1. We believe that Imamis in Bahrain are not Ismaili converts, as some scholars suggest. Rather they have always been Imamis, ever since Imamism crystallized. For a detailed discussion of this question, see: Ali Al-Ornibi, *Shi'a Renaissance: A Case Study of the Theosophical School of Bahrain in the 7th/13th Century*, (Ph.D. dissertation, McGill University, 1992), 14 ff.
2. Nasir al-Din al-Tusi, *Sharh Mas'alat al-'Ilm*, ed. Abd Allah Nurani (Mashhad: Matba'at Jami'at Mashhad, 1385/1965), 26. See also Ibn Sina, *Al-Isharat wa-al-Ta'arufat*, ed. Sulayman Darya, 3 Vols. (Cairo: Dar al-Ma'arif, 1958), 2:334.
3. Ali al-Ornibi, *Shi'a Renaissance*, 42-3.
4. Maytham al-Bahraini, *al-Najat fi al-Qiyamah fi Tahqiq Amr al-Imamah* (Ms. Kitabkhaneh-yi Astaneh-yi Quds. Mashhad, No. 804), 5.
5. Ali al-Ornibi, *Shi'a Renaissance*, 52, 162.
6. *Ibid.*, 195 ff.
7. *Ibid.*, 213-216.
8. Haydar Arnabi, *Jami al-Israr*, ed. Henry Corbin and Ostan Yahi (Tehran: Imprimerie Teban, 1969), 498.
9. Qutb al-Din al-Rawandi, *Minhaj al-Bara'at*, ed. A. Al-Kutubkarni, 3 Vols. (Qum: Maktabat Ayat Allah Mar'ashi, 1406/1985), 1: Intro, 62.
10. Ali ibn Sulayman, *al-Isharat* (Ms. University of Mashhad, No. 937), 7. Also Muhammad Ibn al-Fawari, *Aftab al-ans fi Sharh Miftah Ghayb al-Jam wa-al-Fajud* (Tehran: [lithography], n.p., 1323/1904), 83.
11. Muhammad Ali al-Ustaf, *al-Dhahbi'at*, (Ms. photocopy at al-Jaybi's private library in Bahrain), 177-8.



12. Abbas Farouqy, *The Bahrain Islands (750-1951)*, (New York: Verry, Fisher & Co., 1951), 59.
13. Muhammad Ibn Tiqtaqa, *Al-Fakhri fi adab al-saltaniyah wa-al-Duwal al-Islamiyah* (Cairo: al-Maktabah al-Tijaniyah al-Kubra, 1927), 236.
14. Abu al-Fida Ibn Kathir, *al-Bidayah wa-al-Nihayah*, ed. Ahmad Abu Mulhim, et al, 3rd ed., 14 vols. (Beirut: Dar al-Kutub al-Ilmiyah, 1987), 13:116.
15. Abd Allah al-Yafi'i, *Alfi'at al-Jinan*, 4 Vols., 2nd ed. (Beirut: Mu'assasat al-A'lami li'l-Matbu'at, 1970), 4:52-3.
16. Agha Buzurg al-Tehrani, *al-Anwar al-Sati'a*, ed. Ali Munawwi (Beirut: Dar al-Kitab al-Arabi, 1972), Introduction.
17. Junn Cole, *Rival Empires of Trade and Inland Sh'een in Eastern Arabia 1300-1800*, *International Journal of Middle East Studies* (12) 1987, 130.
18. Salim al-Nuwaydri, *A'lām al-Thaqafah fi al-Bahrayn*, 3 Vols. (Beirut: Mu'assasat al-Arif, 1992), 2:215. See also Yusuf al-Bahrani, *Lu'lu'at Bahrayn*, ed. Muhammad Balu al-Ullum, 2nd ed. (Najaf: Matba'at al-Nu'man, 1969), 62, 68, 103.
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## *The Development of Linguistics and Arabic Lexicography*

*Dr. M. A. Al-Husayni*

### 1. HISTORICAL BACKGROUND:

There is a long history behind the development of linguistics and Arabic lexicography; its beginnings go back, it is said, to Abu al-Aswad al-Du'ali (d. 69 A.H.) when he faced the problem of inaccurate language in his own household. His daughter is said to have uttered *ما أشد السجور*.. or *ما أجمل السماء*, what she meant was: *ما أشد السجور*.. or *ما أجمل السماء*, the text involves a verb of surprise, not interrogation.<sup>2</sup> The question affects inflectional vowel.

He explained this to al-Imam Ali (a.) who, he found, was preparing a paper *التعليق*. *Al-Ta'liq*, in which was written: *الكلام كله اسم*. *وقيل: وحرف*. *قالوا: اسم ما أنسى*. *عمن السمعى*. *والفعل ما أنى*. *بها*. *وقيل: وحرف*. *قالوا: اسم ما أنسى*. *عمن السمعى*. *والفعل ما أنى*. *بها*. the Imam ordered him to add some rules saying *أنسى*. *هذا النحو*. which, from that time, became the name of this science *النحو*. *Al-Nahw*.<sup>4</sup>

*Al-Nahw* was a special term for Arabic grammar studies in general,<sup>5</sup> then, after the developments in linguistic, it came to be used for syntax only, to distinguish it from morphology *الصرف*, philology *فقه اللغة*, semantics *المعاني*, lexicography *المعجم*, and other studies in language.<sup>6</sup>

Abu al-Aswad was a major poet with a pure and wide vocabulary. He started to deal with this subject of Arabic with his students, adding to and extending this work on language which, after his time, continued generation after generation, leading to further development of Arabic studies.<sup>7</sup>

The methods used were generally inductive, moving from the particular to the general. This depends on observing the speech phenomena and writing down notes on texts or words as the (pure) Arab such as Quraish, Rabi'ah, Mudar, Asad, Qais, and Hudail, etc., who lived remote from non-Arab influences, used them in their dialects.<sup>8</sup>

The writers who are concerned with the historical study of Arabic say that there were at least three main stages of lexical work:

1. The first stage was dependent on listening to *الأعراب* the (desert) Arabs when visiting their encampments or meeting them at certain markets like *المربد*.<sup>9</sup> Al-Marbad, near Basrah and writing down

their speech directly from their own lips with notes on pronunciation, and later collecting them in booklets or books. Just hearing at random was the method used for these works. One finds in those collections different words followed by different texts without any plan or classification.<sup>10</sup>

2. The second stage was dependent on classifying those texts under a particular subject heading, e.g., *المطر... البنوات... السجستان... خلق الانسان... الخيل*.<sup>11</sup> in booklets or books which have appeared, from time to time, in both East and West in critical editions. One of the earliest writers of such monographs is al-Asma'i (123-217) who collected vocabularies on such subject as 'the qualities of man', 'clothing', 'the horse', 'the camel', etc.; the last named printed by August Haffner in *Texts zur Arabischen Lexicograph*, Leipzig: 1905.<sup>12</sup> It may be interesting to mention here that the first book on *خلق الانسان... الخيل* was by Abu Malik al-Arabi, the master of al-Khalil ibn Ahmad al-Farahidi (d. 175 A.H.).<sup>13</sup>

3. The third stage was dependent on planning a larger work on Arabic language with scientific classification<sup>14</sup> this is the lexicon proper *المعجم* such as *العين... Al-'Ain* by Al-Khalil, which we propose to study in the next section.

These stages seem in actual fact very logical, as it is natural to start work, step by step, moving from the general to the specific with increasingly detailed attention. But, like any other social phenomena,<sup>15</sup> the various activities were not very sharply divided into distinct periods.<sup>16</sup>

For instance, in the time of *Al-'Ain... العين*, the lexicon which was completed by al-Khalil's pupil (al-Laith) we find also a work such as *الخيل... The Horses*: (a classification book) by another student of al-Khalil (al-Asma'i). In the same stage we find *الكتاب...*, the first book on general linguistics composed by another pupil of al-Khalil (Sibawaih) which some linguists think was planned by al-Khalil himself.<sup>17</sup>

Al-Khalil was the first Arab linguist who was able to plan for a major stage in linguistics and a special phonetic school. This will be studied in our discussion on the lexical field.

## 2. A PHONETIC SYSTEM (OR AL-KHALIL SCHOOL):

Al-Khalil was the founder of Arabic prosody. He dealt with music, rhythm, rhyme, and the elements of general phonetics.<sup>18</sup> This background in the musical science led him to build his lexicon on the phonetic principle.

On the other hand, his linguistic background led him to discover the rhythm of Arabic verse. *The rhythm of every day speech is the foundation of*

verse in most languages<sup>19</sup> and the expression of the psychological and intellectual level of the nations.<sup>20</sup>

Starting with glottals and ending with labials, he divided his lexicon into many sections each with a special name, depending on the Arabic phonemes. The first phoneme in his arrangement was ..ع., therefore, the lexicon was called تسميه لكلها باسم الحيز. <sup>21</sup> العيسيسسن.

In the introduction to his book, al-Khalil himself explained, indirectly, why he started with ...ع. not with another glottal phoneme:

قال الخليل فاقصى الحروف كلها العين ثم الحاء ، ولولا بعده في الحاء لاشبهت العين ، لقرب مخرجها من العين ، ثم الباء ، ولولا هشته في الباء - وقال مرة ههه - لا شبهت الحاء : لقرب مخرج الباء من الحاء ، فهذه ثلاثة احرف في حيز واحد بعضها ارفع من بعض ثم الخاء والغين في حيز واحد كلهن حلقيه ، ثم القاف

والكاف الهويطان والكاف ارفع <sup>22</sup>

He, consequently, arranged an alphabet order in which the letter 'Ain commenced the series, because it was produced deepest down in the throat. It was followed by the other letters or sounds in the rotation of their place of articulation, as follows:<sup>23</sup>

24

25

/ع ح ه/	/خ غ/	/ق ك/	/ج ش هو/	/ص ز ذ/
/ط ت د/	/ظ ذ ث/	/ر ل ن ف ب م/	/وا ي/	

Figure 1.

CLASSIFICATION OF ARABIC PHONEMES BY AL-KHALIL<sup>26</sup>

THE TERMS	THE SIGNS
'AIN	ع
HA'	ه
HA'	ح
KHA'	خ
GHAIN	غ
QAF	ق
KAF	ك
JIM	ج
SHIN	ش
DAD	د
SAD	ص
SIN	س
ZA'	ز
TA'	ط
DAL	د
TA'	ت
ZA'	ظ
DHAL	ذ
THA'	ث
RA'	ر
LAM	ل
NUN	ن
FA'	ف
BA'	ب
MIM	م
WAW	و
ALIF	ا
YA'	ي
HAMZA	•



About this brilliant work in Arabic linguistics, Haywood ends his essay:

*"To sum up the Arabs contribution to lexicography, we can say that in the Kitab al-'Ain, they produced the first attempt at a complete dictionary of any language. From almost the start of their philological works, they were not confined merely to rare words of literatures. They experimented in dictionary arrangement, in order to achieve their object in the best possible way, having regard to peculiar characteristics of the language. From the start they made a deep study of the nature of their language. Their work in grammar—equally brilliant—was complementary to their lexicography."*<sup>27</sup>

*Al-'Ain* was not a dictionary only, but a book which dealt with phonetic studies and general linguistics.

For instance, we find the following rule which does help us to recognize pure Arabic words, phonetically distinguishing them from Arabized or compound words. Looking at the sequences of original phonemes, if there are two or more glottals, palatals, labials, etc., in one word, that word is likely to be non-Arabic.

This text explains clearly what has been said above:

ان العين لا تتلف مع الحاء في كلمه واحده ، لقرب مخرجهما الا ان يشتق  
فعل من جمع بين كلمتين مثل (حى على) كقول الشاعر  
الا رب طيف بات منك معانقى الى ان دعا داعى الفلاح فحيلا

This theory goes well with very modern studies in phonology and phonemics, and some may ask why al-Khalil used the phonetic system, not the ordinary, or the Semitic alphabet.<sup>28</sup>

( ا ب ج د هـ و ز ح ط ي  
ك ل م ن س ع ف ر ق ر ش ت ث خ د ذ ظ غ )

Did he take his classification from another language like Greek or Sanskrit as some writers have said.<sup>29</sup>

The answer is clear—we have already said that al-Khalil, the founder of Arabic prosody and a great musician, planned a phonetic study; working in his own field. He was in need of some classifying.

Al-Khalil is rightly called the father of Arabic lexicography, but apart from Arabic, the movement gave rise to the Persian and Turkish dictionary on one side, and the Hebrew<sup>30</sup> and comparative Semitic dictionary on the other.<sup>31</sup>

Some sort of idea of lexical work and lexicon existed in the Arabic Islamic society. The scholars before al-Khalil and his lexicon used to do the same job a lexicon does, by explaining strange words **الغريب**, or glossing some new idiomatic texts, etc. The people in that new society, a mixture of Arab and non-Arab, were in need of help when there was an important reference to Arabic poetry, and for understanding some words of Qur'an or Hadith.

As Germanus says:

*"Arabic literature, like all the literatures of ancient people, began with poetry which was not written down until a politically organized society found it necessary to fix its treasures in writing. The similarity between the ancient Greek tradition in collecting, arranging and elaborating literature products and that followed by Arabic scholars is unmistakable, although no direct contact or transmission can be proven. The philology of the ancient Greeks started with the glossographs, of whom the philosopher Democritus was one, who explained the language<sup>34</sup> of Homer."*

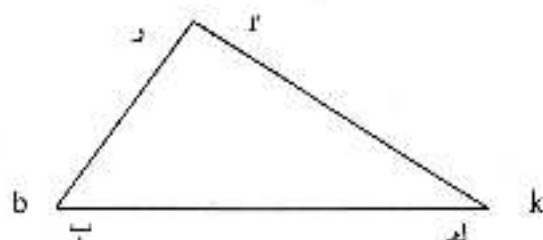
What the (Rowat)<sup>35</sup> had learned by heart, was the first book of reference. Then came the papers or booklets which were concerned with lexical texts, then later *al-'Ain* and other lexica.

When I was studying al-Khalil's work on Arabic language, I often remembered the founder of modern western linguistics, Ferdinand De Saussure. Both were men who laid the foundations of their respective sciences, building the theory through their students. The following text reminds us of al-Khalil's work:

*"Saussure never wrote the book, but as professor at the University of Geneva, devoted three courses to general linguistics, from which the present volume was constructed. As Bally and Sechehaye explain in their introduction, it was put together from the lecture notes of students, who thought that the master's teaching should not be lost."<sup>36</sup>*

There is another branch of Arabic linguistics that is called **الاشتقاق** **الأكبر** or **الاشتقاق الكبير**. This was created by al-Khalil, and developed later by Ibn Jinni (d. 392 A.H.) especially in his book *al-Khasar* is,<sup>37</sup> sometimes called the theory of roots<sup>38</sup> (cf. the Jewish En. Dictionary, Hebrew), sometimes the permutative and sometimes the

anagrammatical arrangement. To explain it in its simplest form, let us take a common triconsonantal Arabic root, rkb. By permutation these three radicals theoretically can produce six forms: rkb, rkb, brk, bkr, krb, and kbr. Ibn Duraid (d. 321 A.H.) to explain this, draws a triangle with a radical at each corner, thus:



One can then start from any corner and proceed in either direction forming, in the meantime, the theoretical six anagrams of these three radicals.<sup>39</sup>

Al-Khalil did not live in his students works only. We see his theories in Arabic linguistics and phonetical lexicon, existing in several books used many centuries later. For instance, ibn Duraid followed him in his lexicon *Al-Jamhara* by using *التقليبات الست* the sixfold variable tables of vocabulary, which we noted before, and *التسلسل الكمي* the serial quantity in morphology, which subdivided (roots) into biliteral, trilateral, quadrilateral and quinquilateral.<sup>40</sup> Although not with the same phonetic system, Naftawaih said in his criticism:

ويدعى من حمته                      وضع كتاب الجمره  
وهو كتاب العين الـ                      لانه قد غيره<sup>41</sup>

Al-Azhari (d. 370 A.H.) followed al-Khalil in his lexicon *Tahdib al-Lughah*, using the phonetic system,<sup>42</sup> the sixfold variable tables of vocabulary, which is called also anagrammatical order and the serial quantity, but with new observations and choosing<sup>43</sup> his texts with a critical sense. Al-Sahib ibn 'Abbad (d. 385 A.H.) followed him also in his big lexicon, *Al-Muhit*.<sup>44</sup>

There were some followers in the west Islamic countries, such as Abu Ali al-Qali (d. 356 A.H.) in his lexicon, *Al-Bari*,<sup>45</sup> Al-Zubaidi (d. 379 A.H.) in his lexicon, *Mukhtasar al-'Ain*, Ibn Sidah (d. 458 A.H.) in his lexicon, *Al-Muhkam*. It is worth mentioning here that all these lexica reveal a critical view.

We find some others, like Ibn Al-Qutiyya (d. 367 A.H.) admiring this

system. He arranged his book ...**الاف**..., dealing with verbs only, under al-Khalil's influence, but he started this classification with ...**أ** phoneme<sup>46</sup> instead of ...**ع**. They are both glottal phonemes.<sup>47</sup>

Because the phonetic system needs a wide knowledge of phonemic identities, and of their distinctive features, Krenkow mentioned some difficulties:

*"This method had many disadvantages, as six combinations of the letters of the trilateral root are possible, and it is difficult for us, accustomed to strict alphabetical arrangements, to easily find the desired root. The same difficulty was experienced by native scholars, though the same system survived a considerable time."<sup>48</sup>*

The later lexicographers made different attempts to change and develop the classification, like ibn Faris (d. 395 A.H.) in his two famous lexicons, *Al-Muḡmal*<sup>49</sup> ...**المجمل**..., and *Al-Maqāis* ...**المقاييس**..., until Al-Jawhari planned his new lexicon,<sup>50</sup> *Al-Sihah*, on an end-rhyming system.

### 3. RHYMING SYSTEM OR AL-JAWHARI SCHOOL:

Al-Jawhari was educated at home by his maternal uncle, Abu Ibrahim Ishaq Al-Farabi, and he admired his uncle's book ...**ديوان الادب**..., which adopted a new arrangement depending on rhymes. It could also be called Al-Rawi system or Al-Qas'ida system.

There was another attempt by the Egyptian Jew, al-Fayyumi (d. 949 A.D.),<sup>51</sup> who was almost a contemporary of al-Farabi (d. 961 A.D.). His dictionary is divided into two parts, the first arranged according to the initial letter (an arrangement already known in Arabic) and the second according to the final letter, i.e., the rhyme arrangement. In the introduction, he states that the purpose of his *Agron*<sup>52</sup> was not only to promote the knowledge of the pure Biblical Hebrew language, but also to aid in writing poetry,<sup>53</sup> and we know that Hebrew poetry was influenced by Arabic prosody, especially in the field of rhyme.<sup>54</sup>

When al-Jawhari decided to plan a new dictionary he used a method different from al-Khalil's system, because he found that too difficult and unpopular.

The rhyming system, the system of ...**البياه والفصول**... uses the ordinary alphabet order, but stresses the third radical of Arabic words, called

...الباب... (the door) then the first radical, called ...السمـل... (the section) or, on the other hand, "the materials in each section are alphabetically arranged according to the middle radical."<sup>55</sup>

Because this system serves mainly to provide rhymes for poets, etc., in classical Arabic poetry, it is called the<sup>56</sup> ...قاف... feminine rhymes, where the stressed syllable is followed by two<sup>57</sup> or more unstressed final rhymes ...الروي. This is "the consonant upon which the rhyme depends, and which remains the same throughout the poem, as the ...ج. in ...السمـل... or ...السمـل... in ...السمـل..."<sup>58</sup>

So, *Al-Sihah* was the first dictionary to be so arranged, according to a single and simple system, as to be a useful reference work for those unskilled in Arabic philological science. Proud of his achievement, al-Jawhari says in the introduction:<sup>59</sup>

*"I have deposited in this book what is considered to be correct of this language, whose status God ennobled...in an arrangement in which none has anticipated me, and with an exactitude unsurpassed. It is in 28 chapters based on the last radical, each consisting of 28 sections based on the first radical."*<sup>60</sup>

Al-Jawhari not only introduced the new classification, but felt that one of his main tasks was to keep the classical language pure and unchanged, and to exclude the incorrect or the recently introduced. "For this reason he called his book *Taj al-higha wa Sahah al-Arabiya* (The Crown of the Language and the Criterion of Arabic)."<sup>61</sup>

*"To obtain a deeper knowledge of Arabic, he travelled to Mesopotamia, Syria and even to the Hijaz, while he devoted particular attention to the dialect of the Rabi'a and Mudar."*<sup>62</sup>

Ibn Manzur was interested in the rhyming system in his great lexicon *Lisan al-Arab* and in *Al-Tahdib*: the lexicon which we are editing. He followed mainly al-Jawhari's system. He found *Al-Sihah*, although a good system, inadequate as reference for Arabic. He composed *al-Lisan* depending on very many important lexicons and linguistic books, but adopting the *al-Sihah* system.

Al-Fayruzabadi (d. 815 A.H.), followed this system in his lexicon, *Al-Qamus* (The Ocean).

Al-Zabidi (d. 1205 A.H.), to complete al-Fayruzabadi's work, followed the same system in his *Taj al-Arus*, by using the texts of *Lisan al-Arab*.<sup>63</sup>

*"Al-Jawhari's arrangement was destined to hold sway in the field of Arabic lexicography until the last century and to be even copied by Persian and Turkish lexicographers."*<sup>64</sup> After this time, as far as we know no lexicographers followed the rhyming system. It seems this school is going to be historical, like the al-Khalil school.

#### 4. THE ORDINARY ALPHABET SYSTEM OR

##### AL-ZAMAKHSHARI SCHOOL

The few attempts before al-Zamakhshari started with Abu Amr al-Shaibani (d. 8th Century). He considered the first letter in the words only.

*"It is, in fact, a vocabulary of rare words found in poetry; no doubt it goes with the diwans the author collected. These words are listed in chapters according to their initial letters, beginning with alif, ba', etc. Within these chapters, there seems to be no logical order."*<sup>65</sup>

Ibn Duraid who followed mainly al-Khalil, tried also to partly follow this way. Ibn Faris (d. 397 A.H.) made another attempt at this system but in a special way. Al-Barmaki (d. 397 A.H.), in his lexicon, *Al-Sihah al-Muntaha*, whom some writers consider the head of this school,<sup>66</sup> was following this way, by using *Al-Sihah* texts, but a new arrangement, as his title indicates.

Al-Zamakhshari established this system in his very special dictionary, *Asas al-Balagha*, giving rhetoric particular position.<sup>67</sup> He mixed several branches of linguistics in his lexicon, researching in semantics, morphology, syntax, with a new classification of vocabulary.

Al-Zamakhshari, a theologian, wrote several linguistic works and several lexicons, such as *مفردات ألفاظ العرب*... which is a comparative dictionary in Arabic with explanations in Persian, and *المجبال والامكنة والمياه*,<sup>68</sup> a geographical dictionary, and *المفصل في العربية*. (Sections in General Linguistics in Arabic, and *السفاسيق في تفسير حديث الصحابة* (A Study of the Style of Al-Hadith), which collects the peculiarities of the language of the traditions,<sup>69</sup> and other books dealing with proverbs, prosody, *المقاصد*... (assemblies), and a very important subject, *التفسير* (the Qur'an commentary).

It is worth mentioning here that the heads of these lexical schools were dealing with poetry and prosody, so we can point to this relationship between the study of rhythm and the development of Arabic linguistics.

In his book *المفصل في العربية*, al-Zamakhshari took another step



in linguistic study after Sibawaih, by arranging his study under a new point of view and classification.<sup>70</sup> The critics say it is the second book in syntax, as his book *Al-Kashshaf* was the second after al-Tabari's commentary<sup>71</sup> ranking after *Al-Kitab* by Sibawaih,<sup>72</sup> although there were a lot of book between them. He outlined his work in the introduction. It is so precise as to bear the title of... *الكتاب*... The book is divided into classified sections, which is opposed to *Al-Kitab* by Sibawaih which has no outline, nor introduction, nor is it perfectly organized, nor does it even have a title, but was called only after his time *الكتاب* and this became its proper name in linguistic circles.<sup>73</sup>

From the foregoing we see al-Zamakhshari as a man of method, in his different works, and the head of a new school in linguistics and lexical Arabic studies.

Abu Bakr al-Razi (d. 666 A. H.) followed his system in his concise lexicon ... *مختار الصحاح*... *Mukhtar al-Sihah*, by choosing the most famous and correct articles from *Al-Sihah* and arranging them according to the ordinary alphabet system. This has become a very popular system in our time. It is quite similar to the modern system used in different lexicons in other languages.

There were furthermore attempts in this field, not only composing new dictionaries on this system, but some tried to rearrange important classical dictionaries to make them easier and more practical. For instance, ... *لسان*... originally by Ibn Manzur but "rearranged alphabetically according to the initials of roots"<sup>74</sup> with extra work by adding all scientific and technical terms which were approved by Arabic Academies at Cairo, Damascus and Baghdad, with some comparative modern terminology.<sup>75</sup>

After this glance we can conclude the following points:

1. Arabic grammar was established by treating the problems in language. The people were in need of such rules to follow correct style, to be able to understand the meaning of *Al-Qur'an* and *Al-Hadith*. The scholars, whose work has influenced present-day Arab linguistics and grammatical theory, based their studies on Qur'anic texts and quotations taken from early poetry.

2. The method of that study was generally inductive. Moving from the particular to the general. The scholars used to discuss various language phenomena in booklets and books concerned with texts or words which they had heard from the Arabs, employing their own local usages and dialects. These indexes became the data of the lexicons and other linguistic books.

3. From the first study of Arabic, the linguists dealt with error analysis and *ظواهر اللحن* (the phenomena affecting the pronunciation of Arabic, observing the errors in the speech of ordinary people *لحن السامع*... then the educated people, even the scholars *لحن الخاص*).

4. Some books written before *الدرره* *Al-Durrah* have the same aim to note *اللحن* (the errors). The books have the same title *لحن الخاص* for instance, the works of al-Kisa'i (d. 192 A.H.), Abu Hatim al-Sajistani (d. 255 A.H.), Abu Hanifah al-Dinawari (d. 290 A.H.), Abu Bakr al-'Ishbili (d. 379 A.H.), Abu Hilal al-'Askari (d. 395 A.H.) wrote a book under the title of *لحن الخاص* (The Errors of Special People), i.e., the scholars. This book, as its title indicates, is very similar to *جرم الخواص في اوهام الخواص* by al-Hariri (d. 516 A.H.) which we study in the next chapter.

In the *Durrah* texts we can follow the train of these books, and several others, which dealt with linguistic materials<sup>13</sup> and error analysis, especially *ادب الكاتب* by Ibn Qutaiba (d. 276 A.H.) which we will consider as an ancient precursor of *الدرره* and of *التحذير* (*Al-Tahdhib*).

## ENDNOTES

1. Dr. Al-Hussaini is the Executive Director of the Department of Foreign Languages, Teacher Training University, Tehran.

2. cf. Ersham, *Usul al-Nahw*, the introduction (MS) and al-Tantawi, *Nash'at al-Nahw*, pp. 14-15, 15-17.

3. It is worth mentioning that this statement indicated the universality which became recently a significant theory. cf. Hall, *Linguistics, and Your Language*, p. 228 and Harris, *Papers in Structural and Transformational Linguistics*, Vol. 1, p. 799, and Greenberg, *Universals of Language*, p. 4.

4. *Usul al-Nahw*, *Nash'at al-Nahw*, and cf. Donaldson, *The Shi'ite Religion*, p. 46.

5. cf. Ibn al-Nadim, *Al-Fihrist*, pp. 59-69 and *The Encyclopedia of Islam*, III/836.

6. cf. Wafi, *Ussul al-Lughah*, pp. 6-8 for more details.

7. cf. Al-Hussaini, *Approaches to Research in Language*, p. 4.

8. *Op. cit.*, p. 4.

9. cf. Al-Hariri, *Mu'jam al-Balad*, Vol. 4, p. 484.

10. cf. Al-Shalqani, *Riwayat al-Lughah*, pp. 102-103.

11. cf. Al-Duqqiq, *Masadir al-Turoth al-'Arabi*, pp. 219-220.

12. El-Gurh, *Al-Zamakhshari's Place in the Development of Medieval Arabic Lexicography*, p. 4, footnote 1.

13. cf. Al-Attar, *Mufaqqhimat al-Shah*, p. 53.

14. Al-Duqqiq counted the second and the third stages as one stage in his book *Masadir al-Turoth al-'Arabi*, p. 220.

15. cf. Saussure, *Course in General Linguistics*, pp. xii-xiii.
16. cf. Al-Shulqani, *Riwayat al-Laughah*, pp. 102-103, and Ahmad Amin, *Duḥat al-Islam*, 1/319.
17. Al-Makhzumi announced this idea in my discussion for M.A. in Baghdad, 1971.
18. cf. Al-Hussaini, *A Look in Music of Poetry and Prosody* (in Arabic), p. 342, and Al-Makhzumi, *Aḥqariyat min al-Basra*, p. 95.
19. Abercrombie, *Elements of General Phonetics*, p. 98.
20. cf. Al-'Ikhtār, *Ma'ālim al-Musiqā al-'Arabīyah*, p. 3.
21. cf. The introduction of *Al-'Ain*, by Darwish, and the *Encyclopedia Britannica*, Vol. II, p. 197 (the article "Dictionary"), cf. *The New Encyclopedia Britannica*, Vol. 5, p. 713.
22. *Al-'Ain*, p. 64.
23. cf. Krenkow, *The Beginnings of Arabic Lexicography Until the Time of al-Jawhari*, p. 258.
24. *op. cit.*, ....
25. *op. cit.*, ....
26. cf. Haywood, pp. 30-31.
27. Haywood, *Arabic Contribution to the Science of Lexicography*, p. 40 and cf. Mansfield, *The Arabs*, pp. 54-55, for the details of Arabs' contribution to the science of language and other sciences, also cf. Fadil, *The Contribution of Arabic Language to Ancient Civilizations*, pp. 3-14.
28. *Al-'Ain*, p. 58, in printed copy .....
29. cf. Pulmer, *Arabic Grammar*, p. 5, and Thatcher, *Arabic Grammar*, p. 15.
30. cf. *Encyclopedia Britannica*, Vol. II, p. 887.
31. cf. Guillaume, *Hebrew and Arabic Lexicography*, pp. 1-5.
32. El-Carh, *Al-Zamakhshari's Place*, p. 4., and Haywood, *op. cit.*, p. 40., and Germanus, *op. cit.*, p. 12.
33. The statistics show that the number of vocabulary used in Homer's poems was about 9,000. cf. Kondratov, *Sounds and Signs*, p. 89.
34. cf. Germanus, *Studies in Arabic Lexicography*, pp. 13-14 and Bloppafield.
35. In article *Rawa*, we find *Rawiah*, the plural is *rawat*, which means the bearer in general, but figuratively the person who bears the text in mind, or learned them by heart cf. Hassan, *Al-Maktaba al-'Arabīyah*, p. 22.
36. Saussure, *Course in General Linguistics*, Introduction, pp. xvii.
37. cf. Al-Hussaini, *Studies and Editions*, p. 45 and *Al-Khasais*, Vol. II, pp. 133-139.
38. cf. Harris, *Structural Linguistics*, p. 285.
39. El-Carh, *Al-Zamakhshari's Place*, p. 5, cf. Darwish, p. 3, and Saussure, p. 230.
40. *Op. cit.*, and cf. *Al-Jamharah*, e.g., ..... etc.
41. Al-Hussaini, *Approaches to Research in Language*, p. 10.
42. cf. Harun, *The Introduction of al-Tahdih*, and Darwish, p. 3.
43. cf. Darwish, *Al-Ma'ajim al-'Arabīyah*, p. 3.
44. Al-Yasin (M.J.I) is editing it in Baghdad, and the first volume is nearly out.
45. Al-Ta'im (I.I) edited it for his M.S. in Baghdad, 1972.
46. cf. Al-Af al .....

47. cf. Haywood, p. 31, and Umar, *Dirasat al-Sayr al-Lughawi*, p. 267, and Anis, *Al-Arwar al-Lughawiyyah*.
48. Krenkow, *The Beginnings of Arabic Lexicography*, p. 259.
49. Hameedi edited it in Baghdad for his M.A. in 1972.
50. cf. *al-Maqdis*, the Introduction, and o. g. 1456, etc.
51. Umar (d. 942 A.H.), *Al-Balagh al-Lughawi*, p. 241.
52. *Or* (Iqron) Hebrew (.....): a collection of words, (.....) to collect. The same name is given by David B. Abraham to his lexicon; he render the Hebrew title (.....) into Arabic Phrase (.....): collector of words, cf. *Jewish Encyclopedia Dictionary*, 11-Garb, p. 8, footnote 1, and Sivan, *The Megillo Modern Dictionary; Hebrew-English*, p. 5.
53. *Op. cit.*, El-Garb, p. 8.
54. cf. *Al-Mawsua al-'Arabiyyah*, p. 1558.
55. El-Garb, p. 9.
56. cf. Darwish, *Al-Ma'ajim al-'Arabiyyah*.
57. cf. Palmer, *Grammar of Arabic Language*, p. 373.
58. *Op. cit.*, p. 373.
59. El-Garb, p. 9.
60. El-Garb, p. 9, and cf. Haywood, p. 70.
61. Haywood, *Arabic Contributions*, p. 34.
62. *Encyclopedia Britannica*, Vol. 1, p. 1028.
63. cf. Anis, *Dirasat al-Afraz*, p. 248.
64. El-Garb, *Al-Zamakhshari's Place*, p. 9.
65. Haywood, p. 37, and cf. Al-Attar, *The Introduction of Al-Sihah*, p. 53.
66. cf. Al-Attar, p. 53, and El-Garb, p. 9.
67. cf. Al-Khuli, *The Introduction of Al-Asas*, and cf. p. 102, Beirut.
68. Al Samam'i (Dr.) edited in Baghdad, 1967 and M.S. De Omro in 1856.
69. cf. *Encyclopedia of Islam*, Vol. IV, p. 1205.
70. cf. *Al-Mufaṣṣal*, the Introduction, and *Al-Kitab*, which has no introduction.
71. cf. El-Garb, p. 1.
72. Darwish, *Al-Ma'ajim al-'Arabiyyah*, p. 126, and Al-Hussaini, *Approaches...*, p. 3.
73. cf. Al-Hussaini, *Al-Mawrid*, p. 3, (1975), and *Al-Wafiq*, p. 92.
74. cf. Ghali, W. R., *Arabic Dictionaries, Supplement*, p. 345.
75. Khayyat, *Lisan al-Arab al-Muhit* (.....).
76. Vicente Canturino, *Syntax of Modern Arabic Prose*, Vol. I, p. viii.
77. cf. Al-Attar, *The Introduction of Al-Sihah*, pp. 34-35.
78. For instance, cf. Ibn Salama al-Mufaṣṣal, *Al-Fakhr fi al-Lughah*, p. 246.

## *Islamic Sources of Iran's Constitution*

*Mrs. Kh. Alavi Mehr*

*In the name of Allah, the Beneficent, the Merciful*

### **Introduction**

From the viewpoint of Islam, all human beings have been created equal. No individual enjoys any inherent right of sovereignty and guardianship (*wilayah*) over others. Race, nationality, geographical location and class do not confer any right of sovereignty on any individual or group. Therefore, no individual enjoys any preferential right of sovereignty over others. This idea finds a recurring echo in several Qur'anic verses such as the following:

*"Say: O followers of the Book! come to an equitable proposition between us and you that we shall not serve any but Allah and (that) we shall not associate aught with Him, and (that) some of us shall not take others for lords besides Allah;..."*

[Holy Qur'an 3:64]

Indeed, equality of individuals does not contradict the rule of law. Taking into account the complexity of the societies today, it is clear that running the state without a constitution is almost an impossible task.

In every country the constitution which, in fact, is a contract between the nation and the government, and is expressive of the principles governing the state and the rights and freedom of individuals, is held in high esteem.

Legislation in Islam dates back to the time of the Holy Prophet (s.) himself. He was a sovereign and a lawgiver in his lifetime, and after him the right to legislate passed to his successors appointed to the office of *wilayah* (*Imamah*) over the Muslim community.

The Prophet's (s.) successor, while maintaining the authority of the Book and the *sunnah* intact, possesses the right to legislate according to particular conditions and circumstances.

It is evident that a society without a state and a system of laws cannot hope to survive. Even if it does, presumably, it cannot be a society of high order that can cater to all the needs and demands of the human nature. The existence of social order is an essential need confirmed by all divine reli-

gions. In an anarchic society devoid of any system of law and order, neither prophethood can fulfill the objectives of its mission of guiding the people, nor is there any ready ground for the worship of God and implementation of His commands.

The necessity of the existence of a state is a self-evident axiom, readily accepted by reason and also affirmed by the *Shari'ah*. If there can be any argument about government and the state, it is with regard to their form and characteristics. Now, a question that may occur to mind is whether legislation is permissible. That is, may we legislate, despite the existence of Divine Laws?

In view of the fact that the enforceable laws in an Islamic state must be in conformity with the fundamental principles of Islam, and in view of the fact that the Divine Laws are firmly embedded in the Book and the Prophet's (s.) *sunnah*, we have to conclude that there is no room for legislation unless it is based on the explicit teachings of the Qur'an and the *sunnah* or is advised as a necessity by one of their general maxims.

The constitution of the Islamic Republic of Iran is, in fact, based on Islamic principles and the Book of Allah. Almost every article of the constitution is based on one verse of the Holy Qur'an or one *hadith* of the Prophet (s.) or members of his household. Indeed, the whole socio-political set up of Iran, as envisaged by Article 2 of the Constitution, has been based upon Islamic principles and doctrines, and firm faith in the following:

- I. Belief in Divine Unity as reflected in the phrase "*there is no god but God*", to Whom belongs the sovereignty and ultimate right to legislate the law, and to Whose command everybody is obliged to surrender.
- II. The Divine Revelation and its basic role in legislating the laws.
- III. The Resurrection and its constructive role in the evolution of human beings towards God.
- IV. Divine Justice in creation and legislation.
- V. The Imamate and the continuity of the leadership of the Imams and their role in attaining the objectives of the Islamic Revolution.
- VI. Dignity and the nobility and freedom of human being that is accompanied by a responsibility towards God.

Below we have cited some Articles, taken from the Constitution of the Islamic Republic of Iran, followed by the Islamic sources from which they were derived.



## Chapter I: General Principles

### Article 14

In accordance with the sacred verse: *"God does not forbid you to deal kindly and justly with those who have not fought against you because of your religion and who have not expelled you from your homes..."* (60:8), the government of the Islamic Republic of Iran and all Muslims are duty-bound to treat non-Muslims in conformity with ethical norms and the principles of Islamic justice and equity, and to respect their human rights. This principle applies to all who refrain from engaging in conspiracy or activity against Islam and the Islamic Republic of Iran.

*"Cultivate in your heart the feeling of compassion for the people (ra'yyah) and affection and kindness towards them. Never treat them like a predatory beast intent on devouring its prey; because they are of two kinds: either they are your brethren in faith, or your fellowmen in kind."*<sup>71</sup>

*"God forbids you not as regards those (non-Muslims) who have not fought you in religion's cause, nor expelled you from your habitations, that you should be kindly to them, and act justly towards them; surely God loves the just."*<sup>72</sup>

## Chapter III: Rights of the People

### Article 19

All people of Iran, whatever the ethnic group or tribe to which they belong, enjoy equal rights; and color, race, language, and the like, do not bestow any privilege.

*"O mankind, We have created you male and female, and made you races and tribes, that you may know one another. Surely, the noblest among you in the sight of God is the most God-fearing of you."*<sup>73</sup>

*"O mankind, your Lord is one and you have descended from one ancestor (Adam). The Arab has no merit over the non-Arab, nor the non-Arab over the Arab, neither a black-skinned man over the red-skinned, nor the red-skinned over the black-*

*skinned—except on account of piety.”<sup>24</sup>*

#### Article 20

All citizens of the country, both men and women, equally enjoy the protection of the law and enjoy all human, political, economic, social, and cultural rights, in conformity with Islamic criteria.

*“And whoever does a right deed, be it male or female, believing, We shall assuredly give him to live a goodly life, and We shall recompense them their wages according to the best of what they do.”<sup>25</sup>*

*“You should not treat good and bad people alike; because in this way you will discourage good persons and at the same time embolden the wicked to carry on their wickedness.*

*“Reward or punish everyone according to his good or bad deeds.*

*“The way in which you can best prove your benevolence to people is to be kind to them, relieve them of their financial difficulties, and refrain from making them do what is beyond their capacities.”<sup>26</sup>*

#### Article 21

The government must ensure the rights of women in all respects, in conformity with Islamic criteria, and accomplish the following goals:

1. create a favorable environment for the growth of woman's personality and the restoration of her rights, both the material and intellectual;
2. the protection of mothers, particularly during pregnancy and child rearing, and the protection of children without guardians;
3. establishing competent courts to protect and preserve the family;
4. the provision of special insurance for widows, and aged women and women without support;
5. the awarding of guardianship of children to worthy mothers, in order to protect the interests of the children, in the absence of a legal guardian.

*“...and they (women) have rights similar to those against them in a just manner,...”<sup>27</sup>*

*"And the mothers should suckle their children for two whole years for him who desires to make complete the time, of suckling; and their maintenance and their clothing must be borne by the father according to usage;...neither shall a mother be made to suffer harm on account of her child,..."*<sup>108</sup>

*"And those of you who die and leave wives behind, (make) a bequest in favor of their wives of maintenance for a year without turning (them) out,..."*<sup>109</sup>

*"And for the divorced women (too) provision (must be made) according to usage; (this is) a duty on those who guard (against evil)."*<sup>110</sup>

*"And give women their dowries as a free gift,..."*<sup>111</sup>

*"And give to the orphans their property, and do not substitute worthless (things) for (their) good (ones), and do not devour their property (as an addition) to your own property; this is surely a great crime."*<sup>112</sup>

*"Men shall have a portion of what the parents and the near relatives leave, and women shall have a portion of what the parents and the near relatives leave, whether there is little or much of it; a state portion. And when there are present at the division the relatives and orphans and the needy, give them (something) out of it and speak to them kind words."*<sup>113</sup>

*"...And they ask you concerning the orphans. Say: To set right for them (their affairs) is good,..."*<sup>114</sup>

#### Article 22

The dignity, life, property, rights, residence, and occupation of the individual are inviolate, except in cases sanctioned by law.

*"And do not give away your property which Allah has made for you a (means of) support to the weak of understanding,*

*and maintain them out of (the profits of) it, and clothe them and speak to them words of honest advice.*"<sup>15</sup>

*"O you who believe! do not devour your property among yourselves falsely, except that it be trading by your mutual consent; and do not kill your people; surely Allah is Merciful to you."*<sup>16</sup>

*"And do not swallow up your property among yourselves by false means, neither seek to gain access thereby to the judges, so that you may swallow up a part of the property of men wrongfully while you know."*<sup>17</sup>

*"Do not frighten any Muslim. Do not pass over his lands so as to make him feel unhappy. Do not take from him more than Allah's share in his property...If he has cattle or camels do not enter upon them save with his permission, because their major part is his...do not tease any one and do not let the owner feel grieved about any one."*<sup>18</sup>

#### Article 28

Everyone has the right to choose any occupation he wishes, if it is not contrary to Islam and the public interests, and does not infringe upon the rights of others.

The government has the duty, with due consideration of the need of society for different kinds of work, to provide every citizen with the opportunity to work, and to create equal conditions for obtaining it.

*"Do not make yourself a slave of anyone when God has made you free."*<sup>19</sup>

*"And say: Work; so Allah will see your work and (so will) His Apostle and the believers;..."*<sup>20</sup>

#### Article 34

It is the indisputable right of every citizen to seek justice by recourse to competent courts. All citizens have right to access to such courts, and no one can be barred from courts to which he has a legal right of recourse.

*"And spare a part of your time for the complainants, wherein you sit for them at public audience, and bear yourself with humility therein for the sake of God, Who created you. (On such occasions) you should dismiss your troops, assistants, guards, and policemen, so that anyone who wishes to speak may do so without fear. I have heard the Apostle of God (s.) say, more than once, that 'God would not bless a people among whom the rights of the weak are not wrested from the strong without trepidation'."*<sup>21</sup>

#### Article 40

No one is entitled to exercise his rights in a way injurious to others or detrimental to public interests.

*"...and the Prophet (s.) gave his judgement, saying, 'inflicting loss or injury (on someone) or causing (someone) to endure with an injury or loss are not (legitimate in Islam),'"*<sup>22</sup>

### Chapter 1: General Principles

#### Article 4

All civil, penal, financial, economic, administrative, cultural, military, political and other laws and regulations must be based on Islamic criteria. This principle applies absolutely and generally to all articles of the Constitution as well as to all other laws and regulations, and the *fuqaha* of the Guardian Council are judges in this matter.

*"You must never forget that just as you are their ruler, your Imam and Vali-e Amr is your superior and God is the Supreme Lord of your Imam and Vali-e Amr. God has trusted you with the administration of their affairs in order that you minister to their interests and improve their living conditions. He has put you to the test through them."*<sup>23</sup>

*"Your own person, your folks, and your favorites are obliged to be just and equitable in the following cases: a) In regard to God (i.e., to act in accordance with His commands and prohibitions); b) In regard to the people."*<sup>24</sup>

## **Chapter 6: The Legislative Power, Section Two: Powers and Authority of the Islamic Consultative Assembly**

### *Article 72*

The Islamic Consultative Assembly cannot enact laws contrary to the *usul* and *ahkam* of the official religion of the country or to the Constitution. It is the duty of the Guardian Council to determine whether a violation has occurred, in accordance with Article 96.

*"Leaders of the Islamic Government are required: a) to fear God; b) to obey God; c) to follow whatever sanctions are ordained by God in His Book..."*<sup>25</sup>

*"O believers, obey God, and obey the Messenger and those in authority among you. If you should dispute regarding anything, refer it to God and the Messenger, if you believe in God and the Last Day..."*<sup>26</sup>

## **Chapter 11: The Judiciary**

### *Article 170*

Judges of courts are obliged to refrain from executing statutes and regulations of the government that are in conflict with the laws or the norms of Islam, or lie outside the competence of the executive power. Everyone has the right to demand the annulment of any such regulation from the Court of Administrative Justice.

*"...And whoso judges not according to what God has sent down—they are the unbelievers..."*<sup>27</sup>

*"...And whoso judges not according to what God has sent down—they are the unjust..."*<sup>28</sup>

*"...And whoso judges not according to what God has sent down—they are the corrupt..."*<sup>29</sup>

*"...The judgement is God's alone..."*<sup>30</sup>



*"...Whosoever transgresses the bounds of God—those are the unjust."<sup>11</sup>*

*"There is no (legitimacy in) obedience to a creature when it requires disobedience to the Creator."<sup>12</sup>*

## Chapter 1: General Principles

### Article 8

In the Islamic Republic of Iran, *al- 'amr bil-mar 'ruf wa al-nahy 'an al-munkar* (enjoining good and forbidding evil) is a universal and reciprocal duty that must be fulfilled by the people with respect to one another, by the government with respect to the people, and by the people with respect to the government. The conditions, limits, and nature of this duty will be specified by law.

*"The believers, men and women, are guardians of one another; they enjoin the good and forbid the evil."<sup>13</sup>*

*"And from among you there should be a party who invite to good and enjoin what is right and forbid the wrong..."<sup>14</sup>*

*"...give good news to My servants, Those who listen to the word, then follow the best of it;..."<sup>15</sup>*

## Chapter 1: General Principles

### Article 3

In order to attain the objectives specified in Article 2, the government of the Islamic Republic of Iran has the duty of directing all its resources to the following goals:

1. the creation of a favorable environment for the growth of moral virtues based on faith and piety and the struggle against all forms of vice and corruption;
2. raising the level of public awareness in all areas, through the proper use of the press, mass media, and other means;
3. free education and physical training for everyone at all levels, and the facilitation and expansion of higher education;

4. strengthening the spirit of inquiry, investigation, and innovation in all areas of science, technology, and culture, as well as Islamic studies, by establishing research centers and encouraging researchers;
5. the complete elimination of imperialism and the prevention of foreign influence;
6. the elimination of all forms of despotism and autocracy and all attempts to monopolize power;
7. ensuring political and social freedoms within the framework of the law;
8. the participation of the entire people in determining their political, economic, social, and cultural destiny;
9. the abolition of all forms of undesirable discrimination and the provision of equitable opportunities for all, in both the materials and intellectual spheres;
10. the creation of a correct administrative system and elimination of superfluous government organizations;
11. all round strengthening of the foundations of national defence to the utmost degree by means of universal military training for the sake of safeguarding the independence, territorial integrity, and the Islamic order of the country;
12. the planning of a correct and just economic system, in accordance with Islamic criteria, in order to create welfare, eliminate poverty, and abolish all forms of deprivation with respect to food, housing, work, health care, and the provision of social insurance for all;
13. the attainment of self-sufficiency in scientific, technological, industrial, agricultural, and military domains, and other similar spheres;
14. securing the multifarious rights of all citizens, both women and men, and providing legal protection for all, as well as the equality of all before the law;
15. the expansion and strengthening of Islamic brotherhood and public cooperation among all the people;
16. framing the foreign policy of the country on the basis of Islamic criteria, fraternal commitment to all Muslims, and unsparing support to the *mustaz'afin* of the world.

*"...God desires ease for you, and desires not hardship for you..."<sup>136</sup>*

*"...and He laid no impediment in your religion..."<sup>137</sup>*

*"...God does not desire to make any impediment for you..."<sup>28</sup>*

*"...Yet whoso is constrained, not revolting nor transgressing, no sin shall be upon him..."<sup>29</sup>*

*"And seek by means of what Allah has given you the future abode, and do not neglect your portion in this world, and do good (to others) as Allah has done good to you, and do not seek to make mischief in the land, surely Allah does not love the mischief-makers..."<sup>30</sup>*

#### Chapter 4: Economy and Financial Affairs

##### Article 43

The economy of the Islamic Republic of Iran, with its objectives of achieving the economic independence of the society, uprooting poverty and deprivation, and fulfilling human needs in the process of development while preserving human liberty, is based on the following criteria:

1. the provision of basic necessities for all citizens: housing, food, clothing, hygiene, medical treatment, education, and the necessary facilities for the establishment of a family;
2. ensuring conditions and opportunities of employment for everyone, with a view to attaining full employment; placing the means of work at the disposal of everyone who is able to work but lacks the means, in the form of cooperatives, through granting interest-free loans or recourse to any other legitimate means that neither results in the concentration or circulation of wealth in the hands of a few individuals or groups, nor turns the government into a major absolute employer. These steps must be taken with due regard for the requirements governing the general economic planning of the country at each stage of its growth;
3. the plan for the national economy, must be structured in such a manner that the form, content, and hours of work of every individual will allow him sufficient leisure and energy to engage, beyond his professional endeavor, in intellectual, political, and social activities leading to all-round development of his self, to take active part in leading the affairs of the country, improve his skills, and to make full use of his creativity;
4. respect for the right to choose freely one's occupation; refraining from compelling anyone to engage in a particular job, and preventing the

exploitation of another's labor;

5. the prohibition of infliction of harm and loss upon others, monopoly, hoarding, usury, and other illegitimate and evil practices;

6. the prohibition of extravagance and wastefulness in all matters related to the economy, including consumption, investment, production, distribution, and services;

7. the utilization of science and technology, and the training of skilled personnel in accordance with the developmental needs of the country's economy;

8. prevention of foreign economic domination over the country's economy;

9. emphasis on increase of agricultural, livestock, and industrial production in order to satisfy public needs and to make the country self-sufficient and free from dependence.

*"But do not give to fools your property that God has assigned to you to manage..."<sup>141</sup>*

*"O believers, consume not your property between yourselves illegitimately, except through trade through mutual agreement..."<sup>142</sup>*

*"It is He Who created for you all that is in the earth..."<sup>143</sup>*

*"O men, eat of what is in the earth lawful and good..."<sup>144</sup>*

*"Do not appropriate to yourself that in which all the people have an equal share..."<sup>145</sup>*

*"...Surely the earth is God's and he bequeaths it to whom He will..."<sup>146</sup>*

*"No indeed; surely man waxes insolent, when he considers himself rich..."<sup>147</sup>*

*"...Those who treasure up gold and silver, and do not expend them in the way of God—give them the good tidings of a painful chastisement..."<sup>148</sup>*

*"Give up lavishness and be moderate. Remember tomorrow while it is today. Hold back from the funds what you need and keep the balance for the day of need."*<sup>49</sup>

*"The procurer is well provided and the hoarder is cursed [by God]."*<sup>50</sup>

*"...Nevertheless, remember that most of them (merchants) are atrociously tight-fisted and shamefully stingy. They hoard to profiteer and sell at arbitrary prices. This is a source of harm to the public and a blot on the administrators. Prohibit hoarding, for the Prophet (s.) also forbade it, so that trading may take place freely and in accordance with the criteria of justice, at prices which are not unfair to the seller and the buyer. But if someone commits hoarding after your prohibiting it, give him exemplary punishment, though without exceeding the limits of moderation."*<sup>51</sup>

*"Those who devour usury do not stand but like one who has been made sick, possessed by the Devil; that is because they say, 'indeed trade (too) is like usury,' whereas God has permitted trade and prohibited usury."*<sup>52</sup>

*"O believers, fear you God; and give up the outstanding interest, if you are believers. But if you do not, then be informed of the declaration of war (against you) by God and His Messenger; yet if you repent, you shall have your principal, neither you shall suffer nor inflict injustice."*<sup>53</sup>

*Inam Ali (a.) said: "The Apostle of Allah (s.) has cursed all the five involved in a usurious transaction: the creditor, the debtor, the two witnesses, and the one who records the transaction."*<sup>54</sup>

*"...And eat and drink, but do not be extravagant."*<sup>55</sup>

*"...And never squander; the squanderers are brothers of Satans..."*<sup>156</sup>

#### Article 45

Public wealth and property, such as uncultivated or abandoned land, mineral deposits, seas, lakes, rivers and other public waterways, mountains, valleys, forests, marshland, natural forests, unenclosed pasturages, legacies without heirs, property of undetermined ownership, and public property recovered from usurpers, shall be at the disposal of the Islamic government for it to utilize in accordance with the public interest. Law will specify detailed procedures for the utilization of each of the foregoing items.

*"They question thee concerning the anfal. Say the anfal belong to God and the Messenger;..."*<sup>157</sup>

*Al-Imam Musa ibn Ja'far (a.) said: "The anfal include: all lands laid waste whose inhabitants have also perished, lands which are not acquired by military conquest but are surrendered peacefully. To him (i.e., the Prophet (s.) or the head of the Islamic State) belong mountains, valleys, forests, and all lands untitled and without owners, the lands of (dethroned) kings which were in their possession but were not seized from others (everything usurped is returned to the original owner), and he inherits everyone who dies without leaving an heir."*<sup>158</sup>

*Muhammad Ibn Sinan related from Abu al-Hasan (a.) that when asked about (the ownership of) water (resources) of valleys, he said: "The Muslims jointly share the ownership of water, fire and pasture."*<sup>159</sup>

*"This property is neither yours nor mine, but it is the collective property of Muslims, acquired by their swords. If you had taken part with them in their battle, you would have had a share equal to theirs, otherwise the earnings of their hands cannot be morsels for others' mouths."*<sup>160</sup>

*Al-Sakuni related from Abu 'Abd Allah (a.) that the Prophet (s.) said, "Whoever is the first to plant a tree or dig a valley,*



*there being nobody to do so before him and thereby revives a piece of waste land, it belongs to him. This is a judgement of God and His Messenger.*<sup>1061</sup>

*Muhammad ibn Muslim related from Abu Ja'far (a.) that he said: "Whoever revives a piece of waste land and makes it habitable, has a greater right to it."*<sup>1062</sup>

*Yunus relates from al-'Abd al-Salih al-Imam Musa ibn Ja'far (a.) that he said: "The land is a bequest of God to human beings, so whoever leaves a land unworked for three consecutive years without any cause, it is taken away from him and given to another."*<sup>1063</sup>

*"Whatsoever spoils of war God has given to His Messenger from the people of the cities belong to God, and His Messenger, and the near kinsmen, orphans, the needy and the traveller, so that it be not a thing to rotate among the rich of you..."*<sup>1064</sup>

*At the time of restoring to public ownership the estates granted by 'Uthman, Imam Ali (a.) said: "By God, even if I had found that with such property women have been married or slave-maids have been purchased I would still have restored it. Indeed, there is enough room in justice (to accommodate the interests of all), and one who feels constrained by justice will feel even more constrained by injustice."*<sup>1065</sup>

## Chapter 9: The Executive Power

### Article 115

The President must be elected from among religious and political personalities possessing the following qualifications:

Iranian origin; Iranian nationality; administrative capacity and resourcefulness; a good past record; trustworthiness and piety; convinced belief in the fundamental principles of the Islamic Republic of Iran and the official *madhhab* of the country.

*"...And which is worthier to be followed—He Who guides to the truth, or he who guides not unless he is guided. What then*

*ails you, how you judge?*<sup>166</sup>

*"...God has chosen him over you, and increased him broadly in knowledge and body..."*<sup>167</sup>

*"Indeed God has made it obligatory upon just leaders that they should maintain themselves at the level of the impoverished class."*<sup>168</sup>

*Al-Imam al-Hussain (a.): "The administration of the affairs (of the Muslim community) lies in the hands of those who are knowledgeable about God and trustees of His halal and haram."*<sup>169</sup>

*"It is not proper that he who is in charge of the honor, life, law, and leadership of the Muslim community should be avaricious; otherwise he will eye their property with greed. He should not be ignorant; as he would mislead them on account of his ignorance. He should not be rude and coarse, or would estrange them on account of his rudeness. He should not misappropriate their wealth, favoring one group and denying others. He should not take bribes as a judge, or he will violate the rights of the people and give judgements which violate the Divine commands. (Lastly), he should not be such as one who suspends the Sunnah (of the Prophet) thus leading the Ummah to destruction."*<sup>170</sup>

*The Prophet (s.) said: "There never has been a nation which made someone its leader while there was a more learned person in its midst, but that it underwent steady decline, unless that it corrected its mistake."*<sup>171</sup>

*"The best of God's servants in His sight is a just leader who is himself rightly guided and guides others rightly. He establishes the familiar and well-known Sunnah (of the Prophet) and expunges unfamiliar innovations."*<sup>172</sup>

*"But what made me concerned was that the affairs of this*

*community should fall into the hands of incompetent men and debauchers, who would grab the public property (mal Allah) as their own, take the servants of God for their slaves, declare war against the righteous of the community, making the vicious their allies.*"<sup>73</sup>

*"No one can establish the rule of God except he who does not compromise (regarding his duties), does not seek to conform with others (at the cost of Islamic principles), and is not after ambitions and desires."*<sup>74</sup>

*The Prophet (s.) said: "When your rulers are righteous, when your rich are generous, and when your affairs are decided through consultation, then life would be better for you than death; but if the wicked among you are your rulers, when the wealthy among you are misers, and when your affairs are in the hands of your women, then you would be better off dead than alive."*<sup>75</sup>

## Chapter 1: General Principles

### Article 7

In accordance with the command of the Qur'an contained in the verse "Their affairs are by consultations among them..." (42:38) and "Consult them in affairs..." (3:159), consultative bodies—such as the Islamic Consultative Assembly, the Provincial Councils, and the City, Region, District, and Village Councils and the likes of them—are the decision-making and administrative organs of the country.

The nature of each of these councils, together with the manner of their formation, their jurisdiction, and scope of their duties and functions, is determined by the Constitution and laws derived from it.

*"One who acts in a self-willed manner comes to grief, but the one who consults others partakes in their understanding."*<sup>76</sup>

## Chapter 9: The Executive Power, Section Two: The President and Ministers

### Article 133

Ministers will be appointed by the President and will be presented to the Assembly for a vote of confidence. With the change of Assembly, a new vote of confidence will not be necessary. The number of ministers and the jurisdiction of each will be determined by law.

*"The worst minister for you is he who has been a minister to vicious (governors) before you and who has collaborated with them in sins. So don't make him your confidant, for such are helpers of sinners and in fraternity with oppressors. You can find good substitutes who would be as sound in views and influence, without their encumbering sins and vices, those who never assisted an oppressor in his oppression nor a sinner in his sins."*<sup>77</sup>

*"Then look into the affairs of your executives. Appoint them after testing and examining, not arbitrarily or on account of favoritism, for favoritism and arbitrariness are common sources of two evils: injustice and treason. Select from among them those who possess experience and modesty, from virtuous families and with a longer past in the Islamic faith."*<sup>78</sup>

*"Your assignment is not a bait, but a trust lying on your neck."*<sup>79</sup>

## Chapter 9: The Executive Power, Section Three: The Army and the Islamic Revolution Guards Corps

### Article 144

The Army of the Islamic Republic of Iran must be an Islamic Army, i.e., committed to Islamic ideology and the people, and must recruit into its service individuals who have faith in the objectives of the Islamic Revolution and are devoted to the cause of realizing its goals.

*"Make ready for them whatever force and strings of horses you can, to terrify thereby the enemy of God and your enemy, and others besides them that you know not; God knows*

*them...*<sup>150</sup>

*"The army, with the permission of God, is the fortress of the people, the ornament of the rulers, the strength of the faith, and the means of security. The strength of the people cannot be maintained without it."*<sup>151</sup>

## Chapter 10: Foreign Policy

### Article 153

Any form of agreement resulting in foreign control over the natural resources, economy, army, or culture of the country, as well as other aspects of the national life, is forbidden.

*"...And God will not grant the unbelievers any way (of domination) over the believers."*<sup>152</sup>

### Article 154

The Islamic Republic of Iran has as its ideal human felicity throughout human society, and considers the attainment of independence, freedom, and rule of justice and truth to be the right of all people of the world. Accordingly, while scrupulously refraining from all form of interference in the internal affairs of other nations, it supports the just struggles of the *mustaz'afin* against the *mustakbirin* in every corner of the globe.

*"Be enemies of the oppressors and helpers of the oppressed."*<sup>153</sup>

## Chapter 11: The Judiciary

### Article 157

In order to fulfil the responsibilities of the judiciary power in all the matters concerning judiciary, administrative and executive areas, the Leader shall appoint a just *Mujtahid* well versed in judiciary affairs and possessing prudence and administrative abilities as the head of the judiciary power for a period of five years who shall be the highest judicial authority.

*"Choose for judgement (and settlement of disputes) among people such persons as you consider the best of your subjects; such as are not exasperated by difficulties, are not made irritable by having to deal with disputes, do not insist when in error, do*

*not falter to affirm the truth when they have perceived it, do not abuse themselves through greed, are not satisfied with a cursory understanding without going deeply into a matter, are more cautious than others in face of doubts, are most regardful of arguments, are the least wearied by presentation of lawsuits, are most patient at probing into matters, are the sharpest as to the clarity of judgement, are not made proud by praise, nor tilt (to one side) on account of instigation or temptation.*<sup>184</sup>

*'Umar ibn Hanzalah asked al-Imam al-Sadiq (a.) about the duty of two Shi'ah disputants when they have a dispute regarding debt or inheritance. The Imam said: "They should look for one of yourselves who narrates our ahadith, knows our halal and haram and our ahkam. They must accept his judgement, for I have appointed him a judge over you. So if he gives a judgement according to our verdicts, and it is not accepted, it is equal to contempt of Divine judgement, and one who rejects us, rejects God, and rejection of God is equivalent to shirk."*<sup>185</sup>

*Amir al-Mu'minin (a.) said: "One who faces the task of judgement should treat both the parties equally in his presence and give them equal attention and advice."*<sup>186</sup>

#### Article 171

Whenever an individual suffers moral or material loss as the result of a default or error of the judge with respect to the subject matter of a case or the verdict delivered, or the application of a rule in a particular case, the defaulting judge must stand surety for the reparation of that loss in accordance with the Islamic criteria, if it be a case of default. Otherwise, losses will be compensated for by the State. In all such cases, the repute and good standing of the accused will be restored.

*Asbagh ibn Nubatah narrates from Amir al-Mu'minin (a.) that he stated in a decree: "If the judges make any error in cases involving the death penalty or amputation, the compensation lies with the public treasury of Muslims."*<sup>187</sup>



*Article 174*

In accordance with the right of the judiciary to supervise the proper conducting of affairs and the correct implementation of laws by the administrative organs of the government, an organization will be constituted under the supervision of the head of the judiciary branch to be known as the National General Inspectorate. The powers and duties of this organization will be determined by law.

*"You should check the activities of your officials through observers who are truthful and loyal, because your watching their actions secretly would induce them to discharge the duties entrusted to them and to act kindly with the people."<sup>88</sup>*

**Conclusion**

We have cited some of the articles of the Constitution of the Islamic Republic of Iran along with some of the sources used as guidelines to develop the modern day document. In concluding we can find no better words than the Concluding Prayer of Imam Ali's (a.) letter of instructions to Malik Ashtar:

*"I beseech God by His infinite mercy and by His supreme might of granting us our prayers, that He may lead both of us to the Divine Guidance of achieving His pleasure; of successfully pleading our cases before Him; of justifying our deeds before man; of gaining good repute; of leaving good results of our benign and just rule with every-expanding prosperity and ever-increasing welfare of the State; and of meeting our ends as martyrs and pious, as our return is towards Him only.*

*May the peace of God be upon the Holy Prophet and His Household."*

**Note:** For our readers' information, a copy of the Constitution of the Islamic Republic of Iran is available through the Islamic Propagation Organization, P.O. Box 14155/1313, Tehran, Publication #245, 2nd edition (with amendments), 1990/1410 A.H.

## Endnotes

1. *Nahj al-Balaghah*, Khutbah No. 53.
2. *Holy Qur'an*, Sura Muntahamah, Ayat 8.
3. *Holy Qur'an*, Sura Hujurat, Ayat 13.
4. The Holy Prophet's (s) hadith, from al-Qurtubi, *Tafsir al-Qur'an*, Vol. 16, p. 342.
5. *Holy Qur'an*, Sura Nahl, Ayat 97.
6. *Imam Ali's Epistle to Malik Ashtar*, Ch. 5, Sec. 1, Items 49-51, (Tehran: Soroush Press, 1983), p. 14.
7. *Holy Qur'an*, Sura Baqarah, Ayat 228.
8. *Ibid.*, Ayat 233.
9. *Ibid.*, Ayat 240.
10. *Ibid.*, Ayat 241.
11. *Ibid.*, Sura Nisa, Ayat 4.
12. *Ibid.*, Ayat 2.
13. *Ibid.*, Ayat 7-8.
14. *Ibid.*, Sura Baqarah, Ayat 220.
15. *Ibid.*, Sura Nisa, Ayat 5.
16. *Ibid.*, Ayat 29.
17. *Ibid.*, Sura Baqarah, Ayat 188.
18. *Nahj al-Balaghah*, Letter No. 25.
19. *Ibid.*, Khutbah No. 31.
20. *Holy Qur'an*, Sura Ura'at, Ayat 105.
21. *Nahj al-Balaghah*, Khutbah No. 53.
22. *Wasa'il al-Shi'ah*, Shaf'ah, Bab 2.
23. *Imam Ali's Epistle to Malik Ashtar*, Ch. 3, Sec. 1, Item 15.
24. *Ibid.*, Item 23.
25. *Ibid.*, Item 5.
26. *Holy Qur'an*, Sura Nisa, Ayat 59.
27. *Ibid.*, Sura Maidah, Ayat 44.
28. *Ibid.*, Ayat 45.
29. *Ibid.*, Ayat 47.
30. *Ibid.*, Sura An'am, Ayat 57.
31. *Ibid.*, Sura Baqarah, Ayat 229.
32. *Nahj al-Balaghah*, Saying No. 165.
33. *Holy Qur'an*, Sura Ura'at, Ayat 71.
34. *Ibid.*, Sura A'le Imran, Ayat 104.
35. *Ibid.*, Sura Zumar, Ayat 17-18.
36. *Ibid.*, Sura Baqarah, Ayat 185.
37. *Ibid.*, Sura Hajj, Ayat 78.
38. *Ibid.*, Sura Maidah, Ayat 6.
39. *Ibid.*, Sura Baqarah, Ayat 173.
40. *Ibid.*, Sura Qasas, Ayat 77.
41. *Ibid.*, Sura Nisa, Ayat 5.
42. *Ibid.*, Sura Nisa, Ayat 29.

43. *Ibid.*, Sura Baqarah, Ayat 25.
44. *Ibid.*, Ayat 168.
45. *Nahj al-Balaghah*, Khutbah No. 53.
46. *Holy Qur'an*, Sura Anfal, Ayat 128.
47. *Ibid.*, Sura Alaq, Ayat 6-7.
48. *Ibid.*, Sura Bura'ih, Ayat 34.
49. *Nahj al-Balaghah*, Khutbah No. 21.
50. *Was'a'il al-Shi'ah*, Adab al-tijarah, Bab 27.
51. *Nahj al-Balaghah*, Khutbah No. 53.
52. *Holy Qur'an*, Sura Baqarah, Ayat 275.
53. *Ibid.*, Ayat 278-279.
54. *Was'a'il al-Shi'ah*, Riba, Bab 4.
55. *Holy Qur'an*, Sura Asaf, Ayat 31.
56. *Ibid.*, Sura Bani Israel, Ayat 26-27.
57. *Ibid.*, Sura Anfal, Ayat 1.
58. *Was'a'il al-Shi'ah*, al-'Anfal, Bab 1.
59. *Ibid.*, Ithya' al-'amwat, Bab 5.
60. *Nahj al-Balaghah*, Khutbah No. 232.
61. *Was'a'il al-Shi'ah*, Ithya' al-'amwat, Bab 2.
62. *Ibid.*, Bab 1.
63. *Ibid.*, Bab 17.
64. *Holy Qur'an*, Sura Hashr, Ayat 7.
65. *Nahj al-Balaghah*, Khutbah No. 15.
66. *Holy Qur'an*, Sura Yunus, Ayat 35.
67. *Ibid.*, Sura Baqarah, Ayat 247.
68. *Nahj al-Balaghah*, Khutbah No. 209.
69. *Tuhaf al-'uqul*.
70. *Nahj al-Balaghah*, Khutbah No. 131.
71. *Kitab Sulaym ibn Qays*.
72. *Nahj al-Balaghah*, Khutbah No. 164.
73. *Ibid.*, Khutbah No. 62.
74. *Ibid.*, Sur'ing No. 110.
75. *Tuhaf al-'uqul*.
76. *Nahj al-Balaghah*, Sur'ing No. 161.
77. *Ibid.*, Khutbah No. 53.
78. *Ibid.*
79. *Ibid.*, Khutbah No. 5.
80. *Holy Qur'an*, Sura Anfal, Ayat 60.
81. *Nahj al-Balaghah*, Khutbah No. 53.
82. *Holy Qur'an*, Sura Nisa, Ayat 141.
83. *Nahj al-Balaghah*, Khutbah No. 47.
84. *Ibid.*, Khutbah No. 53.
85. *Was'a'il al-Shi'ah*, Si'at al-qadi, Bab 12.
86. *Ibid.*, Adab al-qadi, Bab 3.
87. *Ibid.*, Bab 10.
88. *Nahj al-Balaghah*, Khutbah No. 53.

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## *In Memory of Sayyid Hussein Al-Habsyi*

*Dr. Jalal al-Din Rakhmat*

On the first of Sha'aban 1414 Hijra, a very large crowd flocked Bangil, a small town in East Java. They had come from different parts of Indonesia; some even had just arrived by a direct flight from Singapore and Malaysia. They wanted to express their condolences for the sudden departure of Sayyid Hussein Al-Habsyi. He passed away only a week after he returned from his *tabligh* (propagation) trip to Malaysia.



In spite of his age, he travelled frequently to remote areas in Indonesia, Singapore and Malaysia. He was well-known for his tireless effort to spread the word of true Islam and his unfailing support for Islamic unity. In addition to YAPI (The Foundation for Islamic Education) in Bangil, he established similar institutions in Irian Jaya and Ambon, the eastern parts of Indonesia. He also planned to set up an Islamic village nearby Cameron Highland north-east of Kuala Lumpur.

Sayyid Hussein Al-Habsyi was born in Surabaya, April 21, 1921. He was brought up in a religious environment. He learned Islamic traditional sciences in Al-Kharyriyah, the oldest Islamic institution in Surabaya, founded by the family of Sadats. He continued his study in Malaysia for several years. When he returned to Indonesia, he was engaged in Islamic political activities. He held a high position on the executive board of Masyumi, the only Islamic political party at that time. In the first Indonesian general election, he was elected to the People's Consultative Assembly, in charge of the Committee on Human Rights.

He was a staunch advocate for the establishment of an Islamic state in Indonesia. In Masyumi, he fought for his mission. When Masyumi was finally banned by President Sukarno, and its leaders were imprisoned, Al-Habsyi decided to pay more attention to Islamic education. He was an Islamic educator in the real sense. He delivered lectures on Islamic sciences.

He also wrote many books. He travelled much, preaching and persuading people to Islam.

He was not simply a preacher, however. To him, Islam was not only a collection of doctrines. Islam was a set of values to cherish, a way of life to practise, and a series of ideas to realize. When he made a decision, he had thought it over to what extent it would benefit Islam and the Muslims. Even in such matters as finding a house, choosing a son-in-law, or buying a piece of land, he always took Islam into account. It is not an exaggeration to say that even his breath was Islamic.

His main concern was Islamic unity. On the one hand, he strongly attacked any group that incited conflicts; on the other, he promoted tolerance, mutual respect and cooperation among Muslims. When Shi'ism was vehemently attacked, he bravely defended it. He was, however, very close to the Sunnite leaders who were working for Islamic brotherhood.

At his funeral procession, thousands of people sincerely shed tears. The majority of them were Sunnis. Even after his death, he was remembered as the token of Islamic brotherhood.

**Some of Sayyed Hussein Al-Habsyi's books:**

1. *May We Belong to a Certain Mazhab?*
2. *Qadianism and Blasphemy*
3. *Sunnah-Shi'ah: Two Brothers in Islam*
4. *Islam-Christianity. A Critical Dialogue*
5. *Was the Prophet Unfriendly?*



## *First Meeting of the General Assembly of Ahl al-Bayt World Assembly*

*Seyyed Ali Shahbaz*

*"Certainly Allah desires to keep away uncleanness from you  
Ahl al-Bayt and purify you a perfect purifying."*

*[Holy Qur'an 33:33]*

*"Surely the likeness of me and my Ahl al-Bayt is that of Noah's  
Ark, whoever boards it is safe and whoever remains behind it  
drowned."*

*[Prophet Muhammad (s.)]*

The above tradition is recorded by Muslim in *Sahih*, Hakim Nishaburi in *Mustadrak al-Sahihayn*, Taharani in *Mu'ajjam al-Kabir*, Sayuti in *Ihya al-Mayyit*, and Tabari in *Dhakhair al-Uqba*, to name only a few sources.

The days of ignorance are long past. But, the days when those in authority distort or cloud facts in a bid to mislead unsuspecting souls is still with us. Today, even though this ugly practice persists in certain dark spots of the world, man no longer takes anything for granted. He is after facts and plain truth. He is living in a scientific age. An age of telecommunications and satellites. An age of research and analysis whose x-rays pierce the dense mass of superstitious sedition to unravel the life-giving molecules of truth.

The glamour, however deceptively disguised, is not the real thing human nature seeks, because, sooner or later, it wears off. Man is after the innate truth and only by sifting through the rusty layers of discord and schism will he succeed in reaching that ultimate goal. The goal of unity and universal brotherhood so beautifully spelled out by the Holy Qur'an in introducing the Ahl al-Bayt of the Almighty's last messenger to mankind.

*"Hold fast to the Rope of Allah, all of you together and do not  
diverge..." [3:103]*

Abu Is'haq Tha'labi, the famous 4th century (A.H.) scholar of the Sunni

school, writes in his commentary on the Holy Qur'an, *Tafsir al-Kabir*, that the "Rope of Allah" means the Imams of the Ahl al-Bayt (a.). Ibn Hajr, in his *Sawa'iq al-Muhriqa*, has included this, among other verses, in praise of the Ahl al-Bayt (a.). Interestingly, Shafe'i, one of the founders of the four Sunni schools of jurisprudence, has composed a lively poem on this frame of Islamic unity:

*"When I saw the people carried off,  
Their departure to the sea of error and ignorance,  
In the name of Allah I boarded the Ark of Salvation,  
This is, the Ahl al-Bayt of Mustafa, the Seal of Prophecy,  
And I caught hold of the Rope of Allah, that is their love,  
As He commanded us to hold fast to the Rope."*

The Second International Conference, held in Tehran, was a step towards this cherished goal of Islamic unity. The goal, which, if attained, would not only solidify the ranks of the *Ummah*, but would act as a guiding light for humanity as a whole.

The four-day gathering, held January 28-31, at Hotel Laleh, was attended by over 300 luminaries from 65 countries celebrating the first meeting of the General Assembly of Ahl al-Bayt (a.) World Assembly.

The scholars represented the different schools of thought and came from different climes, but the frame of unity binding the seekers of truth was the obedience to the commandments of Allah and the injunctions of His prophet.

*"Say (O Muhammad to mankind) I ask of you no reward for it  
(enlightening with the message of Islam) but love for my near  
relatives." [42:23]*

The Conference assembled in Tehran as a token of love towards their beloved Prophet who had bequeathed to them the light of *Thaqalayn* to prevent them from slipping into the chasms of discord:

*"I am leaving among you two precious things, the Book of  
Allah and my progeny, the Ahl al-Bayt, the Almighty informed  
me that they will never part with each other until they meet me  
at the fountain (of Kawthar in Paradise)." [Prophet  
Muhammad (s.) as stated by Ahmad ibn Hanbal in his  
'Musnad']*

But, who are the Ahl al-Bayt? Fakhreddin Razi, commenting on verse

42:23 in his *Tafsir al-Kabir*, quotes the Prophet (s.) as saying that they are his daughter, Fatima, her husband, Ali, and their two sons, Hassan and Husain. This blessed group of five form the kernel of Islamic unity and their multidimensional personalities have inspired the faithful in every age and era. They represented Islam at the memorable *Mubahalla* debate with the Christians of Najran (Holy Qur'an 3:61) and their knowledge and sacrifices—Karbala being the height of glory—ensured eternity for Islam. Any person or group showing the slightest disrespect towards them have been considered outside the pale of Islam by Sunni scholars.

The Ahl al-Bayt World Assembly was set up in Tehran in 1990 for the purpose of bridging the gap between the different sections of the *Ummah*. Its approach was scientific in accordance with the dictates of Islam.

The Assembly has since grown and, as part of its missionary work, has launched a quarterly journal, *Message of Thaqaalayn*, in English, Arabic and Urdu. The main goal of the Assembly is to scientifically analyze the facts and arrive at the ultimate truth.

True to the letter and spirit of its constitution, the Conference debated various problems plaguing the *Ummah* and came out with certain recommendations.

Inspired by the decisive role of the Ahl al-Bayt (a.) in confronting injustice and tyranny, the Resolution of the Conference voiced support for the Bosnian Muslims, those unfortunate natives of Europe whose sin, in the eyes of the 'civilized world', is that they happen to profess the faith of Islam. It appealed for cessation of hostilities between Afghan groups, and expressed grave concern over the frequent rounds of massacres in the Islamic heartland of Iraq by Saddam's ungodly regime.

Issues pertaining to Lebanon, Palestine, Egypt, Algeria, Azerbaijan, Central Asia, Africa, Pakistan, India, and the Arabian Peninsula also figured in the Conference. Committees dealing with political, economic, social and cultural problems were formed.

The Conference approved the setting up of committees to monitor human rights abuses, as well as separate committees for the rights of women, adolescents and children as prescribed by Islam.

The Conference denounced all biased, sectarian, ethnic and myopic tendencies and emphasized the need for universal Muslim solidarity which is not possible to achieve except by following the brilliant trail blazed by the Ahl al-Bayt (a.).

Perhaps the greatest achievement of the Conference was the formation of a cultural front and ways to combat the cultural onslaught of the corrupt

West in this regard. At this crucial juncture, when the *Ummah* is passing through a period in its struggle against imperialism, Zionism and other godless forces, only the correct application of the message of Islam and sincere belief in Divine Justice will help Muslims weather the storm and this is not possible except by treading the path charted by Ahl al-Bayt (a.).

The bane of nationalism and ethnic and lingual prejudices has, for long, compounded the misery of the Muslims. Talk of ill-defined traditional values could also open up a *Pandora's Box* of social and other problems because not all traditional values are healthy to the body and spirit of the Muslim individual. Many aspects of the so-called traditional cultures dominating Muslim countries, unfortunately, bear the retarded markings of national prejudices and are sometimes in striking contrast to the lofty culture of Islam.

Therefore, the criterion in the cultural fight should be the pure and pristine culture of the Ahl al-Bayt (a.). It has, for 14 centuries, guarded the genuine principles of Islam and has the dynamism to do so until the end of time. What is needed by the World Muslims is a scientific analysis and application of the same. Age-old prejudices should not stand in the way or errors of previous generations repeated. In science and other subjects, one does not show irrationality in favor of obsolete or erroneous theories. So, also, is the case in morals, ethics, and religious values which are so essential for winning the cultural battle on which depends the healthy life and progress of a nation. They acquire added importance if one takes into consideration the salvation of the human soul. Certainly, no sane individual wants to end, forever, in perfidy.

The Ahl al-Bayt (a.), whose love and obedience are obligatory for World Muslims, provide us with an excellent model in this regard. We should realize the limits, liabilities and backgrounds of the previous scholars who had to cope against heavy odds, especially against the tyrannies of the rulers of the day, to whom the Ahl al-Bayt (a.) and their rights were nightmares. For instance, the respected compilers of the *Sunan* and *Jawami* books, although we believe they tried hard to scrutinize and discard the spurious *hadith* churned out by the Omayyad factories, were unable to convey to us the entire facts. Some authoritative reports were left out because of the fear of the rulers of the day, while other weak one got in due to inadequate means of analysis at their disposal.

The task of the Ahl al-Bayt World Assembly becomes all the more important in view of the above facts. Conferences are certainly welcome, but more attention should be paid to research and proper presentation of the facts to the modern minds eager to discover the hidden truth of Islamic unity

Man is looking for ideals, and no religion, creed or culture can offer better ideals than the Imams of Prophet Muhammad's (s.) infallible Ahl al-Bayt (a.).

It was this very same ideal which inspired Imam Khomeini to shake the foundations of injustice and usher in the rule of justice in Iran. Today, Iran, which celebrated the 15th anniversary of its revolution, is the cynosure of all eager eyes wanting to know the secret of its dynamism. For the information of the world and especially for aspiring revolutionaries in Egypt, Algeria, Palestine and other places, the success story of the revolution in Iran are the teachings of the Imams of the Ahl al-Bayt (a.), the supreme symbol of Islamic unity.

Perhaps it will not be out of context here to recall the words of the jurist, Abu Hanifa, the founder of one of the Sunni schools, when he was asked by the Caliph Mansur to engage in debate with Imam Ja'far al-Sadiq (a.), the sixth Imam of the Ahl al-Bayt. Abu Hanifa, as ordered, thought up 40 complicated legal questions and posed them to the Imam, who calmly gave the correct replies and even elaborated on them much to the amazement of the questioner and the caliph. Abu Hanifa acknowledged Imam Sadiq's (a.) superiority and said that when he entered the court of the caliph he felt overawed, not by the might of the caliph, but by the knowledge of Imam Sadiq (a.), and said it was really strange that Mansur should be ruling the Muslims instead of the Imam of the Prophet's Ahl al-Bayt (a.).

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## *International Congress on Shi'i Islam*

*Edited by Dr. A. N. Baqirshahi*

The International Congress on Shi'i Islam was held September 4-6, 1993 at the University of Pennsylvania. The Congress was organized by Mahmood Ayoub, Brian Spooner and Lynda Clark, under the auspices of the Middle East Center, University of Pennsylvania, Department of Religion, Temple University and the American-Pakistan Research Organization. The Congress was attended by many distinguished scholars from different countries. Following are the abstracts of some of their papers presented at the Congress.

### **The Shi'i Argument for the Necessity of the Imam by Ayatullah Taqi Misbah Yazdi.**

As is well known, there is much more agreement than disagreement between the various Islamic schools concerning the basic principles of the creed, law, and devotions. Equally well known is the main point around which disagreement between Shi'i and Sunnis revolves concerning Imamate and the caliphate, the Shi'i having, after the death of the Prophet, acclaimed Ali ibn Abi Talib (a.) as his successor and Imam, while the Sunnis consider Ali to be only the fourth caliph and the remainder of the Imams simple learned and pious men.

It is supposed, by some, that the Shi'i-Sunni dispute is political, somewhat in the nature of a struggle between two political parties contesting an election with different candidates. This is, of course, not so. In this paper I shall try to make clear the actual fundamental difference between the two groups. I will demonstrate that there are, behind politics and history, more important issues of thought and belief. These may be summarized as follows:

It is one of the peculiar features of Islam that it considers itself to be the last revealed religion and the Prophet Muhammad (s.), the last prophet. Thus, it is asserted that the truths of the religion of Islam are sufficient to guide all humankind for all time. That is to say, through awareness of the fundamental beliefs, moral principles, and legal rules of Islam all human needs are secured with regard to belief, values, and the law. This assertion also requires,

of course, that such laws and principles be available to humanity throughout all time and safe from distortion.

We also know that God, the Exalted, charged the Prophet with providing the details of these eternal laws; for this reason the *sunnah* is considered the second source of Islamic knowledge after the Holy Qur'an.

The Qur'an, after fourteen centuries, remains as it always has been, without change and free from any distortion (*tahrif*). The *sunnah*, on the other hand, has suffered some damage and a certain amount of extraneous material has been introduced into it. Not all the words of the Prophet have reached us whole and uncorrupted. In addition, the rush of events, both before and after the Hijrah, could obviously not have allowed the Prophet to fully elaborate on the law or make adequate preparation to completely preserve it from future distortion. As a result, not all the laws of Islam can be determined relying only on the evidence of the *sunnah*.

This raises the questions: How can one reliably determine the basic laws of Islam? What provision has been made to preserve the integrity of these laws?

The answer of the Shi'i to these questions is that Islamic law and the elucidation of difficult and obscure passages of the Noble Qur'an have been entrusted to the Imams of the Prophet's Household [Ahl al-Bayt (a.)], as the possessors of divinely-bestowed knowledge endowed with the faculty of infallibility (*'ismah*-protection from both sin and error), and that it is the clarification of the Imams which compensates for any lack in the *sunnah*. To put it another way, the discovery of the *sunnah* is an ongoing reality through which the essential framework of Islamic knowledge and law is guarded from distortion.

Were this not so, the Islamic knowledge provided to Muslims (even to those who do not believe in the Imamate) by the Family of the Prophet and the Shi'i Imams (a.) would not be known to the world in all its aspects so that it could properly be qualified by the name 'Islam.'

Thus, the institution of Imamate follows, in reality, from the revelation, while the members of Ahl al-Bayt (a.) take over the function of the Prophet in this respect. The Imams—without, of course, actually possessing the rank of prophet—preserve and explain the heritage of the Prophet for future generations, and it is also they who have been designated by Allah, Himself, to rule Islamic society (even though this was possible for only a short period).

Indeed it is sufficient in order to understand the importance of the Imamate and the status of the Imams (a.), to refer to the well-attested (*mutawatir*) tradition in which the Holy Prophet (s.) describes his family as one of his

'two precious legacies' (*thaqalayn*), equal in weight to the Qur'an: "*Behold, I leave with you two weights: the Book of Allah and my Ahl al-Bayt.*"

### **The Rules of the *Shari'ah* and Temporal Change by Sayyed Mustafa Muhaqqiq Damad**

Certain Islamic legal rules (*ahkam*) may change according to the harm (*mafsadah*) and benefit (*masliahah*) they are thought to bring in their wake. In order to understand this, it is necessary to look at the role of 'benefit' in the legal rules in general, and then examine some specific examples.

First, concerning the role of the benefit in the determination of legal rules: In the opinion of the Shi'i legal rules follow benefit and harm. That is to say that such rules, including *halal*, *haram*, *wajib*, *mustahab*, *makruh* and *mubah*, are established on the basis of their innate character which involved some benefit or harm to humankind. For, (so it is reasoned), if these rules did not include such a dimension they would not have been established by Allah in the first place.

Of course, the determination of 'benefit' or 'harm' depends on certain proofs of the law; it is ultimately on the basis of this legal proof that the jurists (*faqaha*) decide whether there exists benefit or harm which may be counted as the 'cause' (*'illah*) of the rule. Thus, whether a law stands or is stricken depends, in reality, on the legal proof. This principle is expressed by the jurists in the maxim: "*The cause both makes general and makes particular.*"

For example, if we read in the text "*Alcohol is forbidden because it inebriates,*" it may be deduced that the ultimate reason for the prohibition of alcohol is exactly that it makes one drunk. That is to say the 'harm' of inebriation is the cause for the prohibition of alcohol. Thus, the jurist may extend the prohibition to all instances in which the question of inebriation is present, whether it is alcohol that is in question or some other substance.

Among the non-Shi'i, on the other hand, the scope for determining the 'cause' of a rule is wider. They do not, as Shi'i scholars do, require that legal proof be explicit in the text. Rather, the *faqih* may extract the cause, harm or benefit on which the rule depends in any way he wishes. Thus, methods such as analogy (*qiyas*) and 'legislation in the public interest' (*istislah*) are also considered by them sources of the law. These are not present in the same way in Imami *fiqh*.

Second, concerning the role of benefit in rules of government: Legal rules may be divided into two general categories. One consists of fixed rules

which are in the nature of binding obligations, including both necessary injunctions and prohibitions. This class of rules is not determined by the ruler; rather, it is fixed and remains so throughout time and space.

The second class consists of rules subject to change. These depend on some underlying premise such as, for example, 'the right of a man to control his own wealth.' Here is an instance of a legal rule that has been laid down according to a basic principle, the principle contained in the maxim: "*People control their own wealth.*" The exact definition of the rule, however, is left to the ruler, and he may either extend or limit it in accordance with the public good. This is known as a 'governmental rule' (*hukm wilayan*). All 'optional' laws are of this category—'optional' meaning that the laws are not obligatory but rather provide some scope for freedom. This freedom may itself be considered a legal rule which depends on the underlying principle. But, the exact definition of the law, again, is left to the Islamic government which may alter it according to 'benefit' and 'harm.'

An example would be a case in which it was found that the possession of certain private property involved harm to others, so that the right would, according to the principle 'Property must involve no harm,' be curbed. Another example is the disposition of wealth. In this instance, the ruler might find that failure to pay taxes caused harm to society, so that payment would become obligatory in accordance with the principle, 'The removal of harm is obligatory.'

Third, concerning the role of benefit in determination of the scope of the law. Since benefit and harm are governmental concerns, the determination of what is benefit and what is harm rests, naturally, with the ruler. Moreover, the scope of the law will also change as benefit and harm are perceived. For instance, it is written in the Holy Qur'an: "*Do not dispose of the wealth of the orphan except in the best way.*" (6:152) Here, determination of the benefit of the minor is left to the ruler and his decision may, in fact, change according to changes in 'benefit.'

The difference between this and the previous type of legal rule is that in the first instance, the ruler undertakes, in accordance with benefit and harm, to lay out the law. Whereas, in the second, he actually determines what shall be the subject of the law. Another difference is that in the second case it is only the ruler's understanding of the benefit that is effective, whereas, in the third, ordinary persons also may distinguish the subject and act in accordance with it.

### Sharif al-Murtada and the Question of the Imamate by Mehdi Moḥaghegh

The main dispute that arose in the Islamic community, after the death of the Holy Prophet (s.), concerned the Imamate: whether the ruler of the Islamic community should be selected through human choice and thus by election (as in the case of the Sunnis) or specifically designated by the Holy Prophet (s.) himself (as the Shi'i believe). Disagreement on the question of the Imamate caused numerous splits also within both the Sunni and Shi'a camps.

Eventually, the Sunnis tended more toward the Ash'ari school of theology, thus depending to a large extent for their arguments on Qur'an, *hadith*, and the 'transmitted' (*naqli*) sciences, while the Shi'i, like the Mu'tazilah, utilized the 'Greek' sciences and enhanced their discourse with a philosophical flavor. Thus, it is not surprising that the Shi'i agree with the Mu'tazilah in many aspects of theology.

This is not, however, true in the case of Imamate. On this question the Mu'tazilah and Shi'i differed sharply—although it is true that there were a number of Mu'tazilis who agreed with the Shi'i on the superiority of Imam Ali (a.), in addition to which it should be kept in mind that the Imamate comes more under the heading of the 'branches' (*furu'*) rather than the fundamental (*usul*) belief. In any case, the Shi'i found themselves, on more than one occasion, the object of ridicule for favoring Mu'tazilism; while the Mu'tazilah denied the Imamate of Ali!

The exchanges between the Mu'tazilah and Shi'i on the subject of Imamate hold particular interest because these two groups, given their philosophical bent, were able to treat it in purely intellectual terms. This paper begins by detailing some of these disputes (many acrimonious) and mentions prominent personalities involved.

Mu'tazili criticism of the Shi'i concept of Imamate finally culminated in the work of al-Qadi 'Abd al-Jabbar (d. 415 A.H.), who presents, in the volume of his encyclopedic work *al-Mughni*, arguments on imamah so detailed that the Shi'i were, for some time, at a loss as to how to refute it.

The most important answer to al-Qadi was that of the well-known theologian and jurist, Sayyid Murtada, a student of al-Shaykh al-Mufid, known as *'Alam al-Thuda* (d. 436 A.H.), in his *Kitab al-Shafi*. Sayyid Murtada outlines the arguments of the Mu'tazilah and then proceeds to refute them one by one. In doing so he establishes the key concepts of the Shi'i theory of Imamate, including the necessity of the Imamate and the need for an impec-



cable (*ma'soom*) Imam. Sayyid Murtada's work was finally instrumental in bending the views of the Mu'tazilah themselves in the direction of the Shi'i, for after his *Kitab al-Shafi*, they admitted that an oppressive, wrongdoing, or unjust Imam could not be considered fit to rule.

The *Shafi* was later abridged by al-Shaykh al-Tusi as *Talkhis al-Shafi*. While al-Tusi's work has become more well-known and popular than Sayyid Murtada's, the importance of this great Shi'i theologian and his defence of the Imamate should not be forgotten.

### The Origins of Shi'ism in the Ideal of Justice by Ja'far Shahidi

Many scholars—even modern scholars—have viewed Shi'ism as essentially a political movement centered around the question of the caliphate. According to this view, the circumstance which produced Shi'ism was the succession of Imam Ali (a.), twenty-four years after the passing of the Holy Prophet (s.), instead of immediately upon his death. It is believed that the Shi'i are simply a splinter-group who were motivated by the refusal to allow Imam Ali (a.) to occupy the office which was rightfully his, to withdraw from the greater community, launch attacks on those who denied his authority, defame the Prophet's companions, and finally create a separate sect at odds with the true religion.

It is asserted, in effect, that the efforts of thousands of theologians and doctors of law, the writing of hundred of books, and the sacrifices of countless others have been the result of nothing more than insistence on this one point. If this were the case, Shi'ism would be about nothing; it would be both historically and intellectually insignificant. Yet this is how it has been represented in numerous books and articles.

It is my aim in this paper to reveal something of the true motivations that led to the rise of Shi'ism. I believe that all Muslims, of whatever conviction, will, given a proper understanding of their concerns and ideals, join with the Shi'i in their struggle—or at least give Shi'ism the credit it deserves.

As is well known by students of Islamic history, when the Holy Prophet (s.) joined the Muhajirun and Ansar in brotherhood shortly after he entered Madinah, he also ordered the end of the blood-feud between the tribes of Mudar and the Yemenis, proclaiming that henceforth all Muslims were to consider themselves brothers with no tribe taking precedence, as the Qur'an says. "*The most noble of humankind in the sight of God is the most God-fearing.*" The population of the Arabian Peninsula was to consist of one community, founded on equality and guided by justice.



This brotherhood, however, was practiced by only a few, and the Islamic government which was once dedicated to justice soon donned the ancient and well-worn garment of tribalism. The Quraysh began to speak of their superior descent, while the Mudar felt their tribe should rule. Thus it came to be that the Quraysh, and above all the relatives of the third caliph, Uthman, were appointed to three of the four major provinces of the Islamic empire. The only major province without a Qurayshi, Umayyad, or Mudari governor was Basrah, which was ruled by a Yemenite. In this case it is related that a man of the Banu Dabbah came to Uthman demanding to know if there was any youth of their tribe who could be groomed to take over that position also!

At this point some of the Prophet's companions, harkening to the Prophet's words: "*Ali is with the truth, and the truth is with Ali.*" began to realize that if they were to rally around him he would be for them "*as a fountain of righteousness, springing eternally.*"

In short, the rallying cry of Shi'ism from the beginning has been justice; justice between ruler and subject, subject and ruler, and in the relations of individuals with one another. The Shi'i coalesced around the personality of Ali precisely because of their yearning for such justice.

### **Freewill and Determinism in Shi'i Philosophical Theology by Parviz Morewedge**

This paper examines some of the logic of the key arguments in Shi'i philosophical theology, focussing on the works of Nasir al-Din Tusi. We shall begin with an historical perspective of the problem in Sunni theology (for example al-Ash'ari and Ibn Taymiya), other thinkers in the Shi'i tradition, and the theodicy embedded in formulation of al-Tusi's thesis on 'fate', 'freewill', and 'determinism'.

The following topics will be explored: (i) al-Tusi's debt to Avicenna; (ii) al-Tusi's new distinctions between syntactical and ontological types of arguments as well as distinctions between phenomenological and ontic contexts (developed further by Mulla Sadra); (iii) Logical problems related to his apparent attempt to distinguish between the Divine and the Human levels of attributes related to theodicy; and, (iv) al-Tusi's original formulation of theodicy, later taken up by Leibniz and other advocates of 'soft determinism'.

Next, we shall seek a tentative solution in the writings of al-Tusi and Avicenna related to mystical and devotional theology. In conclusion, we shall probe into the interconnectiveness of 'rational' and 'mystical' theology in

Shi'i thought, in particular, and in monotheistic tradition in general.

### **Recent Interaction Between Shi'i Thought and the Social Sciences by Muhammad Mujtahid Shabistari**

Following the assumption, by the Shi'i, of political power in Iran, and the proposal to rule society according to the 'principles of the *shari'ah*' (*usul al-shari'ah*), the Iranian *'ulama* were faced with a new and very serious problems. This was the impossibility of running a country like Iran without the many things needed for economic growth. They soon realized that they could not achieve such growth without reexamining certain views which had become incorporated into the *shari'ah*.

Traditional Shi'i thought, however, holds that such reconsideration and alteration of judgement may be accomplished only by changing the subjects to which the legal rules (*ahkam*) pertain, not by changing the rules themselves. This, one can absolutely not do.

This brings us to consideration of another matter, which may be one of the most important religious and intellectual issues faced by the Shi'i community today: it appears that one cannot discuss changing the subject matter of the religious rules in certain important areas without prior thorough examination by an *'alim* of, for instance, the philosophical, anthropological, or social implications—even though these may appear at first to have no connection with the *shari'ah*. There is also this question: How, to what extent, and according to what standards does the *'alim* seek expertise in disciplines which have no relation to his original specialty?

This problem becomes all the more acute when we recall that in the past 'change in subjects' has been very limited, and largely connected with 'custom' (*'urf*) at that. Shall such standards have their source in the text of the *shari'ah* itself (as some believe), or somewhere else? And, if they are to come from outside the *shari'ah*, can the process of determination of the law be made subject to considerations arising from philosophical, sociological, anthropological, and other like views?

### **The Position of *Marja' al-Taqlid* and Hierarchical Tendencies in Islamic Legal Establishments by Devin J. Stewart**

A number of authorities have suggested that the position of *marja' al-taqlid*, the top religious legal authority for the layman, and head of the legal establishment, is unique to Shi'ism and that it was developed only in the 13th/19th Century with the emergence of Murtada al-Ansari (d. 1281/1864)

in that position. It is further supposed that the emergence of this office as a practical feature of the Shi'i legal establishment was supported by a concomitant theoretical discussion in works on jurisprudence.

An examination of both Sunni and Shi'i intellectual history shows that the position, if not the exact title or terminology, existed much earlier in Shi'ism, and that the Sunni *ra'is* or *shaykh al-madhab* as the recognized top legal scholar was, in many respects, equivalent to a *marja' al-taqlid*.

The position of *marja' al-taqlid* may be seen as involving at least two important features: that one or several jurists hold a top position in a recognized hierarchy of legal scholars; and that the layman is enjoined to follow the opinions not of any qualified jurist, but of that jurist who is considered the most learned and experienced.

In this discussion, both of these features will be seen to have existed in the Shi'i legal establishment long before the 19th Century, and furthermore, are not particular to or exclusively characteristic of Shi'ism but rather have been, in certain periods and regions, common features of the Sunni legal establishment as well.

### Shi'i Life of Jesus by Ahmad Mahdavi-Damghani

The Shi'i were concerned with the life and words of Jesus (a.) before any other sect of Islam, and also took a greater interest in him. Many sayings of Jesus (a.), based on the Gospels, are related in Shi'i sources, these having been available to Muslims since at least the 8th Century.

The word 'Jesus' (*'Isa*) occurs 25 times in the Holy Qur'an and the word 'Messiah' or 'Christ' (*Masih*) 11 times, making a total of 36 occurrences. There are, in addition, many other stories told of Jesus (a.), favorite subjects are the incidents of his life and his ascent to heaven. In Sunni sources, however, this material is offered almost exclusively in the context of Qur'anic exegesis. Moreover, there are only 20 hadiths found in the standard collections, some being only slight variants of others. Later Sunni writers limited themselves to quoting these same traditions, along with, perhaps, a few additional well-known phrases from the Gospel itself.

The Shi'i, on the other hand, have, from the beginning, shown great interest in Jesus (a.) and have often quoted parts of the Gospel and his sayings. The paper presents a part of this interesting material.

**Text and Ritual. *Naḥḥ*-chants and the Performance of Muharram Liturgies Among the Shi'i Men's Guilds of Hyderabad, India by David Pinault**

In Shi'i Islam, the focal point of the liturgical calendar is the month of Muharram, season of the annual commemoration of the battlefield death of Imam Husayn (a.), the Prophet Muhammad's (s.) grandson. Muharram is a period of mourning in which Shi'i lament not only the torments inflicted on Imam Husayn (a.) and his family, but also the disorder in the world at large engendered by the Imam's (a.) exclusion from the throne to which he was entitled by right of his descent from the Prophet (s.).

In popular Shi'i devotion, emphasis is given to the voluntary nature of Imam Husayn's (a.) suffering in response to the Divine Will. In emulation of the Imam's (a.) self-sacrifice, many Shi'i who participate in Muharram liturgies undertake communal acts of self-mortification so as to identify, as fully as possible, with the passion undergone by the Imam (a.).

In Hyderabad (second only to Lucknow as a center of Shi'i culture in India) the most widely known Muharram liturgies are sponsored by the *matami-guruhan* or Shi'i Men's Guilds. Since 1989 I have been studying the Muharram observances held by Hyderabad's *matami-guruhan*. In 1989, and again in 1991, I spent the Muharram season in Hyderabad, coming to know member of six of the city's Shi'i guilds, accompanying them to shrines, and attending liturgies with them in the role of participant-observer.

The major guilds in Hyderabad each publish chapbooks of *naḥḥ*, dirges describing the death of Imam Husayn (a.) and the other Karbala martyrs. In this presentation I will analyze the dirges chanted by the men's guilds on the 7th of Muharram, a day set aside in honor of Hazrat Qasim, the young martyr known as the "Bridegroom of Karbala." I will describe the ways in which the *naḥḥ*s for the 7th of Muharram are enacted in the form of what may be termed a liturgical drama; and I will follow the stages of this enactment as performed by the men's guilds: the wedding procession, the death of the hero, the shrouding of Qasim's icon, the final entombment. I will conclude with some general observations on the ways in which Hyderabad's Shi'i community, as a minority enclave within a largely Hindu population, defines itself through the public ritual enactment of sacred narratives.

**From the Center to the Periphery: Muharram in Trinidad by Peter Chelkowski**

This paper describes the Shi'i Muslim ritual observances commemo-

rating the tragic death of Imam Husayn (a.), the grandson of the Prophet Muhammad (s.).

Through the paper, the evolution of the ritual is traced from its origins in today's Iraq some 1,300 years ago to the Caribbean Basin today. The focus of the paper is the syncretic development of the observance as it 'inter-culturalized' on its journey from Iran, via the Indian subcontinent, to Trinidad. The ecumenical spirit of this celebration with its cross-cultural roots culminates in the observance in Trinidad.

East Indians were brought to the Caribbean Basin as indentured laborers in the wake of the end of slavery in the West Indies (1834). Plantation owners came to rely on these laborers, especially from India, as the former slaves found working on the plantations reminded them of their former servitude. The migrants brought with them their own cultures and religious beliefs which included the Muharram rituals. Even though the overwhelming majority of East Indian immigrants to the Caribbean Basin were Hindu, the Shi'i Muslim ritual of Muharram came to eclipse all other Indian rituals and observances.

At the beginning, the Muharram ritual was a symbol of unity for the expatriate Indian community. Later, it became a rallying cry for all indentured laborers, regardless of race and religion. It was often used as an act of symbolic defiance against colonial rule.

### **Shi'i Views of the Companions by Taleb al-Rifai**

I have chosen to speak on Shi'i views of the companions of the Prophet (s.) in hopes of bringing attention to the objectivity of the Shi'i in this regard, thus making the Shi'i themselves better known and understood. This is a subject which should prompt adherents of other Islamic schools of thought to regard the Shi'i with, perhaps, the same kind of objectivity. However, the opponents of the Shi'i may now perceive them, surely as they observe their scholarly standards and lack of prejudice, they will be inspired to move toward reconciliation on the basis of the fixed and fundamental beliefs shared by both. Beliefs which have their source in the Holy Qur'an and prophetic tradition (for, whatever the arguments of the past, these do not affect agreement on basic principles respected by both). There are indeed many all too prepared to condemn the religion and belief of those who differ with them without any regard for true knowledge. This may be said even of some modern scholars who have failed to properly explore the original sources.

This has resulted in some rather strange accusations. It is said, for instance, that the Shi'i regard the companions of the Prophet as unbelievers for



having given their allegiance to the first three caliphs who usurped that office from Imam Ali (a.).

It is our intention in this paper to refute this accusation, relying on proofs from the Holy Qur'an and *Sunnah*, historical fact, and the statements of other scholars. This is not so much a defence of the Shi'i as a defence of learning.

### ***Evolution of the Tarajim of Two Imami Rijal by Liyakatali Takim***

The concept of discipleship in Imamism has received little attention amongst Western scholars. This has prompted me to undertake the present paper.

The paper examines two prominent associates of the Imams (a.), i.e., Zurara b. A'yan and Hisham b. al-Hakam. It compares the Sunni and Imami presentation of these figures and attempts to trace the chronological development in their respective profiles and the doctrinal positions they adopted.

By comparing and contrasting the profiles of the *rijal* [associates of the Imams (a.)] in different biographical works, the paper produces evidence to support the view that Imami beliefs in the *nass* (Divine Designation), special *'ilm* and *'ismah* (infallibility) of the Imams (a.) can be traced in early Sunni sources too. The main difference between Sunni and Imami views on the *rijal* is that the Sunnis maintain that the *rijal* concocted and then attributed these cardinal Imami beliefs to the Imams (a.); whereas the Imami sources claim that the *rijal* merely narrated these beliefs from the Imams (a.). Stated differently, the same Rafidi figure in the Sunni works is transformed to a very important *rajul* (singular of *rijal*) in the Imami works where Sunni charges against his beliefs are reconfirmed in the form of utterances by the *rijal* from the Imams (a.).

The paper also discusses the crucial issue of the growing influence of the *rijal* and their subsequent challenge to the authority of the Imams (a.).

### **The Imam's Authority During the Pre-Ghaybah: Theoretical and Practical Considerations by Isma'il Poonawala**

The paper examines the Shi'i Imami concept of the Imam's religious authority; how it was conceptualized and how it operated at the practical level during the pre-*ghaybah* period. Since the Imam's authority, in theory, is anchored in the doctrine of the Imamate, the first part of the paper examines theoretical underpinnings of the concept of authority by analyzing the doctrine of Imamate. *Al-'usul min al-Kafi* by al-Kulayni, being the earliest



of the four books on Imami *hadith*, is used as the chief source. The unique position of the Imam in the aforementioned doctrine is based on two qualifications: first, he is a Divinely designated successor to the Prophet (s.); second, he is endowed with special faculties and certain virtues which make him the indisputable leader of the community.

Of all the virtues, the most significant, for the purpose of our inquiry, is his possession of knowledge. Two further issues discussed in this regard are: first, the sources of his knowledge, and second, the nature and scope of his knowledge. The unique position of the Imam with respect to his knowledge as the infallible, impeccable guide and leader of the community as described in the sources implied that the Imam was the ultimate authority for law, doctrine, and practice.

However, in an Imamate where the authority was not in actual fact, the sovereign, and as there was no organized party of followers of the Imams during this period, the Imam's knowledge probably at first remained on a theoretical level. Even after the doctrine of the Imamate which took shape during the time of Imam Ja'far al-Sadiq (a.), it was not immediately accepted by all the followers. Some acknowledged the special position of the Imam, but regarded him as first among equals and refused to yield him all authority. This second part of the paper is therefore documented with numerous examples gleaned from the *rijal* works of al-Kashani, Najashi, and from *Firaq al-Shi'a* by Nawbakhti and *al-Maqalat wa'l-firaq* by Qummi.

The paper concludes by stating that although the Imam's authority was not accepted unequivocally by all the followers at the beginning, it seems that with the passage of time his authority continued to grow due to various reasons explained in the article.

#### Unpublished Versions of the *al-Sahifah al-Sajjadiyyah* by Muhammad Jalali Hussein

The *Sahifah* is considered the earliest masterpiece of Shi'i devotional literature. The fourth Imam of the Shi'i, Ali b. Husayn b. Ali al-Sajjad (d. 95/713) dictated the *Sahifah* to his children. It has been called *al-Kamil*, that is, the 'Perfect Devotion,' the 'Psalms of the Ahl al-Bayt' (a.), and the 'Gospel of Ahl al-Bayt' (a.).

Shi'i scholars of both the Zaydi and Ja'fari schools have taken great interest in this important collection as shown by their numerous *ismads*, commentaries, marginal notes, and calligraphy of the text. Al-Najashi (d. 450/1058) and al-Tusi (d. 460/1067) have both mentioned their *ismads* to the *Sahifah*, and there are many fine manuscripts preserved in Islamic libraries.

The oldest manuscript of the *Sahifah* so far found is written by Yaqut b. 'Abd Allah al-Mu'tasimi in 694/1294. The oldest printed copy is a lithography edition produced in 1262/1845 in Tabriz, Iran.

This article begins with a glimpse of the merits of devotion in the Shi'i faith, a tradition to which the *Sahifah* is extremely important. We then compare three manuscripts of the work, treating also the identity of the author, the composition of the *Sahifah*, its authenticity, and various addenda found in the manuscripts. Comparison between the three copies at hand results in the conclusion that the popular variant known as *al-Sahifah al-Kamilah* combines two incomplete versions. Most likely the one who is responsible for the combination is Abu Mansur Muhammad b. Muhammad b. Ahmad b. 'Abd al-'Aziz al-'Ukbari al-Mu'addil (d. 472/1079). The discrepancy in numbers of invocations and the text is great. The complete version has eighteen invocations more than the shorter manuscripts of the *Sahifah*. Regrettably, there is so far no scholarly edition of this masterpiece of Shi'i devotional literature.

#### **Towards a Supra-Sectarian Spirit of Islam: The Prospect of Sunni-Shi'i Rapprochement by Ahmad Kazemi Moussavi**

The current awareness of Islamic spiritual values marks a new era of Muslim awakening in which sectarian differences fade in the light of the holy message of Islam. Applying this message to the geographical, racial and especially sectarian disparity of the Muslim world, however, requires another effort by Muslims who claim to have awakened to the spirit of Islam.

In this article, we will review the history of Shi'i-Sunni rapprochement and sketch the prospect of their future convergence in the light of the present supra-sectarian spirit of Islam. Furthermore, we will deal with a lesser-known side of Shi'i orientation, i.e., *al-tashayy' al-hasan* (good Shi'ism) whose supra-sectarian character is almost forgotten because of the current overemphasis on Shi'i extremism.

Before dealing with this prospect, it is equally important to take a new look at the history of Shi'i-Sunni dialogue in order to see the ebb and flow of rapprochement.

## Book Review:

### *Islam and the State*

Dr. S. S. Mooservi

P.J. Vatikiotis is Emeritus Professor of Politics at the School of Oriental and African Studies, University of London.

In his book, *Islam and the State* (London: Routledge, 1987), he tries to examine the theoretical and practical problems that a modern Islamic state may face.

He tries to examine the theoretical problems which arose when the European ideology of nationalism was adopted by Muslim societies organized into formally modern states. He also tries to deal with the practical difficulties arising from the doctrinal incompatibility between Islam and the idea of territorial nation-state.

The main thrust of the book is that it is not possible to form a nation-state on the basis of Islamic teachings. In order to support his hypothesis, Professor Vatikiotis tries to analyze such concepts as nation-state, political power in Islam, as well as a host of other issues.

Regarding the political theory of Islam, he writes, "...the only political theory of Islam has been that of passive obedience to any *de facto* authority, government by consent remains an unknown concept; autocracy has been the real and, in the main, the only experience."

Indeed, there is no such theory in Islam! So far as the theory of power in Islam is concerned, the Muslims have been ordered to obey no other than Allah, the Holy Prophet (s.) and the legitimate rulers as is stated in the Holy Qur'an:

*"...obey Allah and obey the Apostle and those in authority from among you;..." [4:59]*

Therefore, there is no question of "obedience to any *de facto* authority" in Islam. If Muslims have obeyed any *de facto* ruler or authority, it has not been on the basis of a political theory in Islam, rather it is an historical experience.

Contrary to what Professor Vatikiotis tries to project as a political theory,

the Muslims have been ordered by the Holy Qur'an to obey an authority who draws his legitimacy from Islam, i.e., *ololamr* (a legitimate ruler).

The Muslims also have been asked to dislodge an oppressor who does not rule in accordance with Islamic teachings. In this regard, the Holy Qur'an says:

*"And what reason have you that you should not fight in the way of Allah and of the weak among the men and the women and the children, (of) those who say: Our Lord! cause us to go forth from this town, whose people are oppressors, and give us from Thee a guardian and give us from Thee a helper." [4:75]*

In fact, it is the duty of every Muslim to fight against oppression in whatever form it appears in order to pave the way for the establishment of an Islamic government.

Professor Vatikiotis argues that *"political authority in Islam...is not simply based on Koranic sources. Other traditional, cultural and environmental influences, such as tribalism, Byzantine-type despotism, Iranian-style court practices and later Turkish autocracy also helped to shape it."*

In fact, what the author refers to as *"political authority in Islam"*, is the political authority in Islamic countries not in Islam. Undoubtedly, Islam has a clear-cut doctrine of authority. If the Muslims, over the ages, have practised authority under the influence of various factors, it is not correct to draw the inference that *"authority in Islam"* is not based on Qur'anic sources.

It is a great surprise that the author has not paid enough attention to the phenomenon of Islamic Revolution in Iran in his analysis of *"authority in Islam"*. The legacy of the Revolution will most likely be an introduction to the concept of political Islam in the world arena. Although Islam was the political doctrine of many social movements in the Muslim world before the outbreak of the Revolution, it was that upheaval in Iran that made the concept of political Islam a profound reality to Muslims and non-Muslims alike. The Revolution has shown that it is a competent revolutionary doctrine that can motivate masses, topple unjust regimes and beget political systems framed by its merits.

The author writes, *"The Muslims' supreme duty is less to know the truth and more to do right; that is why the law, or shari'a, is really at the heart of Islamic cultures...The task of Muslims today is not to seek the truth, but to restore power."*

Professor Vatikiotis cleverly projects today's Muslims as an ignorant lot who blindly follow *shari'a*. No where in the Holy Qur'an or in any Is-

Islamic text do we come across such propositions. On the contrary, the Holy Qur'an advises Muslims to "think", "reason", "contemplate", etc. To Islam, knowledge is so important that the knowledgeable persons are considered superior to the ignorant ones:

*"...Say: Are those who know and those who do not know alike? Only the men of understanding are mindful." [39:9]*

Elsewhere, the Holy Prophet (s.) says:

*"One hour of contemplation (thinking) is better than one year of worshipping."*

Professor Vatikistis contends that, *"the ummah becomes the only community, or nation, that has a right to exist on earth... no unbelieving entity can be tolerated."* This is an absolutely ignorant (or intentionally deceptive) portrayal of Islamic tenets. It is completely wrong to say that the unbelievers do not have a right to exist on the earth in an Islamic system. In fact, the Islamic government is responsible for those non-Muslims who live under its domain and is highly concerned about their welfare and rights. According to the Holy Qur'an, there is no compulsion in religion [2:256]

Imam Ali (a.) wrote in a letter to Malek Ashtar, his governor of Egypt:

*"...The people are of two kinds; either they are your brothers in religion or fellow human beings. They will commit slips and encounter mistakes. They may act wrongly, willfully or by neglect. So, extend to them your forgiveness and pardon in the same way that you would like Allah to extend His forgiveness and pardon to you, because you are over them and your responsible commander [i.e., Imam Ali (a.)] is over you while Allah is over him who has appointed you...." [Letter No. 53 from Nahjul Balagha]*

In another instance, when the Muslim forces had removed a silver chain from the leg of a Jewish woman, Amirul Momineen Imam Ali (a.) reacted by saying:

*"...I have come to know that every one of them entered upon Muslim women and other women under the protection of Islam and took away their ornaments from legs, arms, necks and ears and no woman could resist it except by pronouncing the verse '...we are from Allah and to Him we shall return...'*



*[2:156]. Then they got back laden with wealth without any wound or loss of life. If any Muslim dies of grief after all this, he is not to be blamed but rather there is justification for him before me..."*

These are examples that show the extent to which a Muslim ruler cares for non-Muslim subjects. Hence, it is a baseless claim to say that in an Islamic system "no unbelieving entity can be tolerated." We have a great deal of legal literature about how religious minorities should be protected in an Islamic land.

The author writes, "Islam, as a religion, is not detached from private affairs; it is rather closer to the medieval conception which determines man's whole being, his identity and status...its law is a decision of Divine Will; there is no other source of law including Nature and Reason." It seems that Professor Vatikiotis has not been able to understand the relations between the notion of free will and the idea of determinism in Islamic philosophy.

In Islam, an individual is considered to be owned by Allah. An individual is a trustee who has been entrusted with the task of taking care of his body and his soul in order to achieve perfection (spiritually and materially). Therefore, Islamic teachings do not allow an individual to harm his own self, his fellow creatures, or his community as a whole. In fact, Islam advises human beings to shape their selves, their identity and status in a manner that would lead to the formation of a healthy society. Islam does not "determine"—as the author implies—rather it advises man to determine his being, identity and status in a desirable manner which is useful for the man as an individual and for the society as a group.

Islamic teachings are a divinely inspired set of rules. If the laws of nature or reason seem to be contrary or contradictory to the Islamic teachings, it is because our knowledge is not far-reaching and omniscient. It is lack of our knowledge of the whole universe which hinders us from understanding the teachings of Islam.

Throughout the book, *Islam and the State*, Professor Vatikiotis tries to say that there can be no nation-state in Islam, hence, no Islamic government. He writes, "...in dealing with the question of whether Islam can become the foundation of a political order, one must remember that unlike developments in the West, Islam emphasizes the community, not the individual..."

Although Islam attaches great significance to the community, the individual is equally important. A community is made up of individuals. The ultimate goal of Islam is to bring up a perfect man. An individual is so important in Islamic teachings that:



*"...whoever slays a soul, unless for manslaughter or for mischief in the land, it is as though he slew all men; and whoever keeps it alive, it is as though he kept alive all men;..."*  
[5:32]

In continuation of his argument that there can be no nation-state in Islam, Professor Vatikiotis says, *"Islam, as a religion, may have remained strong, but it lost its force as the arbiter of much of the social, but certainly most of the political life and order a long time ago."*

Islam is an all-encompassing religion. If Muslims have not been able to utilize Islamic teachings in a proper manner, it does not mean that Islam has lost its force. The Holy Prophet (s.) himself established a government on the basis of the Holy Qur'an. The caliphs following him and Amirul Mumineen Imam Ali bin Abi Talib (a.) also established Islamic government. The socio-political force is still alive in the Islamic teachings. The only problem is that the Muslims should resort to these teachings and update their understanding from the Holy Qur'an and the *sunnah* of the Prophet Muhammad (s.).

The author also argues that, *"both Koran and the sunna of the Prophet became virtually obsolete as practical guides to living within a generation of the Prophet's death...The shari'a remained the ideal rule for model Islamic conduct, to be implemented only under the rule of the expected Mahdi, the Divinely Guided Imam."*

It is absolutely wrong to say that Qur'an and the *sunnah* of the Holy Prophet (s.) became obsolete within a generation of the Prophet's death. The Holy Qur'an has laid down the general rules of conduct to be followed by the Muslims. It has not touched upon the particulars. However, the general rules are all-comprehensive and it is the duty of Muslim *alims* and clergy, especially the *vali-e faqih* to draw relevant inferences for each particular in accordance with the requirements of each era. Hence, the Holy Qur'an and *sunnah* can never become obsolete. The two will remain as sources of law for the Muslims so long as there are Muslims willing to establish an Islamic government. Even if there is no one to form an Islamic government, the two will remain eternal.

As for the rule of the *Vali Asr* [Imam of the time, Imam Mahdi (a.)], it will be the time of the perfection of the Islamic government and by no means implies that Muslims should sit by passively awaiting his appearance.

The author also argues that every Sultan was supported by the clergy: *"the interpreter of the sacred law supplied the needed legitimacy to whoever held and wielded power."*

No doubt there have been clergymen who associated themselves with the Sultans' courts, as was common practice among the courts of England, France, and Spain during their period of glory. But, they have been pseudo-clergy. According to Islam, only those rulers are legitimate who practice power in accordance with the *shari'a*. History bears eloquent testimony to the sacrifices made by Muslim *alims* and clergy for establishing Islamic governments. Such sacrifices began from Imam Ali (a.s.) and continued through history until the present day. If we look at the history of Iran, Iraq, Lebanon, Egypt, Algeria, Palestine, and some of the new states created by the breakup of the Soviet Union, Bosnia Herzegovina, etc., we come across numerous attempts by *alims* and the clergy who laid down their lives in the struggle against anti-Islamic rulers.

Another argument posed by Professor Vattkiotis in his book is that because of *"the special relationship which the traditions provide between the leader and the masses, the revolutionary trend in the Middle East has been nonintellectual."* He compares this trend with that of Europe and writes, *"much of the impetus, and orientation of the European revolutions over the last 250 years was intellectual."* He terms the freedom-fighters of the Middle East as, *"fundamentalist religious agitator terrorists..."*

The fact is that in the past 250 years, almost all the Middle Eastern countries were colonies or protectorates of the European powers in one way or the other. Therefore, the first and foremost preoccupation of the intelligentsia in these occupied countries and territories has been that of liberation from the yoke of colonialism and later on imperialism. The colonial powers, in most cases, had installed stooge rulers in these countries who ignored the ideals and aspirations of their own people. As a result, people had to resort to force and violence to liberate their own countries. Under the circumstances, the stooge rulers suppressed any kind of intellectual activity, imprisoning and executing those who could bring about revolution in its complete form. However, the intelligentsia in these occupied countries have made great strides to bring about awareness of the masses. Thus, it is not fair to label the freedom-fighters as agitators and terrorists. These are Western derogatory terms used to influence the popular opinion against the Islamic movement in general. Freedom and right to self-determination should not be confined to the northern hemisphere. People living in the Middle East also should enjoy these same rights and, in fact, Islam has installed these rights to all mankind. It is only natural that if the colonial powers deny these rights, the only resort is resistance (passive or active).

Although the author, throughout his discussion, tries to pretend to be

unbiased towards Islam, he finally unmasks himself and clearly states that the introduction of a new Islamic order is a problem! He says, "*militant Islam...rejects the present world order with its international customs and conventions, the questions arises of how well it can be coped with?*" The main problem, according to Professor Vatikiotis, is that Islam "*rejects the nation-state in favour of the umma*."

So far as the concept of nation-state is concerned, the idea of a nation-state is on its way out. The evolution of the concept from the Greek city-state to what is today called a state indicates that the world is moving towards eradicating the borders and boundaries. For instance, look at the European Community (now, European Union), the unification of the two Germanies, likewise the two Yemens, the two Koreas, etc. Therefore, nation-state is no longer important or useful. If the Islamic movement rejects the idea of nation-state in favour of the *ummah*, it is in the interest of all the Muslims today and way ahead of those European countries who are now beginning to see the value of one large community. Disunity is truly the biggest problem in the Islamic movement, and the Muslims of today must destroy this superimposed notion in order to safeguard their interests vis-a-vis other economic or political blocs which are proliferating in the context of the emerging New World Order.

If this is considered to be a problem by the author, and if he wishes to cope with this trend, the Muslims do not consider it to be a problem, rather it is a solution; a solution to their misery, oppression, and disunity. It is a solution to the problems of one-fourth of the world's population who have been kept separated and disunited for centuries.

If this part of the world is to be plundered and rendered poor for the prosperity of the West, and if the world order "*based on much secular notions as interest, balance of power, competition and compromise...*" is to perpetuate this situation, it is but natural on the part of the Muslims to defend themselves against the campaign launched by the West on the basis of civilization and cultural values under the guise of secularism.

In conclusion, *Islam and the State* by Professor P. J. Vatikiotis, is neither accurate, unbiased, nor in support of Islam and the State.

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