



**Contradiction Between
The Shī'ī Ja'farī School
And Historical Fact**
(Jadal al-Madhhab wa al-Tārīkh)

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Transliteration key

أ- 'ā	ض - ḍ
آ - ā	ط - ṭ
ب - b	ظ - ḏ
ت - t	ع - 'c
ث - th	غ - gh
ج - j	ف - f
ح - ḥ	ق - q
خ - kh	ك - k
د - d	ل - l
ذ - dh	م - m
ر - r	ن - n
ز - z	و - w, ū
س - s	ه - h
ش - sh	ي - y, ī
ص - ṣ	

Foreword

O Allah, I ask from you such an effort which is coupled with divine ability, knowledge which is free from ignorance, action which is devoid of any ostentation, speech which is adorned with correctness, condition which revolves around the truth, acumen of mind which is multiplied by a sound heart, comfort of the body which comes from the inner mind, tranquillity of the heart which is attached with firm faith, correct proof which is far from any doubt, so that my object in this world would be the best of the best and my ending by You the most praiseworthy; and grant me a wholesome life which You promised (Your promise is true) and eternal bounty which You can lead me to.

O Allah, do not disappoint the hope of the one who is dependent on You; do not return the hand stretched out towards You empty-handed, do not disgrace the soul which has become valuable through Your recognition, do not snatch away the intelligence which is illuminated through the light of your guidance, do not snatch away the sight of the eye which You opened through your blessing, do not withhold the tongue which is accustomed to praising You. As You are most worthy of graciousness; similarly, You are most appropriate of granting favours. Our lives are in Your control and our actions surrendered to You. Good is anticipated from You and the return in all condition is to You.

Clothe me, in this transitory life, with the cloth of protection, and adorn me in the everlasting world with security. Wean my soul from desiring this transitory world, and reward me for the virtuous habits. Do not make me from those who get distracted from the inner rights that You have upon him because of the outer rights that he fulfilled. The wretched is the one who You do not help and You do not grant him security in the future. The fortunate one is the one who You grant refuge under the shelter of Your bounty and transfer him with praise to the stages of Your mercy, without interrogating him during reckoning and without driving him towards the punishment. Indeed, You have the power to do that.¹

Peace and salutations be upon the master of mankind, in whose honour Nubuwwah and Risālat was sealed and through the virtue of his knowledge, the

¹ Ibn Ḥayyān al-Tawḥīdī: *Muqaddamah al-Baṣā'ir wa al-Dhakhā'ir*.

means of good fortune were formed and realized. Peace be upon his pure family, his illustrious and auspicious Companions رَضِيَ اللَّهُ عَنْهُمْ, and those who follow them in righteousness till the Day of Judgement.

During the course of this Ummah's history, the relationship between the various Muslim sects—despite their different backgrounds—experienced constant ripples and transitions between good relations and rifts, clashes and reconciliations. To such an extent that when they have discussions on those things which are common amongst them in religion (agreement on one Allah, one prophet, one Qiblah, etc.), identification, affiliation and common destiny (some in front of their enemies, who regard the differences in opinion as a representation of Islam); one would imagine that they are coexisting, cooperating and setting aside the differences in their ranks to the Day of serenity. However, they seem to forget these common factors and get carried away by religious transgression which is lurking in their hearts. Thus, some of them seek to overpower the other. Take note of the rebellion, transgression, and arrogance which they perpetrate through falsehood and beautify it with the beauty of *īmān*. They claim to obey Allah سُبْحَانَهُ وَتَعَالَى; however, they disobey him and legalize what He deemed forbidden.

They perpetrate all this and it is condoned by their leaders as long as the whip is in their hands and they have the authority. The desire for religious victory overwhelms them and the intoxication of crushing their opposition blows their mind away, as Allah سُبْحَانَهُ وَتَعَالَى informs us of the condition of man when he rebels:

كَلَّا إِنَّ الْإِنْسَانَ لَيْطَغِي أَنْ رَأَهُ اسْتَعْنَى

No! [But] indeed, man transgresses. Because he sees himself self-sufficient.¹

The situation of disputes and debates, in present times, has become more hostile than even an armed conflict, and worse than rivalries between people of one religion. Have a look at a dumping site. Every time one excavates it to clean it, one finds more things that disturb the mind.

The object is to say that sectarianism snatches away all the beauty from a person. I said 'a person' and not 'a Believer', because the scourge of sectarianism is such

1 Sūrah al-'Alaq: 6, 7.

that it removes the garb of *Taqwā* (fear of Allah) from a believer and completely exposes all the evils found in him. Similarly, it snatches away a person's humanity, thus making him a wild beast which ravages its victim's body mercilessly in such a selfish, bloody, and brutal manner that all human dignity collapses before it.

When we abhor the brutality of a rapist, who snatches away the chastity of a woman by force and intimidation or extortion, then more so should be our condition concerning our *Dīn*, which is our most valuable possession. The wild and crazy sectarian wolves have pounced on it. They have raped it with complete brutality and cruelty. This *Dīn* is screaming to its followers for support and help, but it cannot find any zealous person from amongst them, despite their large numbers, who will rise up to defend it, or any helper to assist. This is sectarianism in its truest, most shocking and shameful form. It snatches away chastity from its people just as it snatches from the '*Ulamā*' (scholars), reformers, and the simpletons—in fact the populace—their loftiest possession, i.e. their natural innocence and religious virtue and replaces it with dispute, suspicion, declaration of disbelief, and alienation.

Indeed, the sectarian battles about the past are crowding the doors of the future in a rabble, rowdy, and mobbish manner, wherein they are only satisfied by rioting and altercations. That is why Aḥmad al-Fuḍalā said:

إني والله ما رأيت من شيء أذهب لدين ، ولا أنقص لمروءة ، ولا أضيع للذة ، ولا
أشغل لقلب من خصومة

By Allah! I have never seen anything more destructive to *Dīn*, more damaging to chivalry, more thwarting to pleasure and more occupying to the heart than dispute.¹

Taking all this into consideration, the object and expected result of this booklet is not to instigate hatred between the Muslims, or to ignite another flame of sectarian and religious tensions, whose fire burnt the Muslim Ummah for a period of time and still is, nor is it to establish emotional estrangement amongst their sects and groups, no matter what the stance is about accepting or rejecting their beliefs. The object of this study, after the pleasure of Allah *سُبْحَانَهُ وَتَعَالَى*, is to

1 Ibn Abī al-Dunyā: *Al-Ṣamt*, pg. 158; *Dham al-Ghībat wa al-Namīmat*, pg. 20.

liberate the conflict areas amongst the people of one religion and to answer the questions that remain embedded in the hearts of the defender of religious differences (from both parties), which arises because of deficiency in one or both pillars of Sharīah, i.e. knowledge and justice.

Justice is necessary for everyone, upon everyone, and in all conditions. Injustice is prohibited completely and cannot be permitted in any condition, as Allah ﷻ says:

وَلَا يَجْرِمَنَّكُمْ شَنَاٰنُ قَوْمٍ عَلَىٰ أَلَّا تَعْدِلُوْا ۖ اَعْدِلُوْا هُوَ اَقْرَبُ لِلتَّقْوٰى ۗ وَاتَّقُوا
اللّٰهَ ۚ اِنَّ اللّٰهَ خَبِيْرٌۢ بِمَا تَعْمَلُوْنَ

*And do not let the hatred of a people prevent you from being just. Be just; that is nearer to righteousness. And fear Allah; indeed, Allah is [fully] aware of what you do.*¹

The standard that we will accept to judge on the differences that arise amongst the Muslims, despite their different *Madhhabs* (school of thought) in beliefs and jurisprudence, is that which makes the Qur’ān (which is such that falsehood does not approach from before it or behind it) and the authentic noble Sunnah of the Prophet ﷺ the focus point and judge over everyone. Anything other than that, are human statements and Ijtihād which can neither be used to differentiate between truth and falsehood nor as a criterion to judge any human.

Hence, the correct manner which we accept as a method of dealing with Muslim opposition and judging him is that which ‘Allāmah al-Muqbilī رحمته الله عليه had alluded to by saying:

اللهم إنه لا مذهب لي إلا دين الإسلام فمن شمله فهو صاحبي و اخي و من كان
قدوة فيه عرفت له حقه و شكرت له صنعه غير غال فيه ولا مقصر فإن استبان
لي الدليل واستنار لي السبيل كنت غنيا عنهم في ذلك المطلب وإن ألجأني
الضرورة إلى الرجوع اليهم وضعتهم موضع الأمانة على الحق واقتنيت الأقرب
في نفسي الى الصواب بحسب الحادثة بريئا من الإنتساب الى امام معين يكفيني
أني من المسلمين فإن الجأني الى ذلك الله ولم يبق لي من اجابتهم بد قلت مسلم

¹ Surah al-Mā'idah: 8; *Minhāj al-Sunnah al-Nabawiyah*, 5/126.

مؤمن فإن مزقوا أديمي و أكلوا لحمي وبالغوا في الأذى واستحلوا البذا قلت
سَلَامٌ عَلَيْكُمْ لَا نَبْتَغِي الْجَاهِلِينَ لَا ضَيْرَ إِنَّا إِلَىٰ رَبِّنَا مُنْقَلِبُونَ و أجعلك اللهم في
نحورهم وأعوذ بك من شرورهم رب نجني مما فعله المفرقون لدينك وألحقني
بخير القرون من حزب أمينك صلى الله عليه وسلم

O Allah, I have no Madhhab except the religion of Islam. Whoever is included in it will be my companion and brother. Whoever is a leader in it; I will recognise his right and appreciate his output without being extravagant or deficient. If any proof becomes evident to me and a path lightens up for me then I will become independent of them in that issue. If any necessity compels me to revert to them, then I will place them on a leadership position upon the truth and I will suffice upon that which I deem as closest to the truth in that instance, without affiliating to any specific imām. It is sufficient for me to be amongst the Muslims. If Allah ﷻ entrusts me upon that and I have no option but to reply to them, then I would say that I am a Muslim and a Believer. If they tear my skin and eat my flesh, intensify in harm and resort to obscenity then I would say:

O Allah, I entrust you against them and I seek refuge in you from their evils. My Lord, save me from the actions of those who create disunity in your Dīn and join me to the best of times amongst the group of your trustworthy Prophet ﷺ.¹

In this book, the author aspires to answer an old question which some of the senior scholars of the *Imāmiyyah*² raise concerning the aversion of the majority of Muslims from following the Imāmiyyah school in fundamental and subsidiary laws.

It has been a common practice that questions of this nature are answered in a convulsive manner because these questions generally appear in an argumentative, accusing, and rebuking way and not in a questioning, seeking clarity, and understanding way; aside from the abuse and belittling of the Companions ﷺ or the former and latter leaders and scholars of the Ahl al-Sunnah that precedes

1 *Al-‘ilm al-Shāmikh fī Tafḍīl al-Ḥaqq ‘alā al-Ābā’ wa al-Mashā’ikh*, pg. 7.

2 Most prominent amongst them: Al-Sayyid ‘Abd al-Ḥusayn Sharf al-Dīn (1377 AH) in his book *al-Murāja‘āt*.

or come with it. No critic can rebuke someone in an equally evil way to those who offend, ill-treat and violate him.

In this regard, I wish to point out that the Islamic centre is not devoid of studies that fall short in this subject matter or specializes in discussing the fiqh of the Ja'farī school. However, an observant person will realize that these studies did not fill this subject with adequate analysis. Most of the discussion is around isolated Fiqhī aspects of the Imāmiyyah, particularly the aspects of *Mut'ah* and *Khums*. They all paid attention to explaining the effects of the beliefs of the school upon its jurisprudence¹, especially those related to the fundamental principles like *Imāmah*, *Iṣmah* (infallibility of the Imāms), and *Tahrīf* (distortion of the Qur'ān).

However, this basic observation remained confined to the studies of this field only. It does not include the historical research of the Ja'farī school, with regards to its origin, factors leading to its prominence, and general features. Similarly (the most important), the Prophetic objections found in the school according to the accepted methods and rules of deduction. This is what we envisage in this study. Noting the above, it would be good for us to commend two books concerning the research of what we have alluded to, because of them having been beneficial literature on this topic even though the benefits are implied and not explicit in what we desire to expound in this field. They are:

1. A booklet named *Gharā'ib Fiqhiyyah 'Ind al-Shī'ah al-Imāmiyyah*. It is written in the footnotes that it is authored by the Iraqī scholar Maḥmūd Shukrī al-Ālūsī (1342 AH). It is an offprint of the book *al-Suyūf al-Mushriqah*. Only the researcher, Dr Majīd al-Khalīfah has mentioned it with this title.

The reality is that the book *al-Suyūf al-Mushriqah* is the condensed version of *al-Ṣawā'iq al-Muḥriqah* of the Indian scholar Muḥammad Khawājah Naṣr Allāh al-Ḥusaynī al-Ṣiddīqī al-Hindī then al-Makkī. Taking this into consideration, it would be more suitable to attribute the offprint of the condensed version to the original book and not to the condensed version itself.

1 Like the two books of Dr 'Alī al-Sālūs: *Ma'a al-Ithnā 'Ashariyyah fī al-Uṣūl wa al-Furū'*, in two volumes, Dār al-Faḍīlah print, Riyāḍ; and *Athar al-Imāmah fī al-Fiqh al-Ja'farī wa Uṣūlihī*, Dār al-Thaqāfah, Qatar.

There is no biography of al-‘Allāmah Muḥammad Khawājah available; however, his book bears testimony to his expertise in tracking, deducing, and his vast knowledge. Not being famous will not harm him. It is sufficient to be known by Allah *سُبْحَانَهُ وَتَعَالَى*. Allah *سُبْحَانَهُ وَتَعَالَى* informed His Prophet *صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ* about the other prophets that were chosen for his message, whom the Prophet *صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ* did not know. Allah *سُبْحَانَهُ وَتَعَالَى* says:

وَرُسُلًا قَدْ قَصَصْنَاهُمْ عَلَيْكَ مِنْ قَبْلُ وَرُسُلًا لَمْ نَقْصُصْهُمْ عَلَيْكَ

*And [We sent] messengers about whom we have related [their stories] to you before and messengers about whom we have not related to you.*¹

Therefore, it is not necessary to be famous and known. What is important is to be known to Allah *سُبْحَانَهُ وَتَعَالَى*.

The booklet emulates the seventh objective of the book *al-Suyūf al-Mushriqah*, which the author named as ‘chapter about those factors that prove the falsehood of the Shī‘ah. In this chapter, the author discusses the Fiqhī rulings of the Ithnā ‘Ashariyyah Shī‘ah. Therefore, the researcher of the book deemed it appropriate (as he mentions in the forward) to name the offprint *Gharā’ib Fiqhiyyah ‘Ind al-Shī‘ah al-Imāmiyyah*.

This booklet is very precious in that it contains most of those Ja‘farī Fiqhī rulings which the scholars of Ahl al-Sunnah regard as rare and abnormal. It also attests to the author’s vast knowledge of the Fiqhī compilations of the Imāmiyyah, which is rarely found in a Sunnī scholar, particularly during that period of time where the availability of printed Shī‘ī books was very scarce.

However, because the book is an offprint and not an independent book, the author did not afford this subject the right it deserves as far as presentation, analysis, and criticism is concerned. He merely focused on discussing isolated Fiqhī rulings of the Imāmī Shī‘ah by briefly mentioning and commenting on it.

1 Surah al-Nisā’: 164.

The researcher has enriched the booklet by consolidating its texts, attributing it to its origins in the respective books, presenting biographies of narrators and at times redressing the author. He who is not thankful to people, cannot be thankful to Allah *سُبْحَانَكَ وَبِحَمْدِكَ*.

2. The book named *Uṣṭūrat al-Madhhab al-Ja'farī*, which is authored by an Iraqi scholar, Dr Ṭāhā al-Dulaymī. The book, despite the severity of its title and being provocative towards the other party, contains smart gestures and brilliant texts. It is an argumentative book, albeit a small one. The author intends establishing the school's weakness, contradictions in it, and expanding the circle of differences within it, contrary to what is usually mentioned. Thus, it is a book of response, argumentation, and religious dispute; and not a historical and systemic research on the Ja'farī school.

After reviewing these studies, the heart longed for something deeper; to dig into the history of the Ja'farī school's origin, its initial cognitive intentions, and what transpired thereafter; to discuss Ja'far al-Ṣādiq. Who is he? What is his place in those narratives and *Fiqhī* (jurisprudential) compilations which represent the beliefs, Fiqh, and emergence of this school? What were the religious and political circumstances that prevailed? What are the prominent features of his Fiqh and what remain thereof?

Hence, the effort, and subsequently this book!

*How strange is the case of the pen,
it drinks darkness and spills out light.*

Abū Ḥafṣ ibn Burd al-Aṣghar

Essential Difference

Before delving into the depth of this research, it would be appropriate to differentiate between the term 'Ja'farī School,' which is written on the cover of this book, and the term 'school of Ja'far al-Ṣādiq.'

The first is an established school at present. It has its own features, symbols, and supporters. Similarly, it has its own terminologies, preferences, and thesis which formed a Fiqhī school of thought with specific peculiarities with regards to Fiqh and beliefs. Sometimes the link to its initial founders (Imāms of the school) is strong, while at other times it transcends to other structures and choices which are far from the opinion of the Imām, because of some reasons and considerations necessitated by social and political changes. Therefore, criticizing the school's structures will not necessarily imply criticism of the Imām, except when it is certainly established that these structures are formed by him, aside from delving into the dispute of the authenticity of attributing the school to Ja'far al-Ṣādiq through historical and narrative methods.

However, if the second meaning is intended, i.e. school of Ja'far al-Ṣādiq, then, soon the discussion will take place with regards to his personality, ideology, expertise in Fiqh, and intellectual structures which he left behind that are far from the sectarian methods that arose after his demise. Thus, whether Ja'far al-Ṣādiq has an established school with pioneers from amongst the distinguished people and is prevalent amongst the masses or it remains scattered in books which are revived from time to time by dogmatic organizations in various places, the matter is the same, because the object of this research will be to judge the Imām of the school alone with regards to his principals, establishments, and structures and not the efforts of his followers or the *Mujtahids*¹ of the school that came after him. This is not the object of our research here.

This is an essential difference which needs special attention when discussing the Ja'farī School and its link to Ja'far al-Ṣādiq. Very few pay careful attention to this.

1 A jurist formulating independent decisions in legal and theological matters, based on the interpretations and application of the four Uṣūl, as opposed to a muqallid.

The Ja'farī School is known by this name. It is attributed to Ja'far ibn Muḥammad ibn 'Alī ibn al-Ḥusayn ibn 'Alī ibn Abī Ṭālib, famously known as Ja'far al-Ṣādiq. He is the 6th in the chain of 12 Imāms whom the Imāmī Ithnā 'Asharī Shī'ah religiously follow and believe in, just as the followers of the prophets believe in their prophets.¹

According to the Shī'ah belief, Ja'far al-Ṣādiq is free of all major and minor sins. In fact, he is free from error and forgetfulness. The sanctity afforded to the Imām of the School is automatically transferred to the Ja'farī School, which is attributed to him.

Hence, when al-'Allāmah Muḥammad Abū Zuhrah رَحْمَةُ اللَّهِ wrote a book about Ja'far al-Ṣādiq رَحْمَةُ اللَّهِ and expounded the moderate stance of the Ahl al-Sunnah towards him, whilst criticizing the beliefs and Fiqhī rulings attributed to him which contradict the Qur'ān and Sunnah, the Imāmī Shī'ah al-Sayyid Ḥusayn Yūsuf Makkī al-'Āmilī (d. 1397AH) responded to him by saying:

1 In affirmation of this, Āyat Allāh Muḥammad Āṣif Muḥsinī states in *Ṣirāṭ al-Ḥaqq* (3/273):

متابعة اهل البيت النبي واجبة على جميع الأمة كوجوب متابعة النبي الأكرم والأخذ بأقوالهم سواء اسندوها الي النبي الأكرم ام لا فرض علي عامة المكلفين فلو عارضه نقل صحابي او قوله يسقطان لامحالة كمل يسقط ما عارض من قول النبي الأكرم فلا يجوز للمسلمين الرجوع في دينهم الى غير هؤلاء كائنا من كان بل لا بد من الإقتصار على أقوالهم والعمل بآثارهم وحدها وهذا دليل آخر على حقيقة مذهب الشيعة وبطلان مذهب الجمهور في أصولهم وفروعهم

To follow the Ahl al-Bayt is compulsory on the whole Ummah just as it is compulsory to follow the Prophet صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ. To accept their views, whether it is linked to the Prophet صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ or not, is compulsory on every obliged person. If any Companion's رَضِيَ اللَّهُ عَنْهُ transmission or view contradicts their view then it will definitely be rejected, just as it would be rejected if it contradicted the Prophet's صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ view. Therefore it is not permissible for the Muslims to resort to anyone besides them (Ahl al-Bayt), whoever it may be. In fact it is necessary to suffice on their views and practice on what is transmitted from them only. This is another proof for the validity of the Shī' School and the falsehood of the Schools of the majority, in Fundamental and subsidiary rulings.

'Abbās Yazdānī states in *al-'Aql al-Fiqhī* (pg. 48):

ان فقهاء الشيعة لا يرون علم الإمام من قبيل الاجتهاد بل بتعليم النبي والإلهام من قبل الله تعالى ولذلك فإن كلماتهم بمنزلة الوحي الإلهي

The Shī' jurists do not regard the knowledge of the Imām as Ijtihādī (acquired through scholarly discretion), but through the teaching of the Prophet صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ and divinely inspired. Therefore their speech is on the level of Divine Revelation.

مقتضى ما تقدم من كلامه أنه يدعو لأن نعتقد أن المذهب الجعفري ليس كله مقدساً ، وأن فيه آراء لاتعتمد على الكتاب والسنة وأنها قابلة للخطأ حتى لو كان قائلها مثل الإمام الصادق (ع) وهذا ما لانقره عليه لأن الإمام في عقيدتنا معصوم عن الخطأ فلا يجوز عليه أن يُخطأ في قول أو رأي ولا يقول قولاً يخالف الكتاب والسنة أصلاً فأقواله وآراؤه واقعية يصيبها من يصيبها من العلماء ويُخطأ فيها من يخطئ فألخطأ جائز على غيره من العلماء سواء أكانوا من الإمامية أم من غيرهم واعتمدوا في آرائهم على الكتاب والسنة أم على غيرهما فإن من يستنبط من العلماء حكماً من الكتاب والسنة قد يكون مخطئاً في تطبيقهما على دعواه لتوهمه دلالتهما على ما يدعي مع أنهما لا يدلان عليه

According to what he said above, he claims that we should believe that the Ja'farī School is not sacred; that there are views in the School that do not conform with the Qur'ān and Sunnah and that there is a possibility of error in it, even though it is advocated by al-Imām al-Ṣādiq. This is something we do not attest to, because an Imām is protected from error. Thus it is not permissible to accuse him of error in any view or opinion. He never utters any word contrary to the Qur'ān and Sunnah. Hence, his views and opinions are reality. Those scholars who accept it are correct while those who find error in it are erroneous. To err is possible for all scholars besides him, whether they are from the Imāmiyyah or not, and whether they relied on the Qur'ān and Sunnah in their opinions or not. This is so because when any scholar formulates a ruling from the Qur'ān and Sunnah, there is a possibility of him erring in his implementation for his claim. He might think that they indicate to his claim whereas they do not.¹

The Imāmiyyah scholars attribute their School to Ja'far al-Ṣādiq in subsidiary Fiqhī rulings and not to any of the other 12 Imāms despite their profound belief in the authority of every single Imām, without distinguishing one Imāms view from another. This is so because the opportunity to spread the knowledge of the Ahl al-Bayt presented itself more to Ja'far al-Ṣādiq than any of his forefathers or offspring from amongst the 12 Imāms.²

With regards to this, al-Sayyid Muḥsin al-Amīn (d. 1284 AH) states in his book *A'yān al-Shī'ah*:

1 *Aqīdat al-Shī'ah fī al-Imām al-Ṣādiq*, pg. 17-18.

2 *Wa Rakabtu al-Safīnat*, pg. 535.

وكنم اهل البيت علومهم عن اكثر الناس ولم يبوحوا بها إلا لخواص أصحابهم خوفاً على دمائهم وقل المتفجع بهم والآخذ من علومهم ولكن في أواخر الدولة الأموية ووائل الدولة العباسية انتشرت علوم اهل البيت انتشارا عظيما وكثر الرواة عنهم والمقتبسون من علومهم ، لقللة الخوف بسبب ضعف اهل السلطنة وأشغالهم بتأسيس قواعد ملكهم كما هو الشأن في انقراض دولة ابتداء أخرى لا سيما مع كون الثانية هاشمية و ذلك في عصر الإمام محمد الباقر بن علي بن الحسين بن علي بن أبي طالب و ولده جعفر بن محمد الصادق لاسيما في عصر الثاني حتى قال الحسن بن علي الوشا من اصحاب الرضا ادركت في هذا المسجد (يعني مسجد الكوفة) تسعمائة شيخ كل يقول حدثني جعفر بن محمد ولذلك نُسب مذهب الشيعة في الفروع إليه فقليل المذهب الجعفري كما يقال الحنفي و الشافعي

The Ahl al-Bayt concealed their knowledge from most of the people and only disclosed it to their elite companions, out of fear for their lives. Very few benefitted and acquired knowledge from them. However, during the termination of the Umayyad Empire and the inception of the Abbasid Empire, their knowledge spread tremendously. Narrators and capturers of their knowledge also increased because of the lack of fear, due to the weakness of the state leaders and their preoccupation with establishing the basis of their kingdom, as is the case during the decline of one state and the inception of another, particularly because the new state was Hashemite. This transpired during the era of Muḥammad al-Bāqir ibn ‘Alī ibn al-Ḥusayn ibn ‘Alī ibn Abī Ṭālib and particularly, his son Ja‘far ibn Muḥammad al-Ṣādiq, to such an extent that Ḥasan ibn ‘Alī al-Washā—on of the students of al-Riḍā—said, “I have met 900 scholars in this Masjid, i.e. Masjid of Kūfah, all of them would say that Ja‘far ibn Muḥammad narrated to me. That is why, in subsidiary rulings, the Shī‘ah School is attributed to him. It used to be said ‘Ja‘farī School’ just as people would say ‘Shāfi‘ī’ and ‘Ḥanafī’.¹

On the contrary, al-Sayyid ‘Alī al-Mīlānī claims that the Ja‘farī fiqh spread naturally due to the academic movements of the Imāmī Shī‘ahs and its expansion to various regions of the world. However, its final destination reached Ja‘far al-Ṣādiq, for the formation of its Fiqhī identity. Thus, he states:

¹ *Al-Ḥuṣūn al-Manī‘ah*, pg. 17; *A‘yān al-Shī‘ah*, 1/25

وتطورت هذه الفرقة وامتدت جذورها الى جميع الأقطار وانتشرت عقائدها في كل مكان وانتقها طائفة كبيرة من التابعين فمن بعدهم رجعوا إلى أئمة أهل البيت فيما اشكل عليهم من الكتاب والسنة وعندهم درسوا وعندهم أخذوا فكان فيهم المفسرون والفقهاء والمحدثون و الزهاد والعلماء. حتى جاء دور الإمام جعفر بن محمد الصادق فأصل الأصول وشد الأركان فعرف مذهب هذه الفرقة بالمذهب الجعفري

This sect evolved and its roots spread to all regions. Its beliefs spread everywhere. A large group of Tābiʿīn and those after them embraced it. They would resort to the Imāms of the Ahl al- Bayt in difficult matters pertaining to the Qurʾān and Sunnah. People studied and acquired knowledge from them. This produced *Mufasssīrīn* (commentators of the Qurʾān), *Fuqahāʾ* (jurists), *Muḥaddithīn* (experts in Ḥadīth), ascetics, and scholars from amongst them until the advent of the era of Jaʿfar al-Ṣādiq. He then developed its principles and strengthened its pillars. Thus, this sect became famous as ‘the Jaʿfarī School’.¹

What is the link between the school presently known as ‘the Jaʿfarī School’ and Jaʿfar al-Ṣādiq?

I will borrow from al-Marjaʿ al-Dīnī² (the religious authority), the late al-Sayyid Muḥammad Ḥusayn Faḍl Allāh (d. 1431 AH) his beautiful expression pertaining to difficult issues which require careful study and research due to some grave concern around it. Thus, I say: There is a great concern which shrouds the narrative, historical, and Fiqhī legacy that formed the Jaʿfarī School, which

1 *Dirāsāt fī al-Kitāb al-ʿAbaqāt*, printed with *Khulāssat ʿAbaqāt al-Anwār*, 1/14, 15.

2 Al-Marjaʿ al-Dīnī or Āyat Allāh al-ʿUzmā in the terminology of the Ithnā ʿAshariyyah Shīʿah refers to that person who has reached the stage of Ijtihād in deducing Sharʿī rulings and embarks upon issuing Fatwā to the masses by spreading his Fiqhī views in a treatise known as *al-Risālah al-ʿAmaliyyah* which he directs to all his followers throughout the world. It is necessary for them to follow and practice on its laws in the light of what the Marjaʿ adopted. Usually, these Fiqhī rulings are preceded with the phrase, ‘any action of a common person without *Taqīd* and *Iḥtiyāt* is void’, emphasising the meaning that any good action carried out by a common person that is not assigned to a reliable *Marjaʿ* (religious authority) or Ijthād of a Mujtahid, is void even though it conforms with the Sharʿah. We have mentioned earlier, the difference between the titles Āyat Allāh and Āyat Allāh al-ʿUzmā. The first refers to a Mujtahid who is not a *Muqallid* (follower), whereas a Mujtahid who is a *Muqallid* is referred to as ‘al-Marjaʿ al-Dīnī.

prompts more than just a question mark around attributing this school to Ja‘far al-Ṣādiq رَحْمَةُ اللَّهِ and the validity of designating the name ‘Ja‘farī’ specifically to the Imāmī Ithnā‘Asharī Shī‘ahs. The Ja‘farīs in reality neither follow any established Fiqh of Ja‘far al-Ṣādiq alone, nor any Fiqh whose rulings are agreed upon and composed by any infallible *Faqīh* (jurist) according to them. One will see them—in practice—contradicting their view on Imāmah and follow the views of their jurists (authority in *Taqlīd*) knowing well that each one of the jurists has an established view, such that the followers of one jurist are not permitted (according to them) to follow another. There are such differences amongst them that it has caused uproar amongst their scholars before the masses.

Here is Abū Ja‘far al-Ṭūsī, who they award the title *Shaykh al-Ṭā‘ifāh* (leader of the sect) saying:

وقد ذكرت ما ورد عنهم من الأحاديث المختلفة التي تختص الفقه في كتابي المعروف بالإستبصار وفي كتاب تهذيب الأحكام ما يزيد على خمسة آلاف حديث ذكرت في أكثرها اختلاف الطائفة في العمل بها وذلك اشهر من يخفى حتى لو تأملت اختلافاتهم في هذه الأحكام وجدته يزيد على إختلاف أبي حنيفة والشافعي والمالك

I have mentioned more than 5000 *Aḥādīth*, narrated from them, which specialize in Fiqh, in my book known as *al-Istibṣār* and the book *Tahdhīb al-Aḥkām*. I have also mentioned the sect’s differences in practicing upon most of the *Aḥādīth*. It is too obvious to conceal. If one has to ponder on their differences in these rulings, one would find they exceed the differences between Abū Ḥanīfah, Shāfi‘ī, and Mālik.¹

These differences affirm the different sources of its origin as it is not possible that these disputed rulings amongst them—which are in such large numbers that they cannot match the differences between the four *Madhhabs*—could have originated from one source or Imām.

On the other hand, the Shī‘ah do not possess any book of Ja‘far al-Ṣādiq, neither in fiqh nor in *Ḥadīth*, which he authored or penned, or any of his close students

1 *Al-‘Uddah fī Uṣūl al-Fiqh*, 1/138.

compiled, which can be reverted to, being reassured that it is his work.¹ They do not have any reliable source wherefrom they can issue Fatwā except some narrations whose authenticity cannot be proven. In fact, they themselves attest to criticism and doubt in them.²

Regarding this, al-Ustādh Rāmiz Rizq of the Imāmiyyah sect states:

من المسلم به والمتفق عليه بين علماء الإمامية أن أحدا من الأئمة الإثني عشر لم يترك كتابا في الفقه يمكن العودة اليه وما ينسب من كتب لبعض الأئمة لم تثبت صحته وجرى الجدل حوله دون أن يتوصل المتجادلون الى نتيجة علمية واضحة لذلك فالحديث بداية عن اهمية الأئمة و دورهم في نشوء الفقه هو شيء طبيعي ولكن التأكد من صحة ما نسب إلى كل إمام منهم يظل مسألة نبوية حسب صدق رواية الحديث و عدالتهم

It is an accepted and an undisputed fact, amongst the Imāmiyyah scholars, that none of the 12 Imāms left behind any book on Fiqh which one can resort to. As for those books which are attributed to some of the Imāms, their authenticity is not proven. The controversy surrounding this has continued without the disputing parties coming to a clear intellectual conclusion. Therefore, the discussion about the importance of the Imāms and their role in the emergence of Fiqh is a normal thing. However, to ascertain the authenticity of all that which is attributed to the Imāms, is a relative matter, dependant on the honesty and integrity of the narrators.³

He also states:

البداية التاريخية لتمييز المذهب الشيعي الإمامي بفقهه وعقائده عن المذاهب الإسلامية الأخرى يمكن تتبعها ابتداء من الغيبة الصغرى سنة ٢٦٠هـ في هذه الفترة لم يبق امام معصوم ظاهر بين الناس ليعود اليه الشيعة والأتباع فتولي علماء الدين هذه المهمة واضطروا الى تجميع ما يمكن ان يسمى إرثا إماميا اي تلك المجموعة الهائلة من النصوص المنسوبة للأئمة بما فيها من أحاديث وخطب وحكم و فتاوى... الخ حيث بني عليها أوائل علماء الدين الشيعة إطارا مذهبيا أوليا يمكن

1 Except that which is called *al-Uṣūl al-Arba'ah Mi'ah*. Concerning this, a detailed discussion will follow.

2 *Uṣṭūrāt al-Madhab al-Ja'farī*, pg. 910.

3 *Qirā'ah fī Tārīkh al-Fiqh al-Imāmī wa Taṭawwurihi*, pg. 6.

التفريق بين ما يمكن أن يسمى فقها بشكله التفصيلي و ما يمكن أن يسمى بدايات لهذا الفقه من خلال التفاسير أو جمع بعض الأحاديث المختلفة دون هدف لها

The historical beginning, when distinguishing the Imāmī Shīṭī School from other Islamic schools, tracks back to the minor disappearance in 260 AH. During this period there was no infallible Imām amongst the people to whom the Shī'ah and their followers could resort to. Therefore, the scholars took up this task. They were compelled to compile what could be called 'the Imāmī legacy', i.e. that tremendous compilation of Aḥādīth, lectures, rulings and fatwās, etc., compiled from excerpts that were attributed to the Imāms, whereupon the former Shīṭī scholars built the initial religious framework. This made it possible to differentiate between Fiqh, in its detailed form, and what could be regarded as introductions to fiqh in the form of *Tafsīr* (commentary of the Qur'ān) or compilation of some different Aḥādīth with no target.¹

What Rāmiz Rizq has mentioned is confirmed by all the Imāmī books which discuss the role and development of the Imāmī Fiqh, as the phase when they were compiled by the authors, whose names follow hereunder, is regarded as the foundation and compilation phase of the narrative fiqh:

- ▶ Muḥammad ibn Ya'qūb al-Kulaynī (329 AH)
- ▶ 'Alī ibn al-Ḥusayn ibn Bābawayh al-Qummī (329 AH) and his son Muḥammad ibn 'Alī ibn Bābawayh al-Qummī (381 AH)
- ▶ Ja'far ibn Muḥammad ibn Qūluwayh (368 AH)
- ▶ Al-Ḥasan ibn Abī 'Aqīl al-Ḥadhdhā' al-'Umānī (328 AH)
- ▶ Ibn al-Junayd al-Iskāfī (381 AH)
- ▶ Muḥammad ibn Nu'mān al-Mufīd (413 AH)
- ▶ Al-Sharīf al-Murtaḍā' (436 AH)
- ▶ Abū al-Ṣalāḥ al-Ḥalabī (446 AH)
- ▶ Sallār ibn 'Abd al-'Azīz (463 AH)

¹ Ibid., pg. 8.

The reality which most are unaware of—Sunnī and Shī'ah—is that the name 'Ja'farī School' was not known until the era of the king Nādir Shāh (1154 AH). He succeeded in holding a conference in Najaf, wherein some scholars (Sunnī and Shī'ah) from Iran and Irāq attended, and compelling them to prepare and organise a charter with the object of uniting the Islamic Madhhabs, and then signing it.

This was later known as 'the charter of Najaf', dated 21-24 Ramaḍān 1156 AH. The first clause included in this charter was to acknowledge the Ja'farī School as the fifth Madhhab of the Muslims. Thus, this was the first time this name was mentioned, alongside the four Madhhabs, i.e. Ḥanafī, Malikī, Shāfi'ī, and Ḥanbalī.

This name was not known to the Shī'ī Imāmī scholars or their followers before this. In fact the common name amongst the Imāmī jurist was 'Imāmī Fiqh' or 'Imāmī Madhhab'.

In this regard, al-Sharīf al-Murtaḍā (436 AH), while reporting in his book *al-Intiṣār*, the peculiarities of this sect compared to the majority of the Muslims, in some Fiqhī rulings which are not known to Jurists of other Madhhabs, mentions the following phrases repeatedly, 'the Imāmiyyah alone hold this view.' This is how he interprets the peculiarities of the School.

Al-Muḥaqqiq al-Ḥillī named his Fiqh book *al-Mukhtaṣar al-Nāfi' fī Fiqh al-Imāmiyyah*.¹

Similar is the case of Ibn al-Muṭahhar al-Ḥillī in all his writings,² most famous

1 He says in the forward, "In this condensed version, I will present the synopsis of the Mu'tabar (reliable) School with deep words and liberated phrases, which will successfully lead you to its elite and connect you to its members, sufficing on the paths that open up to me and proofs that become evident. If you adorn your mind with its melodies and focus your view on its meanings, you will definitely succeed in your quest and you will be amongst the bearers of the School."

One can see that what he terms as Mu'tabar School, refers to the Imāmī Madhhab, which is the title of his book.

2 It is stated in the forward of *Nihāyat al-Iḥkām*: This is a book called *Nihāyat al-Iḥkām fī Ma'rifat al-Aḥkām*. In it I have summarised the fatwās of the Imāmiyyah briefly.

It is stated in the forward of *Tadhkirat al-Fuqahā'*: In this book called *Tadhkirat al-Fuqahā'*, we intend summarising the fatwās of the scholars and mention the principles of the jurists in the most correct way, with the most reliable proofs; and the most truthful and clear views. *continued...*

being *Tahrīr al-Aḥkām al-Sharīah ‘Alā Madhhab al-Imāmiyyah*, concerning which he states in the condensed version, “a very good book. We have extracted subsidiary rulings in it, to which we have not been surpassed, despite its conciseness.”

Muḥammad ibn Makkī al-‘Āmilī (786 AH)—known as *al-Shahīd al-Awwal* (the first martyr)—named his first book in *Fiqh al-Durūs al-Sharīah fī Fiqh al-Imāmiyyah* and the second book as *al-Lum‘ah al-Dimishqiyyah fī Fiqh al-Imāmiyyah*, the commentary thereof, *al-Rawḍah al-Bahiyyah*, is regarded as the most important manual in Fiqhī research in present day academic seminaries.

Similar is the case of al-Miqdād al-Sayūrī al-Ḥillī (826 AH). He named his book about the rules of Fiqh as *Nadd al-Qawā‘id al-Fiqhiyyah ‘alā Madhhab al-Imāmiyyah*.

The object here is that the name ‘Ja‘farī School’ is an invented name. It was neither known nor approved by the leaders of the Shī‘ah, let alone it being prevalent and accepted during the era of Ja‘far al-Ṣādiq or his followers.

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This is the method of the Imāmiyyah, who receive their Dīn through Divine revelation and knowledge, not through opinion and Qiyās (reasoning) or through Ijtihād of people, in a brief and concise manner whilst abstaining from prolongation and making it voluminous.

It is stated in *Muntahā al-Maṭlab*: When Allah ﷻ bestowed upon us the opportunity to discuss the Sharīah and religion of Muḥammad ﷺ in the most correct and truthful manner, the most complete and reliable way known, which is the way of the Imāmiyyah, who hold onto the views of the Imāms that are free from mistakes in their speech and action, we desired to write a constitution in this field which encompasses its objectives and includes its benefits, in a concise and brief way without prolonging it. Together with this, we will mention the differences amongst our companions and indicate to the school of the famous opposition.

Why Ja‘far al-Şādiq?

Another question arises here, regarding the Imāmiyyah’s selection of Ja‘far al-Şādiq, from amongst the other 12 Imāms, to represent the Imāmī School. Why is the school not attributed to his father Abū Ja‘far Muḥammad ibn ‘Alī al-Bāqir for example, with regards to whom scholars of both parties are unanimous that he was more knowledgeable than his son Abū ‘Abd Allāh Ja‘far al-Şādiq. They mention that his title, ‘*al-Bāqir*’ is derived from *Baqara al-Ilm*, i.e. he split open knowledge and understood its origins and secrets.¹

Regarding his brilliance and being distinguished from his peers, al-Shaykh al-Mufīd (413 AH) states:

برز على جماعتهم بالفضل في العلم و الزهد و السؤدد و كان أنبهم ذكرا و أجلهم في
العامه و الخاصة و أعظمهم قدرا و لم يظهر عن احد من ولد الحسن و الحسين من علم
الدين و الآثار و السنة و علم القرآن و السيرة و فنون الآداب ما ظهر عن ابي جعفر

He stood out amongst his peers by virtue of his knowledge, asceticism and honour. He was most renowned and important among the masses and the elite’s discussions and of the highest status. The knowledge of Dīn, traditions, Sunnah, sciences of the Qur’ān, biography of the Prophet ﷺ and the science of literature did not become prominent through any of the offspring of Ḥasan and Ḥusayn رضي الله عنهما as much as it did through Abū Ja‘far.²

Dr. al-Razīnat Lālānī,³ in her study of Muḥammad al-Bāqir’s personality, observed that the immense influence he had on the various branches of the Shī‘ī Fiqh (al-Zaydī, Ja‘farī, and Ismā‘īlī), was much more than his son Ja‘far al-Şādiq. She says:

1 *Tārīkh al-Ya‘qūbī*, 2/320; *Tadhkirat al-Ḥuffāz*, 1/123; *al-Wāfi bī al-Wafayāt*, 4/77; *A’yān al-Shī‘ah*, 1/35.

2 *Al-Irshād fī Ma‘rifat Ḥujaj Allāh ‘Alā al-‘Ibād*, 2/157; al-Fattāl al-Naysābūrī: *Rawḍat al-Wā‘izīn*, pg. 202; al-Irbilī: *Kashf al-Ghummah*, 2/335; ‘Abbās al-Qummī: *al-Anwār al-Bahiyyah*, pg. 135; Muḥsin al-Amīn: *A’yān al-Shī‘ah*, 1/99; Ja‘far al-Subḥānī: *Aḍwā’ ‘Alā ‘Aqā’id al-Shī‘ah al-Imāmiyyah*, pg. 173.

3 She was a member and researcher in the Institute of Ismā‘īlī Studies, specialist in Arab affairs and a PhD holder in Islamic Studies in the University of Edinburgh. Lectured in Ḥadīth literature in the faculty of oriental studies in Cambridge University. Worked as a consultant in Arabic in the University of Dumontfort and lectured for many years in the Institute of Ismā‘īlī Studies, on the subject of ancient Shī‘ah studies.

لم يقف تعليم الباقر و مساهمته عند هذا الحد ، ولكنهما تواصلتا على يد ولده و خليفته جعفر الصادق ، وأصبحتا في ظلّه من الفاعلية و التأثير لدرجة أن الاثني عشرية تسمى مدرستها الفقهية بـ «المذهب الجعفري». أما الفقه الإسماعيلي الذي تقونن على يد القاضي النعمان بعد ذلك بأكثر من قرنين من الزمان ، فقد إعتد على أحاديث منقولة عن الباقر والصادق بشكل أساسي . وقد إعتد الفقه الزيدي كما سلفت الإشارة على الباقر الي حد كبير ، ولذلك لن نكون مباغين إذا ما ختمنا بالقول إن الباقر هو أبو الفقه الشيعي ، وإن تأثيره لا يزال محسوسا في الدوائر الشيعية حتى يومنا هذا

The teachings and contributions of al-Bāqir did not stop at this point. In fact, it continued through his son and successor Ja'far al-Ṣādiq and it became so effective and influential under his guidance that the Ithnā 'Ashariyyah named their Fiqhī school of thought as "Ja'farī School". As for Ismā'īlī Fiqh, which was legislated by al-Qāḍī al-Nu'mān about two centuries later, he relied primarily on Aḥādīth narrated by al-Bāqir and al-Ṣādiq. The Zaydī Fiqh also relied on al-Bāqir to a great extent as mentioned already. Therefore, we will not be exaggerating if we conclude by saying that al-Bāqir is the father of Shī'ī Fiqh and his influence continues to be felt in all the Shī'ī circles till today.¹

She states in the commentary of some ancient Fiqhī compilations on Zaydī Fiqh:

ويظهر ذلك اعتماد الفقه الزيدي على الباقر وهكذا تكون أصول الفقه الشيعي المستمدة من الباقر أقدم من تلك التي للفقه الزيدي ولذلك من الإنصاف القول إن الباقر هو المؤسس مذهب أهل البيت

ويضاف الى ذلك أنه إذا كان علينا الاعتراف بأولوية أدب الفقه الزيدي كما يضعها غولدزيهر فإن أولوية مساهمة الباقر في الفقه تبرز عندئذ في ضوء ما تقدم من المناقشة بوضوح ولو أنه ليس للباقر كتاب محدد في الفقه وليس هناك مبالغة في دور الباقر في الفقه إذ يبدو أن الفقه الزيدي ليس وحده الذي استمد منه بل هناك أيضا الفقهاء الإسماعيلي و الاثناعشري الذين دونوا كلاهما أحاديث كثيرة في الفقه مستمدة من الباقر ويعتبرانه بمنزلة الأب لفقهيهما وبما أن الفقه الزيدي الذي تم تصنيفه في اليمن في نهاية الأمر و الفقه الإسماعيلي المصنف في مصر و

1 Al-Fikr al-Shī'ī al-Mubkir - Ta'ālīm al-Imām Muḥammad al-Bāqir, pg. 172.

الفقه الإثني عشري في بغداد و قم كلها تعود في أصلها إلى هذه الشخصية الواحدة
فلا يبقى هناك سوي مجال ضئيل للتشكيك في دوره المؤسس والريادي

This indicates to the Zaydī Fiqh's dependence on al-Bāqir. Similarly, the principles of Shī'ī Fiqh, derived from al-Bāqir, are older than that of the Zaydī Fiqh. Therefore it would be fair to say that al-Bāqir is the founder of the School of the Ahl al-Bayt.

In addition to this, if we acknowledge the precedence of Zaydī Fiqh's literature, as Goldziher put it, then the precedence of al-Bāqir's contribution to fiqh becomes evident, in the light of what was discussed in detail. Even though al-Bāqir does not have a specific book in fiqh, his contribution to fiqh can never be exaggerated, because it is obvious that it is not only the Zaydī Fiqh that is derived from al-Bāqir. The Ismā'īlī and the Ithnā 'Asharī both compiled a great number of Aḥādīth derived from al-Bāqir and they regard him as a father figure in their fiqh. Although the Zaydī Fiqh was, in the end, compiled in Yemen; the Ismā'īlī Fiqh in Egypt, and the Ithnā 'Asharī Fiqh in Baghdād and Qum, in reality, they all return to the same personality. Thus, there is not a shadow of doubt with regards to al-Bāqir's leadership and foundational role.¹

The discussion here, as one can see, is concentrated on his influence on the Zaydī School, which is more than his influence on the Ithnā 'Asharī School. His greater presence in the Zaydī School compared to the Ja'farī School, despite him being one of the 12 infallible Imāms according to the Ja'farīs, is an interesting fact. Perhaps some researcher would successfully conduct a comparative study about his influence in both the Schools, taking into consideration the differences and disharmony amongst the 3 Shī'ī Schools in fundamental and subsidiary rulings, and in quoting from al-Bāqir and Ja'far al-Ṣādiq (details thereof will soon follow).

Why did the Imāmī Ithnā 'Asharī ignore Abū Ja'far al-Bāqir, despite his distinction amongst the offspring of al-Ḥasan and al-Ḥusayn رَضِيَ اللَّهُ عَنْهُمَا, and select his son to name their school after him, while acknowledging the fact that Abu Ja'far al-Bāqir is most knowledgeable amongst the offspring of al-Ḥasan and al-Ḥusayn رَضِيَ اللَّهُ عَنْهُمَا?

1 Ibid., pg. 165.

It may be said that the reason for the Imāmī Ithnā ‘Asharī’s aversion from naming their school after al-Bāqir and opting for his son instead, is that al-Bāqir lived during the era of *Taqiyyah*, *Kitmān*¹, restrictions, and deprivation; contrary to his son, for whom such things were attainable which were not possible for the father. However, few factors refute this.

Factors refuting al-Bāqir having practiced *Taqiyyah*

1. It is established in the Imāmī books that al-Bāqir used to issue *Fatāwā* (religious edicts) without *Taqiyyah* contrary to his son Ja‘far al-Ṣādiq. The Imāmiyyah narrate Ja‘far al-Ṣādiq’s statement to Abū Baṣīr:

إن الشيعة أتوا أبي مسترشدين فأفتاهم بمُرِّ الحق وأتوني شكًا كما أفقتهم بالتقية

The Shī‘ah came to my father seeking council, so he gave them fatwā of the bitter truth and they came to me doubtful, so I gave them a fatwa of *Taqiyyah*.²

Al-Wahīd al-Bahbahānī and others attribute this to the fact that al-Bāqir would not practice *Taqiyyah* with the Ahl al-Sunnah due to some reasons. Most important of them are:

- What is understood from some Imāmī narrations that *Taqiyyah* was extremely weak during al-Bāqir’s era, due to Jābir ibn ‘Abd Allāh رَضِيَ اللهُ عَنْهُ constantly frequenting him; to such an extent that someone said, out of jealousy, that al-Bāqir would teach him, while Jābir and others were unable to speak in his presence.³
- The Shī‘ah School was not prevalent and the Ahl al-Sunnah had profuse differences in fatāwā, the Ahl al-Sunnah were preoccupied in intense internal sectarianism.

1 *Taqiyyah*, according to the Shī‘ah, means to present outwardly something which is different from what one believes inwardly. They regard it as an act of worship.

2 *Tahdhīb al-Aḥkām*, 2/135.

3 This is what the Imāmiyyah claim. However, Jābir رَضِيَ اللهُ عَنْهُ is a Companion who acquired knowledge directly from the Prophet صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ. He is definitely a teacher of al-Bāqir and not his student, with no doubt in this. The Imāmiyyah’s peculiarity in this chapter goes back to their belief that the 12 Imāms receive knowledge directly from Allah سُبْحَانَهُ وَتَعَالَى. They are not like the rest of the creation who acquire knowledge through their teachers and travel for it.

- The Banū Umayyah and the Banū ‘Abbās were preoccupied in warfare. Because of this, Taqiyyah was lifted during this period. This preoccupation continued till the beginning of Ja‘far al-Ṣādiq’s era. Then the Abbasid Empire became peaceful. Thereafter Taqiyyah became intense in the era of Abū Ja‘far al-Manṣūr.¹
2. The Imāmiyyah narrate in their writings about al-Bāqir’s excessive debates with the opposition.² Amongst it is his debate with the people of his city; like his debate with Muḥammad ibn al-Munkadir³ (Jurist of Madīnah); his debate with the luminaries that arrived at the Holy Prophet’s ﷺ mosque, like al-Ḥasan al-Baṣrī⁴ (leader of the people of Baṣrah in Dīn and Fiqh), Qatādah ibn Di‘āmah⁵ (Jurist of Baṣrah), ‘Amr ibn ‘Ubayd⁶ (leader of the Mu‘tazilah sect in Baṣrah), Ṭāūs ibn Kaysān al-Yamānī⁷ (Jurist of Makkah); his debate with a group of the Murji‘ah sect (‘Amr ibn Dhurr al-Qāḍī, ‘Abd Allāh ibn Qays al-Māṣir and Ṣalṭ ibn Bahrām)⁸; his debate with some Shī‘ī sects like the Kaysāniyyah;⁹ his debate with some of people who were affiliated to the ruling authority at that time like Sālim—the freed slave of the Umayyad Khalīfah, Hishām ibn ‘Abd al-Malik.¹⁰ In fact it is narrated that he debated with the Umayyad Khalīfah, Hishām ibn ‘Abd al-Malik, during Ḥajj in front of the people. Thus, how is that person going to

1 Al-Bahbahānī: *Ḥāshiyat Majma‘ al-Fā‘idat wa al-Burhān*, pg. 374; al-Najafī: *Jawāhir al-Kalām*, 9/363.

2 Testimony to that is what the religious reference in contemporary times, Ja‘far al-Subḥānī, said in *al-A‘immah al-Ithnā ‘Ashar*, pg. 108, “As for his debates with the opposition, narrate it, without any hesitation.”

3 Al-Kulaynī: *al-Kāfi*, 5/73; al-Ṭūsī: *Tahdhīb al-Aḥkām*, 6/325; *Biḥār al-Anwār*, 10/158; al-Baḥrānī: *‘Awālim al-‘Ulūm*, 19/302.

4 Al-Ṭabarsī: *al-Iḥtijāj*, 2/63; *Biḥār al-Anwār*, 24/232; al-Baḥrānī: *‘Awālim al-‘Ulūm*, 19/327.

5 Al-Kulaynī: *al-Kāfi*, 2/256; *Biḥār al-Anwār*, 10/154; al-Baḥrānī: *‘Awālim al-‘Ulūm*, 19/310.

6 Al-Mufīd: *al-Irshād*, 2/165; al-Ṭabarsī: *al-Iḥtijāj*, 2/61,62; Ibn Shahr Āshūb: *Manāqib Āl Abī Ṭālib*, 3/329.

7 Al-Ṭabarsī: *al-Iḥtijāj*, 2/64; al-Rāwandī: *Qaṣaṣ al-Ambiyā’*, pg. 70; *Biḥār al-Anwār*, 11/241; al-Baḥrānī: *‘Awālim al-‘Ulūm*, 19/316.

8 *Rijāl al-Kashshī*, pg. 143-144; *Biḥār al-Anwār*, 10/159-160.

9 Ibn Shahr Āshūb: *Manāqib Āl Abī Ṭālib*, 3/333; *Biḥār al-Anwār*, 10/158; al-Baḥrānī: *‘Awālim al-‘Ulūm*, 19/316.

10 Al-Ṭabarsī: *al-Iḥtijāj*, 2/64; *Biḥār al-Anwār*, 32/344; al-Baḥrānī: *‘Awālim al-‘Ulūm*, 19/330.

adorn his face, who, after all this, claims that *al-Bāqir* lived during the time of *Taqiyyah* and *Kitmān*?

Understanding the topic of *Taqiyyah* and its dimensions is very difficult, even for the senior leaders of the *Imāmiyyah*, let alone others. It is sufficient to read what Āyat Allāh Muḥammad Āṣif Muḥsinī¹ mentions about the strange circumstances surrounding the most important article of faith according to them, which is *Imāmah*. He says in *Mushri‘ah*:

واعلم أن قلة النص الخاص من الإمام السجاد على الإمام الباقر غير مستبعدة لقلّة الشيعة و شدة التقية في زمانه وأما قلة النص على الصادق فهي عجيبة والإحتمال الأظهر عدم وصول الروايات المشتملة عليه إلينا والله أعلم

Know well that the scarcity of specific texts from al-Imām al-Sajjād for the *Imāmah* of al-Bāqir is not farfetched, due to the scarcity of *Shī‘ahs* and the intensity of *Taqiyyah* during his era. However, the scarcity of text for the *Imāmah* of al-Ṣādiq is strange. The most obvious reason could be that the narrations involving this did not reach us. Allah سبحانه وتعالى knows best.²

To use *Taqiyyah* as an excuse can neither remove any objection nor solve any dilemma like these, which Muḥsinī has spoken about. It is very far from what we will mention here.

How is this possible, whereas the *Imāmiyyah* declare that the circumstances that were prevalent during al-Bāqir’s time, were not prevalent for any of the 12 *Ithnā ‘Asharī* *Imāms*. This is because the era of al-Bāqir coincided with signs of public discontent with the Umayyad Empire and the call from various regions to be free from them. Their misconduct with the *Alawis* was the greatest weapon of the opposition who aspired to rule, which prompted them to take a much milder stance with the *Shī‘ah* and their leaders than before.³

1 Āyat Allāh or Āyat Allāh al-‘Uzmā: Two religious titles used by the *Ithnā ‘Asharī* *Shī‘ah* for that person who reaches the stage of *Ijtihād* in Islamic Jurisprudence according to the *Ja‘farī* School.

2 *Mashra‘at Biḥār al-Anwār*, 2/166.

3 Al-Sayyid Hāshim Ma‘rūf al-Ḥasanī: *Sīrat al-A‘immat al-Ithnā ‘Ashar*, 2/196.

This confession reinforces what we have mentioned above.

3. The most important and reliable narrators who narrate the School from Ja'far al-Ṣādiq, are regarded by the Ja'farīs as the senior students of al-Bāqir, like Zurārah ibn A'yan, Ma'rūf ibn Kharbūdh, Fuḍayl ibn Yasār, Burayd ibn Mu'āwiyah al-'Ijlī, Muḥammad ibn Muslīm al-Ṭā'ifī, and Abū Baṣīr al-Asadī. The Imāmī scholars give them the title of *Aṣḥāb al-Ijmā'*¹. These are besides those who hold importance in the School like Abān ibn Taghlib, Jābir al-Ju'fī, Muḥammad ibn 'Alī ibn Nu'mān known as Mu'min al-Ṭāq, and Ḥumrān ibn A'yan, Bukayr ibn A'yan, Abū Ḥamzah al-Thumālī, 'Abd Allāh ibn 'Ajlān, etc.

What prompted these narrators to narrate such a meagre amount of knowledge, and even lesser amount of fiqh,² from al-Bāqir in comparison to what they narrate from his son, Ja'far?

The fanatics, during the era of Ja'far al-Ṣādiq, found a greater opportunity to attribute lies upon him and his forefathers compared to the era of al-Bāqir. We do not have intricate comprehensive information about this matter, except what the scholars of sects have mentioned and some in their works that there were less extremist sects during the era of al-Bāqir as compared to his son al-Ṣādiq.

1 Al-Kashshī states: (as narrated in *Ikhtiyār Ma'rifat al-Rijal*, 2/507) The group is unanimous on the ratification of these former companions of Abū Ja'far and Abū 'Abd Allāh and they follow them in Fiqh. They say: Most knowledgeable of the former scholars in Fiqh are six, i.e. Zurārah, Ma'rūf ibn Kharbūdh, Burayd, Abū Baṣīr al-Asadī, Fuḍayl ibn Yasār, and Muḥammad ibn Muslim al-Ṭā'ifī. They further state that Zurārah is the most knowledgeable of the 6. Some mention Abū Baṣīr al-Murādī in place of Abū Baṣīr al-Asadī, he is Layth ibn al-Bakhtarī.

2 Al-Shaykh 'Azīz Allāh al-'Uṭāridī—from the Imāmiyyah—compiled narrations attributed to al-Bāqir from its origins in the Imāmī books, in 6 volumes under the title *Musnad al-Imām al-Bāqir*. What is strange is that the subsidiary Fiqhī narrations (subsidiary Shar'ī rulings with regards to peoples actions, acts of worship, and dealings) contained in these 6 volumes—overlooking its references and the validity of including them under Shar'ī rulings—barely reach one or one and a half volumes. Ponder well. Meanwhile, the author himself compiled narrations attributed to al-Ṣādiq in the same way. It reached up to 22 volumes. Those narrations which deal specifically with Fiqhī rulings, reached 9 volumes. Thus, ponder!

However, the unique aspect about the companions of al-Bāqir is what the Imāmiyyah narrate from Dharīḥ al-Muḥāribī¹ that Ja'far al-Ṣādiq said:

إن أبي نعم الأب رحمة الله عليه كان يقول لو أجد ثلاثة رهط أستودعهم العلم وهم
أهل لذلك لحدّثت بما لا يحتاج فيه إلى نظر في حلال ولا حرام

Verily my father—what a wonderful father he was, may Allah have mercy on him—used to say, “If I find 3 worthy people who I can entrust knowledge upon, then I would narrate, regarding Ḥalāl and Ḥarām, that would not require any contemplation.”

Al-Raḥṭ refers to a group of 3 to 10 men. No woman included in it. When the word *al-Raḥṭ* is subjoined with a number then it refers to a specific number of people, as mentioned by Allah سُبْحَانَهُ وَتَعَالَى:

وَكَانَ فِي الْمَدِينَةِ تِسْعَةُ رَهْطٍ

and there were in the city, nine family heads.

In other words, nine men.

This implies that al-Bāqir was not confident with those whose narrations the Imāmiyyah unanimously regard as authentic, due to which they give

1 This narrator requires elaboration with regards to his authenticity to remove the thought that he is one of those weak narrators whose narrations cannot be relied upon. Dharīḥ al-Muḥāribī is regarded as one of the companions of al-Ṣādiq. Leader of the group, al-Ṭūsī has authenticated him in *al-Fihrist*. Ghulām Riḍā 'Irfāniyān has mentioned him in *Mashāyikh al-Thiqāt*, pg. 107. Al-Abṭaḥī states in *Tahdhīb al-Maqāl*, 5/550, “Senior scholars of the Imāmiyyah like al-Kulaynī, al-Shaykh, al-Ṣadūq, al-Mufīd, etc., have narrated, through chains with reliable narrators, from Dharīḥ ibn Muḥammad al-Muḥāribī who narrates from Abū 'Abd Allāh, which contain valuable contents, to which we have alluded in *Akḥbār al-Ruwāt*. They have narrated it from a large group of reliable luminaries, notable narrators, the people of Ijmā', those who narrate from reliable narrators only, and those who can be relied upon in narrations.”

Al-Kalbāsī states in *Samā' al-Maqāl* 1/187, “Al-Ṣadūq reports in *al-Faqīh* authentically from 'Abd Allāh ibn Sinān who says: I came to Abū 'Abd Allāh ... till he said, “Dharīḥ spoke the truth, and I spoke the truth that the Qur'ān has an external and an internal. Who can tolerate what Dharīḥ tolerates.” The indication to his loftiness is visible as it has been clearly stated in *al-Wasīṭ*.”

Ḥasan ibn Zayn al-Dīn al-'Āmilī states in *al-Tahrīr al-Ṭawūsī*, pg. 200, “In the Hadīth, as one can observe, is an indication towards the high status of Dharīḥ. Al-Shaykh authenticated him *al-Fihrist*.”

them the title of *Aṣḥāb al-Ijmā'* and adhere to their Fiqhī narrations to such an extent that their religious reference in contemporary times al-Shaykh Ja'far al-Subḥānī said about them, “The object of giving them this name and not to others is to illustrate that the Fiqhī Aḥādīth, mostly end by them. It is as though Imāmī Fiqh is derived from them. If these people and their narrations have to be removed from the Fiqhī platform, then it would have no pillars to support it and its branches would not spread out.”¹

Al-Subḥānī mentioned this considering that they are common between al-Bāqir and al-Ṣādiq. Doubt in their reliability and narrations do not eradicate or undermine al-Bāqir's Fiqh from its foundation. In fact not even Ja'farī Fiqh. So beware.

4. It is not an accepted fact that Ja'far al-Ṣādiq was in a position which differed greatly from his father, to such an extent that it is claimed that those who spread his Fiqhī and narrative narrations throughout the world, numbered up to 4000 men.²

Such a large number is not known for any of the best Jurists or narrators at present, let alone from the Companions رضي الله عنهم or the Tābi'īn. None of them had narrators that reached this imaginary number.³

It is understood from the historical context of the period in which Ja'far al-Ṣādiq lived, that the ruling authority at that time (the Umayyads then the Abbasids) displayed more apprehension towards Ja'far al-Ṣādiq that

1 *Durūs Mūjizat fī 'Ilmay al-Rijāl wa al-Dirāyat*, pg. 51.

2 Al-Mufīd states in *al-Irshād*, 2/179, “People acquired so much knowledge from him that his fame spread far and wide. His name became well known in all regions. Scholars did not transmit from any of his household as much as they transmitted from him. None of the writers and narrators met and transmitted from any of the Ahl al-Bayt as they narrated from Abū 'Abd Allāh. Experts of Hadīth compiled the names of authentic narrators that transmit from him, with their differences in opinion and statements; they reached up to 4000 men.”

3 Muḥammad al-Bāqir al-Bahbūdī discusses in *Ma'rifat al-Ḥadīth*, pg. 91-92, about Shaykh al-Ṭā'ifah al-Ṭūsī's excessive names of narrators from the Imāms. He says, “You will see that in the book of narrators, he mentions a large group of unknown people amongst the companions of Abū Ja'far al-Bāqir and other pure Imāms after him, without them being mentioned in any Ḥadīth, whose numbers reach to more than 4000, without any criticism that they are unknown.”

his father Muḥammad al-Bāqir.¹ The Umayyad Empire was gripped with turmoil and discord and it feared for its demise and at best of times, for its fragmentation, as it anticipated an encompassing danger from afar, the exact perpetrators of which were unknown. In the end, there were fingers being pointed at people who had a presence in the Hashimite household.

Attesting to this is what is reported in *Tārīkh ibn Abī Khaythamah* (d. 279 AH) and other books from Muṣ‘ab al-Zubayrī (d. 236 AH) that he heard al-Ḥāfiẓ ‘Abd al-‘Azīz al-Darāwardī al-Madanī (d. 186 AH) saying:

كان مالك بن أنس (١٧٩ هـ) لا يروي عن جعفر بن محمد — رغم توثيقه وإجلاله —
حتى يضمه الى آخر أولئك الرفعاء ثم يجعله بعده

Mālik ibn Anas (d. 179 AH) would not narrate from Ja‘far ibn Muḥammad, despite acknowledging his reliability and honour. He would place him after the last of the high ranking narrators.

Muṣ‘ab al-Zubayrī further states:

لم يرو مالك عن جعفر بن محمد حتى ظهر أمر بني العباس

Mālik رَضِيَ اللهُ عَنْهُ did not narrate from Ja‘far ibn Muḥammad until the Abbāsīd Empire became prominent.²

This shows Imām Malik’s caution in narrating from Ja‘far al-Ṣādiq without adding other narrators with him. That is why he narrated very little from Ja‘far al-Ṣādiq independently. Ibn Taymiyyah narrates that he only narrated 9 Aḥādīth³ from Ja‘far al-Ṣādiq in his *Muwatta’*. This refers to *Marfū‘ Aḥādīth* (Ḥadīth that is attributed to the Prophet صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ). However, when all Aḥādīth, *Marfū‘* and *Mawqūf* (Ḥadīth that is attributed to the Companions

1 Dr. Ḥikmat ‘Ubayd al-Khafājī—from the Imāmiyyah—states in *al-Imām al-Bāqir Wa Atharuhū fi al-Ḥadīth*, “Such circumstances were prevalent during al-Bāqir’s era that were not prevalent during the era of any of the other Imāms of the Ahl al-Bayt. His era coincided with the signs of resentment for the Umayyad Empire and emergence of the seeds of Abbasid revolution against them. As a result their leaders did not pay attention to what al-Bāqir was doing to spread the Fiqh of Ahl al-Bayt.”

2 *Al-Tārīkh al-Kabīr*, 2/337 (3rd edition)

3 *Minhāj al-Sunnat al-Nabawiyyah*, 7/531.

ﷺ) are considered, those that are reported in Muwaṭṭa' from Ja'far al-Ṣādiq, then the number reaches to 13; which is still very little.

Although there was some ease during the Abbasid era, wherein Ja'far al-Ṣādiq lived; however, it was marred by apprehension also. As for al-Saffāḥ al-'Abbāsī, he was too busy consolidating his emerging empire, legalising his actions¹, and confronting the Umayyads by pursuing and fighting them,²

1 Attesting to this is his stance with al-Imām al-Awzā'ī (Imām of the people of Shām at that time). Al-Saffāḥ asked him, "What do you say about the Umayyad's killings?" Al-Awzā'ī replied, while seeing the drawn sword in front of him, "Narrations have reached us from the Prophet ﷺ that taking a Muslim's blood is not permitted except for one of three reasons; adultery after marriage, apostasy after Islam, and life for a life." He then asked, "O al-Awzā'ī, what do you say about the Umayyad's wealth?" Al-Awzā'ī replied, "If it was unlawful for them then it is unlawful for you, if it was lawful for them then Allah ﷻ will not make it lawful for you except with its rights." (Ibn 'Asākir: *Tārīkh Dimishq*, 35/211; *Siyar A'lām al-Nubalā'*, 7/121-122)

2 Al-Shaykh 'Abbās al-Qummī (1359 AH) states in *al-Kunā wa al-Alqāb*, 2/316, about his title 'al-Saffāḥ', "It said that he was given the title of *al-Saffāḥ* (the slaughterer) because of his excessive killing of the Umayyad and other renegades. More likely, this title was given to him because of a sermon wherein he says about himself. "I have increased 100 dirhams in your stipend. So, be ready because I am a blasphemous butcher and a rebel." (Refer to *Tajārub al-Umam* of Ibn Miskawayh, 3/230) As for the Umayyads, the Abbasids pursued them in Ḥijāz, Shām, Kūfah, Baṣrah, Ray, Khurāsān, Ḥīrah, and Wāsiṭ. They killed them in such a miserable way that it is unmatched. Whoever could escape ran away, not caring about anything. Whoever could hide hid away. Some asked al-Saffāḥ for amnesty which he granted. Some were incited by poets to be killed and subsequently killed in a worst possible way, like Sulaymān ibn Hishām ibn 'Abd al-Malik and his son. Al-Saffāḥ granted them amnesty through the intervention of his wife Umm Salamah. The poet, Sudaif ibn Maymūn incited him to kill them. Thus, he killed all of them. (Refer to *al-Muḥabbar* of Ibn Ḥabīb, pg. 486)

Shibl ibn 'Abd Allāh, the freed slave of the Banū Hāshim came to al-Saffāḥ, who had gathered 80 people from the Umayyads (whom he had given amnesty) for a sizzling meal. He started to say poems about what had happened to al-Ḥusayn and Zayd ﷺ. As a result, he ordered them to be smashed with poles. Thereafter a carpet was spread over them. Sitting on it, he called for the food to be brought while listening to some of their moaning. The all died. He then said to Shibl, "If only you asked me in your poem, I would have given you all their wealth and fixed all the slaves of Banū Hāshim for you." (Ibn Athīr: *al-Kāmil fi al-Tārīkh*, 5/23; al-Mubarrad: *al-Kāmil*, 4/7-8) Similarly, Sulaymān ibn Yazīd ibn 'Abd al-Malik ibn Marwān was killed in Balbā' and his head was carried to al-Saffāḥ. (Ibn Abī al-Ḥadīd: *Sharḥ Nahj al-Balāghah*, 7/128)

continued....

instead of paying attention to the Banū Hāshim,² let alone one of their Jurists who had receded to himself, narrating Aḥādīth and teaching Fiqh to

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Dāwūd ibn ‘Alī was an executioner of the Umayyads. He used to gouge eyes, rip open stomachs, mutilate noses and cut out ears. ‘Abd Allāh ibn ‘Alī (al-Saffāḥ) used to crucify them, upside down, make them drink lime, aloe, ash, vinegar, and cut off hands and legs. Sulaymān ibn ‘Alī would behead people in Baṣrah. A group of Umayyads were brought before him. He ordered them to be killed, dragged by the legs and thrown onto the streets. Eventually they were eaten by dogs. (Ibn Abī al-Ḥadīd: *Sharḥ Nahj al-Balāghah*, 7/131, 132, 156; Ibn Athīr: *al-Kāmil fi al-Tārīkh*, 5/24)

In fact, the Abbasid went beyond what we mentioned above. They pursued the dead, exhumed graves, and pulled out corpses. Al-Saffāḥ ordered the graves of the Umayyads to be exhumed in Damascus. Hence, the graves of Mu‘āwiyah ibn Abī Sufyān, Yazīd ibn Mu‘āwiyah ibn Abī Sufyān, and ‘Abd al-Malik ibn Marwān were exhumed. He ordered to pursue the offspring of the Umayyad Khalīfahs and others. They were captured. None escaped except breast feeding babies and those that fled to Spain. They were killed at the River Fuṭrus. (Ibn al-Athīr: *al-Kāmil fi al-Tārīkh*, 5/24.)

Al-Mas‘ūdī, from the Imāmiyyah, narrates in *Murūj al-Dhahab*, 3/207-208, about what happened to the remainder of the Umayyad Kings’ graves in detail. He narrates from al-Haytham ibn ‘Adī al-Ṭā‘ī who narrates from ‘Amr ibn Hānī’ saying, “I went out with ‘Abd Allāh ibn ‘Alī to exhume the Umayyad’s graves during the era of Abū al-‘Abbās al-Saffāḥ. We reached the grave of Hishām. We took him out. His body was intact with only the tip of the nose missing. ‘Abd Allāh ibn ‘Alī al-Saffāḥ lashed him 80 times and then burnt him. Then we took out Sulaymān from Dābiq. We only found his backbone, ribs, and his head. We burnt him. We did this to the other Umayyads. Their graves were in Qinnasrīn. Then we proceeded to Damascus and exhumed al-Walīd ibn ‘Abd al-Malik. We did not find anything. We dug up the grave of ‘Abd al-Malik. We only found some parts of the head. Then we dug up Yazīd ibn Mu‘āwiyah. We only found one bone and we found a black line, as though it was made of ash, covering the length of the grave. Then we pursued their graves in all the cities and burnt whatever we found in them.

Let me be honest to the reader that often I stop and ponder over this incident and the one before it, trying to explain and justify it, but to no avail, obsessed with it. Sometimes the intellect—not Sharī‘ah—might permit the killing of seniors under the umbrella of ‘struggle over power’; or killing the juniors under the pretext of ‘securing the future of the kingdom’; or erasing of traces under the pretext of removing the remnants of the previous rule, but pulling out corpses, punishing, crucifying, and burning them is a heinous matter. No intellect, Sharī‘ or human, can agree with it.

2 That is why Abū al-Farj al-Aṣfahanī states in *Maqātil al-Ṭālibiyīn*, pg. 162, in the biography of Abū ‘Abbaṣ al-Saffāḥ, “I do not know of him killing anyone from them or treat any of his associates abhorrently. Muḥammad and Ibrāhīm were afraid of him so they hid from him as there was some dialogue between him and their father regarding them.”

his people in a land far from the raging conflicts which were taking place in Khurāsān, Irāq, and Shām.¹

Al-Shaykh Muḥammad Ḥasan al-Muẓaffar (d. 1375 AH) states:

اشتغل بنو العباس بتطهير الأرض من أمية و تأسيس الدولة الجديدة ، وانت تعلم بما يحتاجه الملك الغص من الزمن لتأسيسه و رسوخه ، فكان انصرفهم لبناء الملك وإحاطته شاغلا لهم برهط من الزمن عن شأن الصادق في بثه العلوم والمعارف وإن لم يتناسه السفاح ولكن لم يجد عنده ما يخشاه ، ولما جاء دور النصور ، وصفا الملك له ، ناصب العداة للصادق ، فكان يُضيق عليه مرة ، ويتغاضى عنه أخري

The Abbāsids became preoccupied with cleansing the earth from the Umayyads and establishing the new empire. Everyone is aware how much time it takes in establishing and solidifying a fresh empire. Thus, their attention towards building and encircling the empire, preoccupied them, for a while, from the affairs of al-Ṣādiq and his spreading of knowledge and cultural affairs. Although al-Saffāḥ was not oblivious of him; however, he did not find anything to fear about in him. When the era of al-Manṣūr dawned and the empire became more stable, he started displaying enmity

1 Dr Muḥammad Ḥusayn al-Ṣaghīr states in *al-Imām Ja'far al-Ṣādiq - Za'im Madrasat Ahl al-Bayt*, pg. 95, "Al-Imām al-Ṣādiq witnessed these revenge attacks which portrayed the theater of political life during al-Saffāḥ's era, without interfering in its affairs, appearing in the presence of their leaders, or mixing with their heroes except what he was compelled upon," till he says, "and with this he was able to avert any possibility of confrontation with al-Saffāḥ and his system; however, he was not spared of careful surveillance." He states on pg. 193, "at the same time we find that the Imām did not pledge allegiance to any ruler who was unjust in his rule or give any Sharī attribute in any matter which was shrouded with the garb of Khilāfah. All this is an indication of his *Taqwa* (fear of Allah) and restraint."

I say: To claim that Ja'far al-Ṣādiq relocated from al-Madīnah al-Munawwarah under these conditions, to teach Fiqh and Ḥadīth to his Shī'ah, if this does not indicate to giving a Sharī attribute then what is it? Especially, when it is considered that Baghdad was not built and made the capital of the Abbasids except in the era of Abū Ja'far al-Manṣūr. Kūfah was the locus of their Shī'ah, and it was in the Masjid of Kūfah that al-Saffāḥ delivered his famous speech. Yes, no war or dispute arose between al-Saffāḥ and the 'Alawis; however, the desire of the Abbasids for kingship and al-Saffāḥ's aspiration to establish his authority would negate—logically—any possibility of an Alawi jurist migrating to Kūfah, which would upset their plans and attract the majority of Alawis therein to them in place of the Abbasids.

towards al-Ṣādiq. At times he would restrict him while other times he would overlook.¹

I have not come across a single authentic proof that confirms Ja‘far al-Ṣādiq’s relocation, in this critical period, from Madīnah to Iraq, in fact, to Hīrah and Kūfah specifically. Looking at the scale of the conflict, the discord and the pandemonium that was taking place, I do not think it is possible for an ‘Alawī Jurist, known for his dissociation from the Abbasids and their atrocities, to relocate to the capital of their empire and teach Fiqh and Ḥadīth.²

As for Abū Ja‘far al-Manṣūr, the second Abbasid Khalīfah, he was none better than his brother al-Saffāḥ.³ If he feared anyone threatening his rule,

1 *Al-Imām al-Ṣādiq*, 1/1188-189.

2 *Al-Imām al-Ṣādiq*, 1/188 – 189.

3 A unique incident is mentioned concerning this. The Umayyad poet ‘Abd Allāh ibn ‘Umar ibn ‘Abd Allāh al-‘Ablī was an outcast of the Abbasids. He fled to Suwayqah, a village near Madīnah, where the family of ‘Alī ibn Abī Ṭālib resided. This was at the end of the Umayyad era and the beginning of the emergence of the Abbasid Empire. ‘Abd Allāh and al-Ḥasan, the sons of Ḥasan ibn Ḥasan ibn ‘Alī ibn Abī Ṭālib, met him in Suwayqah. ‘Abd Allāh requested him to recite some poetry, to which he obliged. Then he said to him, “recite some poetry mourning your nation.” Thus, he recited the following:

Umāmah said when she saw my aversion from my precious bed,
And my lack of sleep on my bed and the slumber of my drowsy eyes,
“O my father, what is the matter?” I replied, “Worries stripped your father, so don’t get involved,
It stripped your father and imprisoned him out of embarrassment of the evil of being imprisoned
From the loss of family when sorrow struck, from the miserable event
Disaster struck without an arrowhead without faltering or relapsing.
It struck the souls with its stealth arrows whenever they needed life, it slipped away.
Their dead are, in various corners of the country strewn on the ground and not even buried.
A noble man who was struck, but his clothes of shame and disgrace did not get soiled,
While others fled, out of fear of retaliation he was noble, thus he did not perceive that.
How many crying eyes, they deceived amongst the sick and the miserable children?
If you remember them, you will not sleep out of the heat of the pain and you will not even sit.
They chant like the crying of a pigeon in gatherings of anxiety and mourning.
That is what has captured me, know well, so don’t ask me or else you will also moan.

continued...

he would annihilate them. He was the first to create a difference between the offspring of al-‘Abbās ibn ‘Abd al-Muṭṭalib and Abū Ṭālib ibn ‘Abd al-Muṭṭalib. Hence, they would be called ‘Abbāsī or Ṭālibī, whereas before, they were all one. Muḥammad ibn ‘Abd Allāh, known as *Dhū al-Nafs al-Zakiyyah*,¹ revolted against him. Subsequently, he was killed at Ahjār al-Zayt, a place close to Madīnah. After him, his brother, Ibrāhīm rose up against him in Baṣrah and he was also killed. Al-Manṣūr persecuted some scholars also who rose up against him or ordered others to rise up against him, by killing, lashing them, etc.²

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Added to that are other matters in the country which I cannot rejoice about.

Tears overflowed from the casualties of Kudā and the dead of Kuthwah are not even buried.

The casualties of Wajj and Lābah of Madīnah were the best of souls.

In Zabiya there are buried souls as there are casualties in the river of Fuṭrus.

My leaders were disgraced by those who loved me and disgrace stuck to their noses,

Their dead did not and will not forget nor will anyone else forget who lives after them.”

When he completed the poem, Muḥammad ibn ‘Abd Allāh ibn Ḥasan cried. His uncle al-Ḥasan ibn Ḥasan ibn Ḥasan ibn ‘Alī عليه السلام asked him, “Are you crying over the Umayyads and you want what you want from the Abbasids?” He replied, “By Allah, O uncle, we stood up against the Umayyads as much as we did; however, the Abbasids have less fear of Allah than the Umayyads, and the evidence against the Abbasids is more damning than the Umayyads. Those people possessed such character, traits, and virtues which Abū Ja‘far does not. (Al-Aṣfahānī: *al-Aghānī*, 11/201; al-Ṣafḍī: *al-Wāfi bi al-Wafayāt*, 17/200)

1 He is Muḥammad ibn ‘Abd Allāh ibn al-Ḥasan ibn al-Ḥasan ibn ‘Alī ibn Abī Ṭālib عليه السلام.

2 He imprisoned al-Imām Abū Ḥanīfah because he issued a fatwa to rebel against him with Muḥammad ibn ‘Abd Allāh (Dhū al-Nafs al-Zakiyyah). He used to correspond with his (Dhū al-Nafs al-Zakiyyah’s) brother, Ibrāhīm ibn ‘Abd Allāh—after his killing—who had managed to take control of large parts of Persia and Irāq. He sent the last 4000 dirhams that he possessed to assist him. He was imprisoned for that and subsequently passed away in prison. Some say that al-Manṣūr killed him by poisoning him.

Al-Imām Mālik was lashed because he issued a fatwa for the permissibility of revolting with Dhū al-Nafs al-Zakiyyah against al-Manṣūr. He was betrayed about this fatwa to the governor, that oaths of allegiance to the Abbasids are void. He deduced this from a Ḥadīth which Thābit al-Aḥnaf narrates that the *Talāq* (utterance of the words of divorce) of a forced person does not take place.

Muḥammad ibn ‘Ajlan عليه السلام and ‘Abd al-Ḥamīd ibn Ja‘far عليه السلام were also tortured for revolting with Dhū al-Nafs al-Zakiyyah.

As for the offspring of al-Ḥasan ibn ‘Alī ibn Abī Ṭālib, such incidents have been mentioned regarding their ordeal at the hands of Abū Ja‘far al-Manṣūr,¹ that it disturbs the mind and causes pain to the heart.²

1 Al-Ḥāfiẓ Ibn Kathīr states in *Al-Bidāyah wa al-Nihāyah*, 112/350: A group of people from Ḥijāz had pledged allegiance for Khilāfah to Muḥammad ibn ‘Abd Allāh ibn Ḥasan during the end of Marwān al-Ḥimār’s rule. He deposed Marwān. Abū Ja‘far al-Manṣūr was one of the people that pledge allegiance. This was before the rule was transferred to the Abbāsids. When the Khilāfah was transferred to Abū Ja‘far al-Manṣūr, then Muḥammad ibn ‘Abd Allāh ibn Ḥasan and his brother Ibrāhīm were gripped with fear. This is because he had a suspicion that they would revolt against him. What he feared, eventually materialised. They fled to various countries out of fear. They went to Yemen, then to India, and then they came to Madīnah and hid there. Al-Ḥasan ibn Zayd traced their hiding place so they moved to another place. He kept on tracing them till he tracked them. He created an opposition against them by al-Manṣūr. Surprisingly, he was one of their followers. Al-Manṣūr had made all efforts to capture them but he was unsuccessful. When he asked their father about their whereabouts, he took an oath and said that he does not know where they are. When al-Manṣūr insisted upon ‘Abd Allāh to find his sons, he got angry and said, “By Allah, if they were under my feet then also I would not show them to you.” Al-Manṣūr became angry and imprisoned him. He ordered that his slaves and wealth must be sold. He stayed in prison for 3 years. Al-Manṣūr was advised to imprison the offspring of Ḥasan. Hence, he imprisoned all of them.

2 They were chained from Rabaḍah by the command of Abū Ja‘far al-Manṣūr. Then they were mounted on narrow carriages with chains and shackles. When al-Manṣūr passed them in his carriage, ‘Abd Allāh ibn Ḥasan called out to him, “O Abū Ja‘far, by Allah, this not how we treated your prisoners on the Day of Badr.”

Al-Manṣūr chased him away, spat on him, and went away. (*Al-Bidāyah wa al-Nihāyah*, 13/351-352) When they reached Irāq, they were imprisoned at Hāshimiyah. Muḥammad ibn Ibrāhīm ibn al-Ḥasan ibn al-Ḥasan ibn ‘Alī ibn Abī Ṭālib, who was known as *al-Dībāj al-Aṣfar* (yellow brocade) because of his beauty, was brought before Abū Ja‘far al-Manṣūr. He looked at him and said, “Are you al-Dībāj al-Aṣfar?” He replied, “Yes.” Al-Manṣūr said, “By Allah, I will kill you in such a manner that I have never done to any of your family members before.” Then he ordered that a built pillar be emptied out. He was put inside and then they built over him while he was alive. (*Tārīkh al-Ṭabarī*, 7/546; *Maqātil al-Ṭālibiyīn*, pg. 181; *Al-Bidāyah wa al-Nihāyah*, 13/352)

It is mentioned that due to the lengthy imprisonment of al-Ḥasan’s offspring, the shackle became loose. When they wanted to perform ṣalāh or sleep, they would take off the shackles. When they sensed anyone coming, they would put them on again. ‘Alī (al-‘Ābid) ibn al-Ḥasan (al-Muthallath) ibn al-Ḥasan (al-Muthannā) ibn al-Ḥasan ibn ‘Alī ibn Abī Ṭālib علي بن أبي طالب would not take the shackles off his legs. His uncle asked him, “Why don’t you take it off?” He replied, “By Allah, I will never take it off until myself and Abu Ja‘far stand before Allah and Allah asks him why he shackled me.” (*Maqātil al-Ṭālibiyīn*, pg. 172-177)

As for Ja‘far al-Ṣādiq specifically, he was neither a difficult figure nor did he pose any prolonged danger to al-Manṣūr, as the Imāmiyyah usually portray. Al-Manṣūr did not regard him as someone who was aspiring for his kingdom. Ja‘far al-Ṣādiq stayed aloof from political life, disinterested in it and delving in its struggles. He was a jurist, worshipper, not a rebel or a leader of any political or revolutionary movement. His stance of caution from supporting and pledging allegiance to those who sought it from him, like his uncle Zayd during the Umayyad era and Dhū al-Nafs al-Zakiyyah during the Abbasid era and in Madīnah where he resided, was sufficient to convince al-Manṣūr, apparently, to adopt a peaceful and diplomatic approach with him, with a little bit of intimidation, harassment, and subduing.

Al-Manṣūr’s summoning of Ja‘far al-Ṣādiq to Baghdād, once or twice, indicates that he was apprehensive of him. He feared that Ja‘far al-Ṣādiq might betray him—as he was the leader of the Husaynids in his time—through incitement from those who sought power or his followers, and call towards himself or to take revenge for his cousins, the Hasanids, who were killed unjustly.

Indicating to this situation is the quiet dialogue which is mentioned, that a fly sat on Abū Ja‘far al-Manṣūr which he waved away. The fly kept on returning until he got annoyed. He said to Ja‘far al-Ṣādiq in an interrogating way, “Why did Allah create the fly?”

He replied, “To disgrace the tyrants through it.”¹

However, this reported dialogue was not as exaggerated as the Imāmiyyah make it to be by filling their books of miracles and supernatural occurrences with it. Hence, Āyat Allāh Muḥammad Āṣif Muḥsinī felt anxious about the Imāmī narrations which mention in detail what transpired between him and Abū Ja‘far al-Manṣūr. He raised reasonable questions about it and while commenting on what al-Majlisī reported in *Bihār*, he says:

و الشيء المهم هنا: هو إحصار المنصور الدوانيقي للإمام الصادق مكررا مریدا
قتله بأي وجه كان، ثم إنصرفه عنه مكررا، إما لأجل مشاهدة رسول الله صلى الله

1 *Siyar A‘lām al-Nubalā’*, 6/264.

عليه وسلم أو التينين أو لصرف الله تعالى غضبه وإيجاد الرقة في قلبه لأجل الدعاء الذي دعي به الصادق أو لأجل موعظة الإمام بذكر روايات الواردة في صلة الرحم أو بتذكير صبر أيوب و شكر سليمان و داود ومغفرة يوسف أو بموت الجاسوس الكاذب الحالف بالبرائة من الله أو بإلحاح الإمام و طلب العفو والإخبار بموته عن قريب و حلفه مكررا أنه لم يرد الخروج عليه ولا خلافه وهكذا . وهذا أمر يتحير فيه المتأمل ، أما أولا فلاجل أن مثل هذا الصرف المكرر لم يتفق لأحد من الأئمة ، و إنما ذكره في حق الصادق ، فهو غريب ، ولعله لم يتفق في حق الأنبياء الذين ذكروا في التاريخ ، وبعض الأنبياء مما فيه شبه ذلك لم يثبت بدليل معتبر

و ثانيا : بعيد من المنصور - مع ظلمه و فسقه و قساوة قلبه و حبه لمقامه - أن يعزم على قتله مرة بعد مرة ، وقد شاهد خارق العادة في كل مرة ، فتأمل

و ثالثا: مثل هذا الاعتذار والإلحاح لأجل حفظ الحياة والبقاء ، من مثل الإمام الصادق بعيد ، بل بعيد من عالم كبير بهذا السن و الشيخوخة ، وكيف يناسب هذا الخوف و الإلحاح مع ما ورد في بعض الروايات وغيرها من علمه بوقت موته ، وكيف يتلائم مع ما ورد من أمير المؤمنين من اعتقاده بالقدر ، وأن أهل الأرض لا يضررون ما لم يرده أهل السماء ، وأنه ينهى قنبر عن حراسته ، وأنه لا يحترس حتى في صفين و مباديت الحرب . وأسهل الطريق لرفع هذا التحير رد الروايات المذكورة ، فإنها غير معتبرة سندا ، والله العالم

The important fact here is the repeated summoning of Ja'far al-Ṣādiq by Abū Maṣṣūr al-Dawānīqī to try and assassinate him in any possible manner and subsequently backtracking from it repeatedly due to various reasons; either because of a vision of the Prophet ﷺ or a monster, or because Allah ﷻ removed his anger and placed mercy in his heart due to the supplication which al-Ṣādiq made for him, or because of the Imām counselling him through narrations that encourage family ties, or by reminding him of the patience of Prophet Ayyūb ﷺ, gratitude of Prophet Sulaymān ﷺ, Prophet Dāwūd ﷺ, and the forgiveness of Prophet Yusuf ﷺ, or because of the death of the lying spy who took an oath of innocence from Allah, or because of the insistence of Ja'far al-Ṣādiq, seeking forgiveness, informing him of his imminent death, and continuously taking oaths that he did not intend revolting against him or supporting anyone against him etc. This is something that baffles the mind of anyone that would ponder.

Firstly, because continuous calamities¹ like this never befall any of the other Imāms. They only mention this with regards to Ja‘far al-Şādiq, which is strange. Perhaps such calamities did not befall any of the Prophets that are mentioned in history. Although similar incidents are narrated regarding some of the Prophets; however, they are not established through any reliable proofs.

Secondly, it is farfetched that al-Manşūr, despite his tyranny, sin, hard-heartedness, and love for his position, would resolve to killing him time and again despite witnessing supernatural occurrences every time. Something to ponder about.

Thirdly, this type of apology and insistence to save one’s life is farfetched from someone of Ja‘far al-Şādiq’s stature. In fact, it is farfetched from any senior scholar of that age. How is this fear and insistence possible whereas, according to some narrations, he had knowledge of his time of death? How does this fit in with Amīr al-Mu‘minīn’s (‘Alī رضي الله عنه) reported faith in destiny, that the inhabitants of earth cannot harm anyone unless it is decreed by the One in the Heavens; that he prevented Qambar from being his security and he would not accept security even in Şiffīn and battlefields. The easiest way to remove this bewilderment is to reject these narrations as they are unreliable according to the chain of narrators. Allah سُبْحَانَهُ وَتَعَالَى is All Knowing.²

However, some books of history mention about Abū Ja‘far al-Manşūr, that he displayed unprecedented and unusual tolerance towards Ja‘far al-Şādiq and the ‘Alawis. Perhaps he did this specifically, taking into consideration those factors that we mentioned before. When Dhū al-Nafs al-Zakiyyah Muḥammad ibn ‘Abd Allāh was killed, then Ḥasan al-Afṭas³ went into hiding. When Ja‘far al-Şādiq went to Irāq and met al-Manşūr, he said to him, “O Amīr al-Mu‘minīn, do you intend giving the Prophet صلى الله عليه وسلم a hand (i.e. support)?”

1 He states in the footnote: One should not object that the various narrations does not necessitate the occurrence of various incidents; because at times, one incident is reported in many different words. The answer to this would be: Yes, it is correct; however, the established amount of rebuttals is sufficient for this objection.

2 *Mashra‘at Biḥār al-Anwār*, 2/169,170.

3 He is Ḥasan ibn ‘Alī ibn ‘Alī ibn al-Ḥusayn ibn ‘Alī ibn Abī Ṭālib رضي الله عنه.

He replied, “Yes, O Abū ‘Abd Allāh.”

Ja‘far al-Şādiq said, “Then forgive al-Ḥasan ibn ‘Alī ibn ‘Alī Zayn al-‘Ābidīn bn al-Ḥusayn.”

Subsequently, he forgave him.¹

Thus, between al-Manşūr’s leniency and tyranny, Ja‘far al-Şādiq found an opportunity to teach Hadīth in Madīnah, which was not possible during the Umayyad era.

1 Abū Naşr al-Bukhārī mentioned it in *Sirr al-Silsilat al-‘Alawiyyah*, pg. 77, and then he states, “This is an overwhelming proof that al-Şādiq is the son of the Prophet ﷺ, and ‘Alī and Muḥammad, the sons of al-Aḫṭas were killed by al-Ma’mūn.”

Ja'far al-Ṣādiq and the Four Imāms

The Ahl al-Sunnah and their adherents have no difference in their stance towards Ja'far al-Ṣādiq. They revere him¹ and attest to his virtue, nobility and complete devoutness.² In fact he is regarded as one of the Sunnī rightly guided Imāms³, just as they regard him as a true representation of the close relationship between the Ahl al-Bayt and the Companions رَضِيَ اللَّهُ عَنْهُمْ, and one of the manifestations of this relationship. After all, he was the grandson of two Khalīfahs, 'Alī ibn Abī Ṭālib and Abū Bakr al-Ṣiddīq رَضِيَ اللَّهُ عَنْهُمَا.⁴ Thence, an informed Sunnī will be completely

1 Many of the masses are ignorant of this reality. Hence, they regard him to be one of the Imāmī Shī'ī leaders and not of the Ahl al-Sunnah. This is their illusion and corrupt opinion which should not be given any consideration. Opinions of the masses are not proof and the scholars don't give any consideration to it at all. Man, naturally, is an enemy of what he does not know.

2 Some scholars have mentioned that Yaḥyā ibn Sa'īd al-Qaṭṭān was apprehensive in narrating ḥadīth from Ja'far al-Ṣādiq. This does not mean that he doubted his piety and truthfulness, as some weak hearted people try to promote. Because he expelled this notion by saying, "Ja'far was not a liar." From this it is apparent he was referring to something else, i.e. weakness in capturing narrations. That is why he joined him with Mujālid ibn Sa'īd, amongst the narrators. In spite of this, Yaḥyā's opinion will not be taken into consideration as expressed by al-Dhahabī in *al-Siyar*, wherein he says:

هذه من زلقات يحيى القطان بل أجمع أئمة هذا الشأن على أن جعفرًا أوثق من مجالد فلم يلتفتوا إلى قول يحيى

This is one of the errors of Yaḥyā al-Qaṭṭān. The leaders in this field are unanimous that Ja'far was more reliable than Mujālid and did not pay attention to his opinion. (*Siyar al-A'lam al-Nubalā'*, 6/256)

- 3 ▶ Ibn Ḥibbān (d. 354 AH) states, "He was one of the leader of the Ahl al-Bayt in Fiqh, knowledge and virtue." (*al-Thiqāt*, 6/131)
- ▶ Al-Nawawī (d. 676 AH) states, "They are unanimous upon his leadership, loftiness and mastery." (*Tahdhīb al-Asmā' wa al-Lughāt*, 1/150)
- ▶ Ibn Taymiyah (d. 728 AH) states, "Ja'far al-Ṣādiq is from the best of the people of knowledge and Dīn." (*Minhāj al-Sunnah al-Nabawiyah*, 4/52)
- ▶ Al-Dhahabī (d. 748 AH) states, "The virtues of Ja'far are abundant. He was worthy of Khilāfah due to his nobility, virtue, knowledge, and dignity." (*Tārīkh al-Islām*, 3/828)

4 His lineage to 'Alī ibn Abī Ṭālib is obvious. As for Abū Bakr al-Ṣiddīq, he is the grandfather of Ja'far al-Ṣādiq's mother. He used to boast of his lineage to Abu Bakr al-Ṣiddīq رَضِيَ اللَّهُ عَنْهُ by saying, "Abu Bakr رَضِيَ اللَّهُ عَنْهُ was my father twice." This is because his lineage reaches Abu Bakr رَضِيَ اللَّهُ عَنْهُ through two chains. Firstly, through his mother Umm Farwah (Qarībah) bint al-Qāsim ibn Muḥammad ibn Abī Bakr رَضِيَ اللَّهُ عَنْهُ and secondly through her mother (i.e. his maternal grandmother) Asmā' bint 'Abd al-Raḥmān ibn Abī Bakr. Regarding this, 'Alī Muḥammad al-Tabrīzī al-Anṣārī (d. 1310 AH) states, *continued...*

astonished at the allegations directed towards him by the Imāmiyyah about his aversion from Ja‘far al-Ṣādiq’s School, following the Nawāṣib, or being deceived by those who are lesser in stature and understanding than Ja‘far al-Ṣādiq (referring to the Imāms of the 4 Madhhabs). They should be asked in astonishment, “What makes it compulsory and compels me to follow Ja‘far al-Ṣādiq from amongst all the Imāms and Jurists? What does he possess that the others don’t?”

Is it because of the Imāmiyyah’s belief in *‘Iṣmah* (infallibility of the Imāms), *Ijtibā’* (selection), *Naṣab* (appointment), and *Ma‘ājiz* (miracles)? The Ahl al-Sunnah does not hold this view. In fact, they regard this as deviation and exaggeration. They are not surprised by those who give preference to the Imāms over the prophets and regard the Imāms of the four Madhhabs as nothing compared to their Twelve Imāms; however, they are surprised by their persistence and boldness in directing accusations towards them unjustly.

The Dīn of Allah is protected. Existence or non-existence of any Imām or Jurist does not harm it. The compulsion on every person is to believe, as explained by Ibn Abī al-‘Izz al-Ḥanafī (d. 792 AH):

لو لم يخلق أبو حنيفة و الشافعي أو غيرهما من الأئمة العدول لما ضر دين الإسلام
وإنه ليس الى العلماء من أمر الدين إلا التبليغ و إيضاح المشكل و أما أمر التكفير
والتفسيق و التحليل و التحريم فإلى الله ورسوله... فإن الدين الذي بعث الله به
رسوله ليس مسلماً إلى عالم واحد و أصحابه و لو كان كذلك لكان ذلك الشخص
نظيراً لرسول الله صلى الله عليه وسلم وهو شبيهه بقول الرافضة

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“It used to be said to al-Ṣādiq quiet often, ‘You re the son of al-Ṣiddīq.’ Because his mother was Umm Farwah (Qarībah) bint al-Qāsim ibn Muḥammad ibn Abī Bakr رضي الله عنه and the wife of al-Qāsim was the daughter of ‘Abd al-Raḥmān ibn Abī Bakr رضي الله عنه. He used to say, ‘Abū Bakr رضي الله عنه was my father twice.’ (*al-Lum‘at al-Bayḍā’*, pg. 41) He would get angry at those who would raise objections against his grandfather Abū Bakr رضي الله عنه openly and secretly and detest them intensely. (*Siyar A‘lām al-Nubalā’*, 6/255)

He used to be astonished with those who discussed Abū Bakr رضي الله عنه and hurl insults at him through actions or speech. Hence, he would say to Sālim ibn Abī Ḥafṣah, “O Salim, can a person swear his grandfather? Abū Bakr is my grandfather. I will not attain the intercession of the Prophet صلى الله عليه وسلم on the Day of Judgement if I do not befriend them and absolve myself from their enemies.” (‘Abd Allāh ibn Muḥammad: *Al-Sunnah*, 1303; Al-Ājurrī: *al-Sharī‘ah*, 1708)

If Abū Ḥanīfah, al-Shāfi‘ī, and the other upright Imāms were not created, then this would not harm the religion of Islam. The responsibility of the scholars—in matters pertaining to Dīn—is to transmit and clarify the ambiguous areas. Rulings of disbelief and declaring someone to be sinful or making something permissible or impermissible is for Allah ﷻ and his Prophet ﷺ only. The Dīn of Allah ﷻ which the Prophet ﷺ was sent with is not entrusted to a scholar or his followers. If this was the case then that person would be equal to the Prophet ﷺ.

This is similar to the view of the Rāfiḍah^{1, 2}

If anyone raises an objection that Ja‘far al- Ṣādiq was superior to them in Fiqh and encompassing various sciences then the reply to them would be that his father al-Bāqir and Abū Ḥanīfah were superior to him in Fiqh. Precedence in time does not necessitate superiority in knowledge and proficiency.

As for what they mention about his encompassing knowledge of chemistry,³

1 *Rafd* is a term used in opposition to *al-Naṣb*. Thus, *Rafd* is hatred and enmity for al-Shaykhayn, Abū Bakr and ‘Umar رضي الله عنهما and turning away from them. The first person to give this name to those who exaggerated about Abū al-Sibtayn ‘Alī رضي الله عنه was Zayd ibn ‘Alī ibn al-Ḥusayn رضي الله عنهما when some people betrayed him because of his support for Abū Bakr and ‘Umar رضي الله عنهما. He said to them, “You have deserted me,” and named them *al-Rāfiḍah* (deserters). Thereafter this term stuck to all those who exaggerate about ‘Alī رضي الله عنه and insult Abū Bakr and ‘Umar رضي الله عنهما. This is the popular reason for this name. However, there are other views also.

2 *Al-Atbā’*, pg. 80 with some editing.

3 Dr. Muḥammad Yaḥyā al-Hāshimī wrote a book regarding this and named it *al-Imām al-Ṣādiq Mulhim al-Kīmiyā’*. People have attributed aspects of the science of chemistry to Ja‘far al-Ṣādiq which is exclusive to Jābir ibn Ḥayyān on the grounds that he (Jābir) was from his sect. They claim that he resided in Kūfah and met Ja‘far therein. There are issues concerning this which require observation. As for the claim that he was from Ja‘far al-Ṣādiq’s sect, there is no evidence for this. What is apparent—as mentioned in his biography—is that he was close to the minister Ja‘far ibn Yaḥyā al-Barmakī during the rule of the Abbāsīd Khalīfah Hārūn al-Rashīd. In fact, it is mentioned that he passed away when he was over 80 years old in Kūfah after fleeing from the Abbāsīds, after the catastrophe of Barāmakah. He was imprisoned in Kūfah till his death in the year 197 AH. This confirms his connection with Ja‘far al-Barmakī and not with Ja‘far al-Ṣādiq.

It is mentioned that his father was one of the Abbāsīd supporters in their revolt against the Umayyads. Thus, his patronage was with the Abbasids and not the Alawīs, let alone with Ja‘far al-Ṣādiq. Similarly, it is mentioned that he resided in Kūfah and we have mentioned before that Ja‘far al-Ṣādiq lived in al-Madīnah al-Munawwarah throughout his life and is buried there. *continued...*

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It is debatable whether he entered Irāq or not, let alone him leaving Madīnah and relocating to Kūfah. Above all this, for Jābir to be from Ja'far's sect or close to him, does not give anyone the right to attribute his science to Ja'far in this strange manner.

Besides this, there is skepticism about the type of chemistry which is attributed to Jābir. It is reported from distinguished personalities like Ibn Taymiyah (d. 728 AH) in *Majmū' al-Fatāwā*, 29/374, al-Ṣafḍī (d. 764 AH) in *al-Wāfi bi al-Wafāyāt*, 11/27, and Ibn Khaldūn (d. 808 AH) in *al-Tārīkh*, pg. 633-726 that the science which was prevalent at that time by the name of chemistry or semiotics, was not from natural skills or something that ends up to an industrial matter which can be attributed to a skill like what is known today as chemistry. It is a science which is a mixture of witchcraft, fantasy, and black magic, known as hieroglyphics or the secrets of words and numbers or magic of stars and fantasies. Ibn Khaldūn states:

علم أسرار الحروف وهو المسمّى لهذا العهد بالسيمايا نقل وضعه من الطلسمات إليه في اصطلاح أهل التصرف من المتصوّفة فاستعمل استعمال العام في الخاص وحدث هذا العلم في الملة بعد صدر منها وعند ظهور الغلاة من المتصوّفة وجنوحهم إلى كشف حجاب الحسّ وظهور الخوارق على أيديهم والتصرفات في عالم العناصر وتدوين الكتب والاصطلاحات ومزاعمهم في تنزّل الوجود عن الواحد وترتيبه إلي أن يقول فأما سر التناسب الذي بين هذه الحروف وأمزجة الطبائع أو بين الحروف والأعداد فامر عسير على الفهم إذ ليس من قبيل العلوم والقياسات وإنما مستندهم فيه الذوق والكشف

The science of the secrets of letters is what is known today as semiotics. Its foundation was transferred from amulets in the terminology of those Sūfīs who perform supernatural acts. Thus, it used in a general manner in a specific field. This science was introduced into the religion after it was formed and at the emergence of extremist Sūfīs and their inclination to uncover the veil of senses, produce supernatural acts, divulge in elementology, compile books, and terminologies, and their claim that existence descends from One Being and His disposition... till he says, "As for the secrets of the symmetry between these letters and temperament of nature or between the letters and numbers, this is a very difficult matter to understand, because it is not any type of science or analogy. It is dependent on a person's inclination and exploration." (*Muqaddamah Ibn Khaldūn*, chapter 29 and 30, science of the secrets of letters)

Hence, Ibn Khaldūn states regarding Jābir:

ثم ظهر بالمشرق جابر بن حيان كبير السحرة في هذه الملة فتصقح كتب القوم واستخرج الصناعات وغاص في زبدتها واستخرجها ووضع فيها غيرها من التآليف وأكثر الكلام فيها وفي صناعة السيمياء لأنها من توابعها لأن إحالة الأجسام النوعية من صورة إلى أخرى إنما يكون بالقوة النفسية لا بالصناعة العملية فهو من قبيل السحر

Then Jābir ibn Ḥayyān emerged in the west. He browsed through the people's books and extracted the skill. He delved into its essence and extracted it and introduced other literatures to it. He expounded this field and semiotics as it is one of its off shoots. The transformation of any specific object, from one form to another, can only be achieved thorough psychological strength and not through scientific skill. Thus, this is a form of black magic.

continued...

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Then he says:

إمام المدونين جابر بن حيان حتى إنهم يخصصونها به فيُسمونها علم جابر وله فيها سبعون رسالة كلها شبيهة بالألغاز وزعموا أنه لا يفتح مقفلها إلا من أحاط علما بجميع ما فيها

The leader of the compilers is Jābir ibn Ḥayyān, to such an extent that they attribute it exclusively to him and call it the 'science of Jābir'. He authored 70 treatises in this field, all resembling riddles. They claim that only those people can expose its secrets that have encompassing knowledge of all its contents.

Al-Ṣafḍī states:

وأنا أنزه الإمام جعفر الصادق عن الكلام في الكيمياء وإنما هذا الشيطان أراد الإغواء بكونه عزا ذلك إلى أن يقوله مثل جعفر الصادق لتلقاه النفوس بالقبول ورأيته إذا ذكر الحجر يقول بعد ما يرمزه وقد أوضحت في الكتاب الفلاني فيتعب الطالب حتى يظفر بذلك المصنف المشؤوم فيجده قد قال: وقد بينته في الكتاب الفلاني فلا يزال يحيل علي شيء بعد شيء

I exonerate Ja'far al-Ṣādiq from any discussions regarding chemistry. It is only this devil that intends luring others by attributing it to statements of people like Ja'far al-Ṣādiq so that people accept it. One would see that he mentions a stone and what it symbolises. Then he would say that I have expounded about it in so and so book. A fervent researcher would tire himself till he finds that ill-fated literature wherein he would again say that I have explained it in so and so book. He would continuously refer to one thing after another.

Muḥammad ibn Makkī al-Āmilī (d. 786 AH), while discussing the chemistry prevalent during his time, states:

ومن التخيل السيمياء وهي إحداث خيالات لا وجود لها في الحس للتأثير في شيء آخره وربما ظهر إلى الحس. ويلحق به الشعبة وهي الأفعال العجيبة المترتبة علي سرعة اليد بالحركة فيلتبس علي الحس وقيل: الطلسمات كانت معجزات لبعض الأنبياء. أما الكيمياء فيحرم المسمي بالتكليس بالزئبق والكبريت والزاج والتصديّة والشعر والبيض والمرارة والأدهان كما يفعله متحشفو الجهال. أما سلب الجواهر خواصها وإفادتها خواص أخرى بالدواء المسمي بالإكسير أو بالنار اللينة الموقدة على أصل الفلزات أو لمراعاة نسبتها في الحجم والوزن فهذا مما لا يعلم صحته، وتجنب ذلك كله أولى وأخري.

And from amongst the visualisations is semiotics, which is to create imaginations that have no existence in the senses, to create effect in something else. Sometimes it becomes apparent to the senses. Linked to that is sleight of hand, which is strange actions done by the speed of the hand which mesmerises the senses. It is said that talismans were miracles of some Prophets. As for chemistry, then that which is known as calcification through mercury, sulphur, sulphate, hand clapping, hair, eggs, gall bladder and other oils, which some conservative ignorant people practice is forbidden. As for gems whose properties are removed and it produces other properties through treatment by chemical called elixir, or a soft fire which is ignited on original metals or because of some adherence to volume and weight, then this is something whose authenticity is not known. The best option would be to abstain from both of them. (*al-Durūs al-Shar'iyah fī Fiqh al-Imāmiyyah*, 3/163)

continued....

physics, astronomy, that he was the first to discover oxygen,¹ the first to discover the theory of the origin of the universe² and the theory of gravity³, then this—even though debatable—is out of the framework of Fiqhī discussion.

Thus, when the Imāmiyyah could not find any proof to establish the superiority of Ja‘far al-Ṣādiq over the four Imāms in knowledge and him being more entitled to be followed instead of them, they resorted to other tactics to promote the Ja‘farī School, which is their claim that the four Imāms learned Fiqh from Ja‘far al-Ṣādiq. In this way it is claimed that Ja‘far al-Ṣādiq is the teacher of the four Imāms undisputedly.

From this springboard, the Imāmī Shī‘ah promoted—in their propaganda literature—the notion of coming back to follow the original, i.e., the school of Ja‘far al-Ṣādiq instead of the distorted clone which they, i.e. the four Imāms, possess.

Dr Muḥammad Ḥusayn al-Ṣaghīr⁴ states:

إذا توقفنا قليلا عند مسيرة المذاهب الأربعة وجدنا الإمام الصادق هو الرافد الأصل
لمنا بعدها الثرة⁵ فقد كان الإمام ابو حنيفة النعمان بن ثابت (١٥٠ هـ) من رعييل تلامذة

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Ibn Miskawayh has presented an important discussion regarding chemistry and its reality in his book *al-Hawāmil wa al-Shawāmil*, pg. 364 – 368. One can revert to it if one desires.

I say, in brief, to say with certainty that the chemistry of Jābir was sorcery or black magic is debatable. I am inclined towards doubt as mentioned by Ibn Miskawayh. What we have mentioned is sufficient rebuttal to those strange extreme exaggerations which have no end.

1 That means before Joseph Priestley (1804 CE), as mentioned by Dr. Nūr al-Dīn Āl ‘Alī in his book *al-Imām al-Ṣādiq kamā ‘Arafahū ‘Ulamā’ al-Gharb*, pg. 123.

2 That is before Fred Hoyle (2001 CE) in his Big Bang Theory. See *al-Imām Ja‘far al-Ṣādiq Za‘īm Madrasat Ahl al-Bayt*, pg. 384; and *al-Imām al-Ṣādiq kamā ‘Arafahū ‘Ulamā’ al-Gharb*, pg. 177.

3 That is before Isaac Newton (1727 CE). See *al-Imām al-Ṣādiq kamā ‘Arafahū ‘Ulamā’ al-Gharb*, pg. 177.

4 Dr. Muḥammad Ḥusayn al-Ṣaghīr: he is a professor in the University of Kūfah. He was born in Najaf in 1940 CE and joined al-Ḥawzah al-‘Ilmiyyah (Shī‘ah seminary) in Najaf in 1952 CE. He completed his academic studies in higher external research by al-Marja‘ al- Dīnī al-Rāḥil Abū Qāsim al-Khuṭī in 1975 CE. He founded the department of post graduates in the University of Kūfah in the year 1988 CE.

5 *Tharah* with a *Fatḥa* on the *Thā* means excessive milk. The term is used as follows *Nāqah Tharrah*, i.e. a camel with broad laden udders. Dr. Ṣaghīr intends to indicate towards the great amount of good work achieved by Ja‘far al-Ṣādiq.

الإمام حتى قال لو لا الستتان لهلك النعمان يشير بذلك الى حضوره عند الإمام لأخذ العلم و التفقه في الدين فتخرج عليه قائلاً ما رأيت افقه من جعفر بن محمد وعلى أبي حنيفة أخذ الإمام مالك (١٧٩هـ) و على مالك أخذ الإمام الشافعي (٤٠٢هـ) وعلى الشافعي أخذ شيخ الحنابلة الإمام أحمد بن حنبل (٢٤١هـ) وعلى هذا فالإمام الصادق استاذ الأئمة دون منازع

If we ponder little at the journey of the four Madhhabs, we will find that Ja'far al-Ṣādiq is the main tributary for their rich source. Imām Abū Ḥanīfah Nu'mān ibn Thābit (d. 150 AH) was from the pioneer students of Ja'far al-Ṣādiq, to such an extent that he declared, "Were it not for the two years then Nu'mān would have perished." This is in reference to him presenting himself before Ja'far al-Ṣādiq to study knowledge and fiqh from him. He graduated from there claiming, "I have never seen anyone more knowledgeable in Fiqh than Ja'far ibn Muḥammad."

Imām Mālik (d. 179 AH) acquired knowledge from Abū Ḥanīfah, Imām al-Shāfi'ī (d. 204 AH) acquired knowledge from Mālik, and the leader of the Ḥanābilah, Imām Aḥmad ibn Ḥanbal (d. 241 AH) acquired from al-Shāfi'ī. In this manner, Ja'far al-Ṣādiq is the undisputed teacher of the Imāms.¹

The leading scholar of reference in contemporary times Shaykh Ja'far al-Subḥānī², while discussing the authority of the Ithnā 'Asharī Imāms says:

وخضع لهم أئمة الفقه في مواقف شتى حتى قال الإمام ابو حنيفة بعد تتلمذه علي الإمام الصادق سنتين لو لا الستتان لهلك النعمان

The Imāms of Fiqh submitted to him in various instances, to such an extent that Imām Abū Ḥanīfah declared after studying under him for two years, "If it were not for the two years then Nu'mān would have perished."³

Dr. Ḥāmid Ḥifnī Dāwūd stood behind this claim with full conviction by saying:

1 *Al-Imām Ja'far al-Ṣādiq Za'im Madrasat Ahl al-Bayt*, pg. 30.

2 Ja'far Muḥammad Ḥusayn al-Khayābānī al-Subḥānī is the contemporary authority of Taqlīd. He was born in Tabrez in 1928 CE. He authored various books like *al-Inṣāf fī Masā'il Dāma Fīha al-Khilāf*, *al-Bid'ah Mafhūmuhā Waḥdahā wa Āthāruhā wa Mawāriduhā ma'a al-Shī'ah al-Imāmiyyah fī 'Aqā'idhim*, and many other books.

3 *Al-I'tiṣām bi al-Kitāb wa al-Sunnah*, pg. 348.

وكان أبو حنيفة كثيرا ما يقول لو لا الستتان لهلك النعمان

Abū Ḥanīfah would proclaim very often, “If it were not for the two years then Nu‘mān would have perished.”¹

I do not know—may Allah forgive him—where this abundance comes from. Academic rulings need proofs and evidence, not emotions.

It becomes evident that the competitive heat with regards to Abū Ḥanīfah was much sweltering than being able to be extinguished by few texts which tickle the feelings or promoting the Imāmī School amongst the Ahl al-Sunnah on the pretext that Ja‘far al-Ṣādiq was the leader of all the four Madhhabs. Hence, some from amongst the Zaydīs claim that the statement, “if it were not for the two years then Nu‘mān would have perished,” refers to his other teacher, Zayd ibn ‘Alī ibn al-Ḥusayn.

Regarding this, ‘Abd al-Wāḥid ibn Yaḥyā al-Wāsiī states in his research on *Musnad al-Imām Zayd ibn ‘Alī*:

أبو حنيفة من تلامذة الإمام زيد بن علي قرأ عليه سنتين وكان يقول لو لا الستتان
لهلك النعمان

Abu Ḥanīfah is from amongst the students of Zayd ibn ‘Alī. He studied two years by him and he used to say, “If it were not for the two years then Nu‘mān would have perished.”²

I have, for a long period of time, researched regarding the origin of this statement which the books have continuously quoted and the Imāmiyyah have taken advantage of in the worst possible way. I have given special priority to it and searched as many former books as possible during my research. I have not come across any mention of it in the biographies of the former scholars regardless of their Madhhab and background. The first amongst the eminent scholars to mention it is al-Jāḥiẓ (d. 255 AH), who mentioned using an expression that denotes doubt, which indicates to the condition of this claim. He states:

1 *Nazarāt fī al-Kutub al-Khālidah*, pg. 182.

2 *Musnad Zayd ibn ‘Alī*, pg. 103.

جعفر بن محمد الذي ملأ الدنيا علمه وفقهه ويقال إن ابا حنيفة من تلامذته

Ja'far ibn Muḥammad, whose knowledge and Fiqh filled the world. It is said that Abū Ḥanīfah is from amongst his students.¹

Thereafter, Ibn Abī al-Ḥadīd al-Mu'tazilī (d. 656 AH) appeared and he changed the doubtful expression (*Yuqālu*, it is said) to a verb denoting conviction (*Qara'a*, he studied). Thus, he reports:

و أبو حنيفة قرأ على جعفر بن محمد و قرأ جعفر على أبيه

And Abū Ḥanīfah studied from Ja'far ibn Muḥammad and Ja'far from his father.²

Thereafter Shams al-Dīn Muḥammad al-Jazarī changed this broad claim to an established fact which could be used to debate. Thus, he states:

وثبت عندنا أن كلا من الإمام مالك و أبي حنيفة صحب الإمام أبا عبد الله جعفر بن محمد الصادق حتى قال أبو حنيفة ما رأيت أفقه منه وقد دخلني منه من الهيبة ما لم يدخلني للمنصور

It is established, according to us, that both Imām Mālik and Abū Ḥanīfah sat in the company of Abū 'Abd Allāh Ja'far ibn Muḥammad al-Ṣādiq, so much so that Abū Ḥanīfah said, "I have not seen anyone more intelligent than him. I reserve such awe for him which I do not have for al-Manṣūr."³

Ibn al-Jazarī's statement endorses what we have mentioned, not negates it. Because his statement is explicit that what is being alluded to is their first meeting before the Abbāsīd Khalīfah Abū Ja'far al-Manṣūr, towards end of the two Imāms' (Abū Ḥanīfah and Ja'far) lives. However, an observant person will notice that, in the excerpts mentioned above, no mention has been made, nor any indication, to the popular phrase, 'if it were not for the two years then Nu'mān would have perished.' This confirms that this phrase was not known during that period of time. Hence, the first scholar to mention it is 'Allāmat al-Hind Shāh 'Abd 'Azīz Ghulām al-Dehlawī (d. 1239 AH) in his book *al-Tuḥfah Ithnā 'Ashariyyah*, which

1 *Al-Risālah al-Siyāsiyyah (Risālat Faḍl Hāshim 'alā 'Abd Shams)*, pg. 450.

2 *Sharḥ Nahj al-Balāghah*, 1/18.

3 *Manāqib al-Asad al-Ghālib (Asnā al-Maṭālib)*, pg. 83.

was condensed by al-‘Allāmah al-Sayyid Maḥmūd Shukrī al-Ālūsī¹ around the year 1342 AH. Whoever quotes this phrase today is dependent on al-Dehlawī.

When al-Dehlawī quotes this phrase, he does not attribute it to any earlier origins of the Ahl al-Sunnah, nor to any reliable Imām. In fact, he does not attribute it to any opposition either. Therefore, it is not known where he brought it from.

Perhaps it is something he heard, which he wished to document as a statement because of the close relationship which united the two Imāms, al-Ṣādiq and al-Nu‘mān, or it is something which the Imāmiyyah quote and he mentioned it condescendingly.²

Whoever quotes this statement cannot link it to anyone before al-Dehlawī. He is the first to mention it and others quoted it from him. Anyone who denies this should investigate it himself.

1 It is apparent that Abū al-Ma‘ālī Muḥammad Shukrī al-Ālūsī was touched by this treatise on a personal level, as he deduced from it in his book *Ṣabb al-‘Athāb ‘alā Man Sabba al-Aṣḥāb*, pg. 157-158, by saying, “Here is Abū Ḥanīfah, who is from the Ahl al-Sunnah. He used to boast and say eloquently that ‘if it were not for the two years then Nu‘mān would have perished.’ He refers to the two years in which he accompanied Ja‘far al-Ṣādiq to acquire knowledge. Many distinguished scholars have stated that he acquired knowledge and spritualism from Ja‘far, his father Muḥammad al-Bāqir and his uncle Zayd ibn ‘Alī ibn al-Ḥusayn. Mālik ibn Anas used to boast also about acquiring knowledge from them and from those who studied by them.”

This is a strange statement from a person of Abū al-Ma‘ālī’s calibre, despite the condemnation by senior scholars.

2 The researcher Muḥibb al-Dīn al-Khaṭīb, in his forward of the condensed version of *al-Tuḥfah*, has quoted the statement of *al-Tuḥfah*’s author, ‘Abd al-‘Azīz Shāh al-Dehlawī about his method in his book. In it he says, “In this treatise, I have committed not to mention anything about the Shī‘ah school, their principles or allegations directed towards them except from their popular reliable books or in accordance to what they contain, so that I encourage them that those allegations which they claim to direct against the Ahl al-Sunnah, should also be in accordance to the reliable books of the Ahl al-Sunnah and their authentic narrations. This will dispel any allegation of sectarianism.”

The translator from Persian to Arabic, al-Shaykh Ghulām Muḥammad al-Aslamī states, “When the author speaks generally, then it is according to the method and school of the Shī‘ah. Whatever he mentions from the Ahl al-Sunnah, he stipulates and attributes it to them. Example of this is what he mentioned in the chapter of Imāmah (pg. 124) about the *Ijtihād* (independent judgement) of Mu‘āwiyah رضي الله عنه. He mentioned it in accordance to their speech and manner, so that it can be a proof against them in the future. Thus, the original writing in this treatise is according to the rules, principles, and narrations of the Shī‘ah; so that it can be a proof against them.”

To accept that Ja'far al-Ṣādiq—despite his virtue and status by us—is the teacher of Imām Abū Ḥanīfah is an obvious error which cannot be concealed to those whose foresight Allah *سُبْحَانَهُ وَتَعَالَى* has enlightened.

This can be summarised by the following observations:

First Observation

Ja'far al-Ṣādiq was affiliated to the school of the *Ahl al-Ḥadīth* (people of Ḥadīth)¹ which held a special position with the school of the people of Opinion, who were represented at that time by Imām Abū Ḥanīfah and his followers.

Between the two schools², occasionally³ there was some estrangement, aversion, mutual rebuttals, and academic debates.

1 We mention this according to historical fact, far from religious ideology. Otherwise, according to the Imāmiyyah, he was alienated from both, the schools of the people of logic and Ḥadīth, angry with all those who did not profess Imāmah to him.

Regarding this, al-Shahrastānī writes:

“Indeed the schools of Irāq and Madīnah, as you will see, were schools in opposition to the school of the Ahl al-Bayt. Some of them would issue fatwa in accordance to narrations while others according to logic. They were not in opposition to the state. In fact, we see them always submitting to them and advocating compliance to them. They regarded obedience to the ruler as compulsory, whether he is pious or a sinner and they permit performing Ṣalāh, which is a pillar of Dīn, behind him.”

(*Wuḍū' al-Nabī*, 1/351)

2 The *Mujtahid* (legist) Imāms of Fiqh and Dīn are divided into two types. There is no third type. People of Ḥadīth and the People of opinion.

- People of Ḥadīth: They are; people of Ḥijāz, Ja'far ibn Muḥammad al-Ṣādiq (d. 148 AH), Imām Muḥammad ibn Idrīs al-Shāfi'ī (d. 204 AH), Imām Aḥmad ibn Ḥanbal al-Shaybānī (d. 241 AH), and Imām Dāwūd ibn 'Alī al-Baghdādī (d. 240 AH) the leader of the Ahl al-Ḍāhir. They are called ‘the people of Ḥadīth’ because their attention is directed towards collecting Aḥādīth, narrating transmissions and basing rulings upon text. They do not resort to apparent or hidden analogy as long as they find any Ḥadīth or narration.
- People of Opinion: This is mostly attributed to the people of Iraq, despite its diversity. They are called ‘the people of opinion’ because their attention is mostly on collecting rulings according to *Qiyās* (analogy), and meanings deduced from rulings and judging new incidents according to that. Sometimes they give preference to apparent analogy over single narrations. They are:

continued...Footnote 3 on next page as well

None of the Sunnī books of narrations or history mention any specific stance of Ja‘far al-Ṣādiq regarding the school of *Aṣḥāb al-Rāi* (the people of opinion), except some dialogues which indicate to his extreme stance towards Qiyās and its followers, which will be mentioned in due course.

However, through the general framework of these dialogues and through him being affiliated to the school of Ahl al-Ḥadīth, it is understood that his stance is the same as the stance of the other jurists of this school.

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1. From the people of Iraq: Imām Ibn Abī Laylā al-Anṣārī (d. 148 AH), Imām Abū Ḥanīfah (d. 150 AH), his followers Muḥammad ibn al-Ḥasan, Abū Yūsuf, Zufar ibn Hudhayl, Ḥasan ibn Ziyād al-Lu‘lu‘ī, and Abū Muṭṭī al-Balkhī, and Sufyān al-Thawrī.

Because Imām Abū Ḥanīfah and his followers are flag bearers of this school, the term *Aṣḥāb al-Rāi* (people of opinion) is mostly attributed to the Ḥanafīs as reported by al-Nawawī (d. 676 AH) in *Rawḍat al-Ṭālibīn* (5/330) where he says, “*Aṣḥāb al-Rāi* are the Ḥanafī Jurists. This is the custom of the people of Khurāsān.”

2. From the people of Shām: Imām al-Awzā‘ī (d. 157 AH)

3. From the people of Madīnah: Imām Rabī‘ah ibn Abī ‘Abd al-Raḥmān (d. 136 AH). He is called Rabī‘at al-Rā‘i because of this; Imām Mālik ibn Anas (d. 197 AH). This is a fact that many people are unaware of concerning his Madhhab. Researchers mention him from amongst the *Aṣḥāb al-Rāi* and not the Ahl al-Ḥadīth.

That is why when Ibn Qutaybah al-Dīnawarī (d. 276 AH) wrote the biography of Imām Mālik in *al-Ma‘ārif* (pg. 498), he mentioned him amongst the *Aṣḥāb al-Rāi* and not the Ahl al-Ḥadīth.

The Ḥanafī Jurist, Abū al-Layth al-Samarqandī (d. 373 AH) states in *Ta’sīs al-Nazā’ir* that if there is no verdict in the Ḥanafī Madhhab regarding any ruling, the one must resort to the Madhhab of Imām Mālik because his Madhhab is the closest to Abū Ḥanīfah’s. (See *Radd al-Muhtār* of Ibn ‘Ābidīn, 3/411.)

2 Abū al-Faṭḥ al-Shahrastānī states, “Know well that there is great differences between the two groups in subsidiary rulings. There are books written about it and they held debates about it. The end reached their methods of conjecture also, as if they are on the brink of conviction and certainty.” (*al-Milal wa al-Niḥal*, 1/205-206)

Al-Imām Aḥmad used to condemn the people of opinion a lot. He used to say (like his rulings regarding narrating from Abū Dawūd al-Sijistānī (1778), “Mālik’s opinion does not please me, or anyone else’s opinion.”

Once he was asked about Imām Mālik. He replied, “His Ḥadīth is correct but his opinion is weak.” He was asked about Imām al-Awzā‘ī. He replied, “His Ḥadīth is weak and his opinion is weak.” He was asked about Imām Abū Ḥanīfah. He replied, “He doesn’t have any opinion or Ḥadīth.” (See *Tārīkh Baghdād*, 15/573)

The Imāmī legacy has gathered various narrations from Ja‘far al-Ṣādiq which reveal his extreme stance against the Aṣḥāb al-Ra’y and those who are affiliated to them. In some of them, he inclined towards cursing them and attributing innovation, deviation, and at times even disbelief towards them under the pretext of changing the laws of Sharī‘ah and manipulating the religion of Allah ﷺ.

Al-Mufīd reports in *al-Amālī* and al-Ḥurr al-‘Āmilī in *Wasā’il al-Shī‘ah* from Ja‘far al-Ṣādiq this statement:

لعن الله أصحاب القياس فإنهم غيروا كتاب الله وسنة رسول الله واتهموا الصادقين
في دين الله

May Allah curse the people of Qiyās (those who deduce rulings using analogy) because they have changed the Book of Allah and the Sunnah of the Prophet ﷺ and accused the truthful ones in the Dīn of Allah.¹

Al-Barqī reports in *al-Maḥāsīn* and al-Ḥurr al-‘Āmilī in *Wasā’il al-Shī‘ah* from Muḥammad ibn Muslim who narrates from Ja‘far al-Ṣādiq his statement in the chapter of the respect for Amīr al-Mu‘minīn:

لا تقيسوا الدين فإن أمر الله لا يقاس وسيأتي قوم يقيسون وهم أعداء الدين

Do not use Qiyās in dīn because the law of Allah cannot be analysed. Soon a nation will appear who will use Qiyās and they will be the enemies of Dīn.²

Mirzā al-Nūrī al-Ṭabarsī narrates from Muḥammad ibn Ḥakīm:

قلت لعبد الله إن قوما من أصحابنا قد تفقهوا و أصابوا علما ورووا أحاديث فيرد
عليهم الشيء فيقولون فيه برأيهم فقال لا وهل هلك من مضى إلا بهذا وأشباهه

I said to Abū ‘Abd Allāh, “Some of our companions have acquired knowledge and fiqh and narrate ḥadīth. Sometimes certain issues crop up. Can they rule on these issues using their opinion?”

1 *Al-Amālī*, pg. 52 Ḥadīth 13; *Wasā’il al-Shī‘ah*, 27/59, chapter of the impermissibility of passing judgement and ruling according to opinion, Ḥadīth 44.

2 *Al-Maḥāsīn*, 1/315; *Wasā’il al-Shī‘ah*, 27/52, Kitāb al-Qaḍā’, chapter of the impermissibility of passing judgement and ruling according to opinion, Ḥadīth: 36.

He replied, “No. The previous people were destroyed only because of this and similar things.”¹

Al-Ḥimyarī al-Qummī narrates from Aḥmad ibn Muḥammad ibn Abī Naṣr who states:

قلت للرضا جعلت فداك إن بعض أصحابنا يقولون نسمع الأثر يُحكى عنك وعن آبائك فنقيس عليه و نعمل به فقال سبحان الله لا والله ما هذا من دين جعفر هؤلاء قوم لا حاجة بهم إلينا قد خرجوا من طاعتنا وصاروا في موضعنا فأين التقليد الذي كانوا يقلدون جعفرًا و ابا جعفر قال جعفر لاتحملوا على القياس فليس من شيء يعدله القياس إلا والقياس يكسره

I said to al-Riḍā, “May I be sacrificed for you! Some of our companions say that we hear transmissions being narrated from you and your forefathers. Should we apply Qiyās and practice upon it?”

He replied, “Subḥān Allāh! No! This is not the way of Ja‘far. These are people who we have no need for. They have disobeyed us and taken our position. Where is the *Taqlīd* (to follow a legist in rulings) which they used to make of Ja‘far and Abū Ja‘far?”

Ja‘far stated, “Do not practice Qiyās (analogy). There is nothing that is justified by Qiyās except that Qiyās destroys it.”²

Al-Kulaynī (in *al-Kāfi*) and al-Ḥurr al-‘Āmilī (in *Wasā’il al-Shī‘ah*) report from Abū Shaybah al-Khurāsānī that he heard Abū ‘Abd Allāh—Ja‘far al-Ṣādiq—saying:

إن أصحاب المقاييس طلبوا العلم بالمقاييس فلم يزدتهم المقاييس من الحق الا بعدا وإن دين الله لا يصاب المقاييس

Verily, the people of Qiyās sought knowledge through Qiyās, but Qiyās only took them further from the truth. The Dīn of Allah cannot be acquired through Qiyās.³

1 *Mustadrak al-Wasā’il*, 17/263-264.

2 *Qurb al-Isnād*, pg. 356.

3 *Al-Kāfi*, 1/56, book on the virtues of knowledge, chapter on innovations and opinion, Ḥadīth: 7; *Wasā’il al-Shī‘ah*, 27/43, chapter on the impermissibility of passing judgement and ruling according to opinion, Ḥadīth: 18.

Al-Ḥimyarī narrates from Mas‘adah ibn Ṣadaqah who says that Ja‘far ibn Muḥammad said to me:

من أفتى الناس برأيه فقد دان بما لم يعلم ومن دام بما لم يعلم فقد ضاد الله حيث
أحل و حرم فيما لا يعلم

Whoever issues rulings to the people through his opinion, he has believed in that which he knows not, and whoever believes in what he does not know, he has opposed Allah as he issued rulings of permissibility or impermissibility in that which he does not know.¹

Al-Nūrī al-Ṭabarsī narrates from Samā‘ah ibn Mahrān who narrates from Ja‘far al-Ṣādiq saying:

قلت جعلت فداك إن ناسا من أصحابك قد لقوا أباك و جدك وقد سمعوا منهما
الحديث وقد يرد عليهم الشيء ليس عندهم فيه شيء وعندهم ما يشبهه فيقيسوا على
أحسنه فقال جعفر ما لكم و القياس إنما هلك من هلك بالقياس قلت أصلحك الله
و لم ذاك قال لأنه ليس من شيء إلا وقد جرى به كتاب و سنة وإنما ذاك شيء إليكم
إذا ورد عليكم أن تقولوا قال فقال إنه ليس من شيء إلا وقد جرى به كتاب و سنة ثم
قال إن الله قد جعل لكل شيء حدا ولمن تعدى الحد حدا

May I be sacrificed for you! Some of your companions have met your father and grandfather and heard ḥadīth from them. Sometimes such issues arise that they don’t have any narrations about it. However, they have some narrations similar to it. Should they apply Qiyās according the best narrations?

Ja‘far replied, “What do you know about Qiyās? Those who perished, perished because of Qiyās.”

I said, “May Allah keep you safe. Why is that?”

He replied, “There is nothing except that it is found in the Book and Sunnah. It is necessary that when it arises, you should say that so and so said. There is nothing except that it is found in the Book and Sunnah.”

Then he said, “Allah has stipulated a limit for everything. Whoever trespasses the limit should be punished.”²

1 *Qurb al-Isnād*, pg. 16.

2 *Mustadrak al-Wasā’il*, 17/265.

The narrations that have passed and those which we have not mentioned, demonstrate that Ja'far al-Ṣādiq was one of the severest people against Qiyās, contrary to Imām Abū Ḥanīfah who is known for leniency with regards to Qiyās.

Abū Ja'far al-Barqī of the Imāmiyyah created a chapter in his book *al-Maḥāsīn* called 'the chapter on Qiyās and opinion'. He presented 24 narrations of Ja'far al-Ṣādiq, all of them in criticising Qiyās and the people of Qiyās.

Most explicit of them is his reply to Abū Baṣīr when he asked, "Some issues arise regarding which we do not find anything in the Book or Sunnah. Should we ponder in it? He replied:

لا أما إنك إن أصبت لم تؤجر ، وإن أخطأت كذبت علي الله

No! This is so because if you are correct then you will not be rewarded and if you err then you will be attributing lies to Allah.¹

Irrespective of whether Ja'far al-Ṣādiq rejected Qiyās in general or Qiyās where the reason is not specified, the differences between the two Imām's (Abū Ḥanīfah and Ja'far) views in Jurisprudential principle is sufficient to establish the difference in their fundamentals and ways of deduction.

Books from both sects (the Ahl al-Sunnah and Imāmiyyah) have reported few academic debates between Imām Abū Ḥanīfah and Ja'far which highlight the great fundamental difference between them. Some of them are:

* That which is narrated by al-Zubayr ibn Bakkār and others (with their chain of narrators) from 'Abd Allāh ibn Shubrumah al-Kūfī—when he arrived in Makkah or Madīnah during Ḥajj—who says:

دخلت أنا وأبو حنيفة على جعفر بن محمد بن علي فسلمت وكنت له صديقا ثم أقبلت على جعفر فقلت له أمتع الله بك هذا رجل من أهل العراق له فقه وعلم. فقال لي جعفر لعله الذي يقيس الدين برأيه ثم أقبل عليّ فقال هو النعمان بن ثابت قال أي ابن شبرمة ولم أعرف اسمه إلا ذلك اليوم. فقال أبو حنيفة نعم أصلحك الله فقال له جعفر اتق الله ولا تقس الدين برأيك فإن أول من قاس إيليس إذ أمره الله تعالى بالسجود لآدم فقال أَنَا خَيْرٌ مِنْهُ خَلَقْتَنِي مِنْ نَّارٍ وَخَلَقْتَهُ مِنْ طِينٍ (الأعراف:

1 *Al-Maḥāsīn*, 1/2113; *al-Kulaynī: al-Kāfī*, 1/65.

١٦) ثم قال له جعفر هل حسن ان تقيس رأسك من جسدك فقال لا فقال اخبرني عن الملوحة في العينين وعن المرارة في الأذنين وعن الماء في المنخرين وعن العذوبة في الشفتين لأي شيء جعل ذلك قال لا أدري قال له جعفر إن الله تبارك وتعالى خلق العينين فجعلهما شحمتين وجعل الملوحة فيهما عنا منه على ابن آدم ولولا ذلك لذابتا فذهبتا وجعل المرارة في الأذنين منا منه عليه ولولا ذلك لهجمت الدواب فأكلت دماغه وجعل الماء في المنخرين ليصعد منه النفس وينزل ويوجد منه الريح الطيبة من الريح الرديئة وجعل العذوبة في الشفتين ليجد ابن آدم لذة مطعمه ومشربه ثم قال لابي حنيفة أخبرني عن كلمة أولها شرك وآخرها إيمان ما هي قال لا أدري قال قول الرجل لا إله إلا الله فلو قال لا إله إلا الله فلو قال لا إله ثم أمسك كان مشركاً فهذه كلمة أولها شرك وآخرها إيمان ثم قال ويحك أيما أعظم عند الله تعالى قتل النفس التي حرم الله أم الزنا قال لا بل قتل النفس قال له جعفر إن الله تبارك اسمه قد رضي وقبل في قتل النفس بشاهدين ولم يقبل في الزنا إلا أربعة فكيف يقوم لك قياس ثم قال أيما اعظم عند الله الصوم أم الصلاة قال لا بل الصلاة قال فما بال المرأة إذا حاضت تقضي الصيام ولا تقضي الصلاة اتق الله يا عبد الله ولا تقس نقف نحن غدا وأنت ومن خالفنا بين يدي الله فنقول قال رسول الله صل الله عليه وآله وصحبه قال الله وتقول أنت وأصحابك: سمعنا ورأينا فيعمل بنا وبكم ما يشاء

I came to Ja'far ibn Muḥammad ibn 'Alī with Abū Ḥanīfah. I greeted him as he was my friend. Then addressing Ja'far I said, "May Allah bless you; this is man from Iraq. He possesses much knowledge and Fiqh."

Ja'far said to me, "Maybe he is the one who analyses dīn through his opinion." He then said, "Is he Nu'mān ibn Thābit?"

Ibn Shubrumah says, "I did not know his name till that day."

Abū Ḥanīfah replied, "Yes, may Allah keep you safe."

Then Ja'far said to him, "Fear Allah and do not analyse dīn through your opinion. The first person to apply Qiyās was Iblīs, when Allah ordered him to prostrate, he said:

أَنَا خَيْرٌ مِنْهُ خَلَقْتَنِي مِنْ نَّارٍ وَخَلَقْتَهُ مِنْ طِينٍ

(Shayṭān) said, "I am better than him. You created me from fire and created him from clay (i.e. earth)."¹

1 Sūrah al-A'rāf: 12.

Thereafter Ja'far said to him, "Would you like to apply Qiyās on your head from your body?"

He replied, "No."

Ja'far said, "Inform me about the saltiness in the eyes, bitterness in the ears, the water in the nostrils and the sweetness in the lips. Why were these created?"

He replied, "I do not know."

Ja'far said, "Allah created the eyes and made them two flaps and placed saltiness in them as a favour to the human being. If it was not for this, the eyes would have melted and perished. Allah created the bitterness in the ears as a favour for human being. If it was not for that, insects would have attacked and devoured his brains. He created the water in the nostrils so that he breathes in and out and differentiates between pure and impure air. He created sweetness in the lips so that man can experience the taste of his food and drink."

Thereafter he said to Abū Ḥanīfah, "Tell me about a statement, the beginning of it is *Shirk* (apostasy) and the end of it is *īmān* (faith)."

He replied, "I do not know."

Ja'far said, "It is person's utterance of *La ilāha illā Allāh* (There is no god but Allah). If he uttered *La ilāha* (there is no god) only and stopped, then this would be *Shirk* (apostasy). Thus, this is such a statement, that the beginning of it is *Shirk* and the end is *īmān*."

He then said, "Woe to you, which is a greater sin in the court of Allah? Killing a soul which is forbidden by Allah or adultery?"

He replied, "Killing a soul."

Ja'far said to him, "Allah is satisfied and accepts the testimony of two witnesses with regards to killing; however, he requires four witnesses in the case of adultery. How do you apply Qiyās?"

He then said, "Which is a greater virtue? Fasting or Ṣalāh?"

He replied, "It is Ṣalāh."

Ja'far said, "Then why is it that when a woman gets her menses, she makes *Qaḍā'* (compensate by another fast) of the fast and not the *Ṣalāh*? Fear Allah سُبْحَانَكَ وَتَعَالَى, O servant of Allah, and do not apply *Qiyās*. Tomorrow you, we, and those who opposed us will have to stand before Allah. We will say that Allah سُبْحَانَكَ وَتَعَالَى and His Prophet صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ said so and so, whereas you and your companions will say, "We heard and we opined such and such." Then Allah سُبْحَانَكَ وَتَعَالَى will deal with us and you as he wishes."¹

- * That which is reported by Abū Nu'aym al-Aṣḥabānī (d. 430 AH) with his chain from Muḥammad ibn Sulaymān ibn Salīṭ² who says:

Ja'far ibn Muḥammad said to Abū Ḥanīfah, "O Nu'mān, which is greater, *Ṣalāh* or Fast?"

He replied, "It is *Ṣalāh*."

Ja'far asked, "Then why is it that a menstruating woman has to compensate when she did not fast whereas she does not have to compensate for missed *Ṣalāh*? Verily the *Dīn* of Allah سُبْحَانَكَ وَتَعَالَى is not based on *Qiyās*. It is based on adherence only."³

The Imāmī narrations are:

- * That which al-Barqī (d. 274 AH) reported in *al-Maḥāsin* from Muḥammad ibn Muslim who says:

كنت عند أبي عبد الله بمنى إذا أقبل أبو حنيفة على حمار له فاستاذن على أبي عبد الله فاذن له فلما جلس قال لابي عبد الله إني أريد أن أقيسك فقال أبو عبد الله ليس في دين الله قياس ولكن أسألك عن حمارك هذا فvim أمره قال عن أي أمره تسأل قال أخبرني عن هاتين النكتتين اللتين بين يديه ما هما فقال أبو حنيفة خلق في الدواب

1 Al-Zubayr ibn Bakkār: *al-Akhbār al-Muwaffiqiyyāt*, pg. 75-76; Wakī': *Akhbār al-Quḍāt*, 3/77-78; Abū al-Shaykh: *al-'Aẓmah*, 5/1626; al-Khaṭīb al-Baghdādī: *al-Faqīh wa al-Mutafaqqih*, 1/464. It is mentioned in *Fawā'id Tamām*, 1/110, that that person that entered with Abū Ḥanīfah by Ja'far was not Ibn Shubrumah. They were Khārijah and Ibn Abī Laylā. The chain of this narration is *Gharīb* (strange) [i.e. weak]. It is mentioned in *Ḥilyat al-Awliyā'*, 3/196, that it was 'Amr ibn Jamī—the judge of Ḥulwān—and Ibn Abī Laylā that entered with Abū Ḥanīfah. 'Amr ibn Jamī is accused of fabrication.

2 Al-'Uqaylī states in *al-Ḍu'afā' al-Kabīr*, 4/74, "He is *Majhūl* (Unknown) in his status in narration."

3 *Musnad Abī Ḥanīfah*, pg. 66.

كخلق أذنيك وأنقك في رأسك فقال له جعفر خلق الله اذني لأسمع بهما وخلق عيني لأبصر بهما وخلق أنفي لاجد به الرائحة الطيبة والمنتنة ففيمما خلق هذان وكيف نبت الشعر على جميع جسده ما خلا هذا الموضع فقال أبو حنيفة سبحان الله أتيتك أسألك عن دين الله وتسالني عن مسائل الصبيان فقام وخرج

I was with Abū ‘Abd Allāh in Minā when Abū Ḥanīfah arrived on his donkey. He sought permission from Abū ‘Abd Allāh, who granted him permission. As he sat down, he said to Abū ‘Abd Allāh, “I would like to discuss Qiyās with you.”

Abū ‘Abd Allāh replied, “There is no Qiyās in the Dīn of Allah سُبْحَانَ اللَّهِ وَتَعَالَى. However, I would like to ask you about matters of this donkey.”

“Which aspect of the donkey would you like to discuss?” asked Abū Ḥanīfah.

He replied, “Inform me about these two spots in the front (referring to the nostrils).”

Abū Ḥanīfah replied, “It is created in the animal just as your ears and nose are created in your head.”

Then Ja‘far said to him, “Allah سُبْحَانَ اللَّهِ وَتَعَالَى created my ears to hear, my eyes to see, and my nose to differentiate between good and bad smell. What are these created for? And how is it that the hair grows on the entire body except this place?”

Abū Ḥanīfah retorted, “I came to ask you about the Dīn of Allah سُبْحَانَ اللَّهِ وَتَعَالَى and you are asking me about children’s matters.”

Thereafter he stood up and departed.¹

* That which al-Ḥimyarī al-Qummī (d. 304 AH) narrated from al-Bazanṭī who narrates from Abū al-Ḥasan ‘Alī al-Riḍā’, who says:

قال أبو حنيفة لابي عبد الله تجتزؤون بشاهد واحد ويمين قال نعم قضى به رسول الله و قضى به علي بين أظهركم بشاهد و يمين فتعجب أبو حنيفة فقال جعفر الصادق أعجب من هذا أنكم تقضون بشاهد واحد في مائة شاهد وتجتزؤون

1 *Al-Mahāsīn*, 2/304; *Wasā’il al-Shī’ah*, 27/52, book on Judiciary, chapter on the impermissibility of passing judgement and ruling according to opinion, Ḥadīth: 37.

بشهادتهم بقوله فقال له لا نفعل فقال بل تبعثون رجلا واحدا فيسأل عن مائة شاهدا فتجيزون شهاداتهم بقوله وإنما هو رجل واحد... فقال أبو حنيفة ايش فرق ما بين ظلال المحرم والخباء فقال له أبو عبد الله إن السنة الله لا تقاس

Abū Ḥanīfah said to Abū ‘Abd Allāh, “You suffice with one witness and an oath?”

He replied, “Yes. The Prophet ﷺ passed judgement with it and similarly ‘Alī رضي الله عنه passed judgement by means of one witness and an oath, which is before you.”

Abū Ḥanīfah was astonished.

Thereafter Ja‘far al-Ṣādiq said, “More astonishing is that you pass judgement with one witness regarding a hundred witnesses. You accept their testimony through his word.”

Abū Ḥanīfah replied, “We do not do this.”

Ja‘far said, “Definitely you do. You send one person. He inquires about a hundred witnesses. Then you accept their testimony because of him, whereas he is one person.”

Then Abū Ḥanīfah asked, “What is the difference between the shade of a person in Ihrām and a tent?”

Abū ‘Abd Allāh said to him, “Indeed the Sunnah of the Prophet ﷺ cannot be based on Qiyās.”¹

* That which al-Kulaynī (d. 329 AH) reports in *al-Kāfi* from ‘Isā ibn ‘Abd Allāh al-Qurashī who says:

دخل أبو حنيفة على جعفر الصادق فقال له يا أبا حنيفة بلغني أنك تقيس قال نعم قال لا تقس فإن أول من قاس إبليس حين قال خلقتني من نار وخلقته من طين فقاس ما بين النار والطين ولو قاس نورية آدم بنورية النار عرف فضل ما بين النورين وصفاء أحدهما على الآخر

Abū Ḥanīfah came to Ja‘far al-Ṣādiq who said to him, “O Abū Ḥanīfah, I have been informed that you practice upon Qiyās.”

1 *Qurb al-Isnād*, pg. 359.

He replied, “Yes.”

Ja‘far said, “Do not apply Qiyās because the first one to apply Qiyās was Iblīs when he said, ‘You created me from fire and created him (Ādam عَلَيْهِ السَّلَام) from sand.’ Thus, he applied Qiyās between fire and sand. If he had applied Qiyās between the radiance of Ādam عَلَيْهِ السَّلَام and the radiance of the fire, he would have recognised the virtuous one and the purity of one over the other.”

- * That which is narrated by Ibn Bābawayh al-Qummī (d. 329 AH) from Shabīb ibn Anas who narrates from some of the companions of Abū ‘Abd Allāh Ja‘far al-Ṣādiq—in a lengthy report—wherein Ja‘far said to Abū Ḥanīfah:

أن جعفرًا قال لابي حنيفة أنت فقيه أهل العراق قال نعم قال بما تفتيهم قال بكتاب الله وسنة نبيه قال يا أبا حنيفة تعرف كتاب الله حق معرفته وتعرف الناسخ والمنسوخ قال نعم قال يا أبا حنيفة لقد ادعيت علمًا ويملك ما جعل الله ذلك إلا عند أهل الكتاب الذين أنزل عليهم ويملك ولا هو إلا عند الخاص من ذرية نينا محمد وما ورثك الله من كتابه حرفا... إلى آخر الرواية

“Are you the jurist of the people of Irāq?”

He replied, “Yes.”

Ja‘far asked, “How do you issue rulings?”

He replied, “By means of the Book of Allah سُبحانه وتعالى and the Sunnah of the Prophet صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ.”

Ja‘far asked, “O Abū Ḥanīfah, do you know the Book of Allah سُبحانه وتعالى as it ought to be known? Do you know about *al-Nāsikh wa al-Mansūkh* (abrogating and abrogated verses)?”

He replied, “Yes.”

Ja‘far said, “O Abū Ḥanīfah, you claim to have knowledge. Woe to you! Allah سُبحانه وتعالى bestows that only to the people of the Book on whom it was revealed. Woe to you! It is possessed only by the special people from the progeny of the Prophet صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ. Allah سُبحانه وتعالى has not conferred a single letter of His Book to you.” (Till the end of the narration).¹

- * That which al-Majlisī (d. 1111 AH) said that:

1 ‘*Ilal al-Shrā‘i*’, pg. 89-90; *Wasā’il al-Shī‘ah*, 27/47, chapter on the impermissibility of passing judgement and ruling according to opinion, Ḥadīth: 27.

وجدت بخط بعض الأفاضل نقلا من خط الشهيد رفع الله درجته قال قال أبو حنيفة النعمان بن ثابت جئت إلى حجام بمنى ليحلق رأسي فقال ادن ميامنك واستقبل القبلة سمّ الله فتعلمت منه ثلاث خصال لم تكن عندي فقلت له مملوك أنت أم حر فقال مملوك قلت لمن قال لجعفر بن محمد العلوي قلت أشاهد هو أم غائب قال شاهد فصرت إلي بابه واستأذنت عليه فحجبني وجاء قوم من أهل الكوفة فاستأذنوا فأذن لهم فدخلت معهم فلما صرت عنده قلت له يا ابن رسول الله لو أرسلت إلي أهل الكوفة فنهيتهم أن يشتموا أصحاب محمد فإني تركت بها أكثر من عشرة آلاف يشتمونهم فقال لا يقبلون مني فقلت ومن لا يقبل منك وأنت ابن رسول الله فقال أنت ممن لم تقبل مني دخلت داري بغير إذني وجلست بغير أمري وتكلمت بغير رأيي وقد بلغني أنك تقول بالقياس قلت نعم به أقول قال ويحك يا نعمان أول من قاس الله تعالى إبليس حين أمره بالسجود لأدم وقال خلقتني من ناز وخلقته من طين... الي آخر ما ذكره من نقاشهما

I found in some of the luminaries' script, who quote from the script of al-Shahīd who says that Abū Ḥanīfah Nu'mān ibn Thābit states:

I came to a barber in Minā to shave my head. He said to me, 'Bring closer your right side, face the Qiblah, and recite Bismillāh.' Thus, I learnt 3 traits which I did not know.

I asked him, "Are you a slave or a free person?"

He replied, "I am a slave."

I asked, "Whose slave are you?"

He replied, "Ja'far ibn Muḥammad al-'Alawī."

I asked, "Is he present at the moment or absent?"

He replied, "He is present."

Thus, I went to his door and sought permission to enter. He stopped me. Thereafter some people came from Kūfah. They sought permission to enter. He granted them permission. I also entered with them.

When I got close to him, I said to him, "O son of the Prophet of Allah ﷺ, if only you could send a message to the people of Kūfah and forbid them from abusing the Companions of the Prophet ﷺ. I have left behind ten thousand of them in Kūfah who abuse the Companions."

He said, “They will not accept my message.”

I said, “Who would not accept your message whereas you are the son of the Prophet ﷺ?”

He replied, “You are from amongst those who do not accept. You entered my house without my permission, sat down without my instruction, and you speak against my opinion. The news has reached me that you practice on Qiyās.”

I replied, “Yes, I do practice Qiyās.”

He said, “Woe to you, O Nu‘mān! The first to apply Qiyās against Allah ﷻ was Iblis¹ when Allah ﷻ instructed him to prostrate to Ādam ﷺ and he said that you have created me from fire and him from sand...” till the end of the dialogue.²

* That which al-Kulaynī (in *al-Kāfi*) and al-Ḥurr al-‘Āmilī (in *Wasā’il al-Shī’ah*) reported from Muḥammad ibn Muslim who said:

دخل أبو حنيفة على جعفر الصادق فقال له رأيت ابنك موسى يصلي والناس يمرون بين يديه فلا ينهاهم وفيه ما فيه فقال أبو عبد الله ادعوا لي موسى فدعي فقال له يا بني إن أبا حنيفة يذكر أنك كنت صليت والناس يمرون بين يديك فلم تنههم فقال نعم يا أبت إن الذي كنت أصلي له كان أقرب إلي منهم يقول الله وَنَحْنُ أَقْرَبُ إِلَيْهِ مِنْ حَبْلِ الْوَرِيدِ [سورة ق: ١١٦] قال فضمه أبو عبد الله إلى نفسه ثم قال يا بني بأبي أنت وأمي يا مستودع الأسرار

Abū Ḥanīfah came to Ja‘far al-Ṣādiq and said to him, “I saw your son Mūsā performing Ṣalāh while people are passing in front of him and he did not prevent them from doing so and whereas there is (harm) in it.”

Abū ‘Abd Allāh said, “Call Mūsā to me.”

Subsequently he was summoned and Abū ‘Abd Allāh said to him, “Abū Ḥanīfah mentions that you perform Ṣalāh while people are passing in front of you and you do not prevent them.”

1 This is how it is in *al-Biḥār*. In *Sharḥ al-Akḥbār* of al-Nu‘mān al-Maghribī, 3/300, it is as follows: Woe to you O Nu‘mān! The first to apply Qiyās was Iblīs.

2 *Biḥār al-Anwār*, 10/220-221.

He replied, “Yes, my dear father! The being for whom I was performing Ṣalāh is closer to me than them.¹ Allah سُبْحَانَهُ وَتَعَالَى says:

وَنَحْنُ أَقْرَبُ إِلَيْهِ مِنْ حَبْلِ الْوَرِيدِ

We are closer to him than [his] jugular vein.

Thereafter Abū ‘Abd Allāh hugged him and said, “O my dear son, may my parents be sacrificed, O guardian of secrets.”²

Al-Kulaynī added after Ja‘far al-Ṣādiq’s action by saying, “This is disciplining from Abū ‘Abd Allāh. This was not done because he left out any virtuous act.”³

Al-Majlisī became confused with the explanation of al-Kulaynī’s clear statement regarding the disciplining of the Infallible Imām, Ja‘far al-Ṣādiq, of his son, the infallible Imām Mūsā al-Kāẓim. Thus, he states:

The statement ‘this is disciplining’ is a statement of al-Kulaynī which can have various meanings.

First: It can be that this disciplining from Ja‘far al-Ṣādiq was of Imām Abū Ḥanīfah. That is why he summoned his son to teach this accursed person⁴ that he did not leave out any virtuous act. Either because of the lack of need of a Sutrah⁵ for someone who does not get distracted from Allah سُبْحَانَهُ وَتَعَالَى by anything, as passed above, or because he did not leave out the Sutrah as there is no mention of this in the narration.

1 If this incident is true then this indicates that he applied Qiyās, in fact a retracted Qiyās, because authentic explicit narrations instruct a person performing Ṣalāh to prevent people from passing in front of him as Imām Abū Ḥanīfah indicated to that. In this way, Mūsā was applying a method of deducing and a stance about Qiyās which is contrary to that of his father. The strange fact is Ja‘far al-Ṣādiq’s approval of his action.

2 *Al-Kāfi*, 3/297, book on Ṣalāh, chapter on what a person performing Ṣalāh should use to prevent those who pass in front of him, Ḥadīth: 4; *Was’l al-Shī’ah*, 5/135, chapter on the non-invalidity of Ṣalāh if something passes in front of a person performing Ṣalāh, Ḥadīth: 11.

3 Ibid.

4 He intends Imām Abū Ḥanīfah, Allah forbid. Perhaps he is indicating to the narrations in the Imāmī sources from Mūsā al-Kāẓim—may Allah absolve him of it—wherein he states:

لعن الله أبا حنيفة كان يقول قال علي وقلت

May the curse of Allah Ta‘ālā be upon Abū Ḥanīfah. He used to say, “Alī said and I say.”

5 Object placed in front of a person performing Ṣalāh so others can pass.

Second: It can be that this disciplining was of Mūsā. In this case, ‘virtuous act’ will refer to emphasised Sunnah act and the disciplining is in the actual summoning. This does not contradict his praise because of the reason mentioned that it was not an emphasised Sunnah. Some scripts have it as ‘because he left out’. The second meaning is more obvious and the first is possible with formality.

Third: That the pronoun refers to Mūsā, i.e. his Ṣalāh. Then also it will be disciplining of Abū Ḥanīfah that he did not leave out any virtuous act because to leave out a Sunnah act for this reason is in reality not leaving out a virtuous act. In fact, it is the actual virtue.¹

The Imāmī Shī‘ah report in their sources, that Mūsā al-Kāzīm was enraged with Abū Ḥanīfah رَحْمَةُ اللَّهِ for practicing upon Qiyās. Is there any link between Abū Ḥanīfah’s رَحْمَةُ اللَّهِ disapproval and his angry stance?

Al-Kulaynī reports in *al-Kāfī* from Muḥammad ibn Ḥakīm who says:

قلت لابي الحسن مرسى الكاظم جعلت فداك فقهننا في الدين وأغنانا الله بكم عن الناس حتي أن الجماعة منا لتكون في المجلس مايسال رجل صاحبه تحضره المسألة ويحضره جوابها فيما من الله علينا بكم فربما ورد علينا الشيء لم يأتنا فيه عنك ولا عن آباتك شيء فنظرنا إلى أحسن ما يحضرنا وأوفق الأشياء لما جاءنا عنكم فتأخذ به فقاهيهات هيهات في ذلك والله هلك من هلك يا ابن حكيم قال ثم قال لعن الله أبا حنيفة كان يقول قال علي وقلت قال محمد بن حكيم لهشام بن الحكم والله ما أردت إلا أن يرخص لي في القياس

I said to Abū Al-Ḥasan Mūsā al-Kāzīm, “May I be sacrificed for you! We have understood dīn and Allah has made us independent of people through you. Sometimes a group from amongst us sit in gatherings where we ask each other questions. An issue arises and we find the answer to it in that which Allah has favoured us through you. Sometimes an issue arises and we do not find the answer in that which we have acquired from you and your forefathers. Should we ponder in the best that we come across or the most suitable that we acquired from you and practice upon it?”

He said, “No, stay away from that. By Allah! Those who perished have perished because of that O Ibn Hakim.”

1 *Biḥār al-Anwār*, 80/300-301.

Thereafter he said, “May the curse of Allah be on Abū Ḥanīfah. He used to say, “‘Alī said and I say.”

Muhammad ibn Hakim said to Hisham ibn al-Hakam, “By Allah! I only intended that he grants me permission to apply Qiyas.”¹

After observing what al-Mufīd (in *al-Ikhtīṣār*) and al-Mirzā al-Nūrī (in *al-Mustadrak*) have reported concerning Abū Ḥanīfah’s meeting with Ja‘far and his disapproval of his son Mūsā, we realised that there is more text which al-Kulaynī and al-Ḥurr al-‘Āmilī have not mentioned.² Thus, the conclusion of the previous narration is as follows:

فقال أبو عبد الله يا أبا حنيفة القتل عندكم أشد أم الزنى فقال بل القتل قال فكيف أمر الله في القتل بشاهدين وفي الزنى بأربعة كيف يدرك هذا بالقياس يا أبا حنيفة ترك الصلاة أشد أم ترك الصيام فقال بل ترك الصلاة قال فكيف تقضي المرأة صيامها ولا تقضي صلاتها كيف يدرك هذا بالقياس ويحك يا أبا حنيفة النساء أضعف علي المكاسب أم الرجال قال بل النساء قال فكيف جعل الله للمرأة سهما وللرجل سهمين كيف يدرك هذا بالقياس يا أبا حنيفة الغائط أقدر أم المني قال بل الغائط قال فكيف يستنجى من الغائط ويغتسل من المني كيف يدرك هذا بالقياس ويحك يا أبا حنيفة تقول سأنزل مثل ما أنزل الله قال أعوذ بالله أن أقوله قال بل تقوله أنت وأصحابك من حيث لا تعلمون

Abū ‘Abd Allāh said, “O Abū Ḥanīfah is murder a greater sin according to you or adultery?”

He replied, “Murder.”

Abū ‘Abd Allāh retorted, “Then how is it that Allah instructed to bring two witnesses in the case murder and 4 in the case of adultery? How can this be understood through Qiyās? O Abū Ḥanīfah! Is it a greater sin to leave out Ṣalāh or Fast?”

He replied, “Leaving out Ṣalāh.”

1 *Al-Kāfi*, book on the virtue of knowledge, chapter on innovations and opinion, Ḥadīth: 9.

2 According to the different chains. Thus, al-Kulaynī narrates from ‘Alī ibn Ibrāhīm who narrates directly from Muḥammad ibn Muslim, whereas al-Mufīd narrates from Muḥammad ibn ‘Ubayd who narrates from Ḥammād who narrates from Muḥammad ibn Muslim.

Abū ‘Abd Allāh said, “Then why does a woman compensate for her missed fast and not for missed Ṣalāh? How can this be understood through Qiyās? Woe to you, O Abū Ḥanīfah! Are women weaker with regards to earning livelihood or the men?”

He replied, “The women.”

Abū ‘Abd Allāh asked, “Then why did Allah stipulate one share for the women and two shares for the men? How can this be understood through Qiyās? O Abū Ḥanīfah! Is stool more impure or sperm?”

He replied, “Stool is more impure.”

Abū ‘Abd Allāh asked, “How is it that one makes Istinja (wash after passing urine or stool) after stool but has to take a bath after discharging sperm? How can this be understood through Qiyās? Woe to you O Abū Ḥanīfah! Do you say that soon I will reveal as Allah has revealed?”

He replied, “I seek protection from Allah from making such a claim.”

Abū ‘Abd Allāh said, “In fact you and your followers say that in such a way that you do not know.”¹

However, this difference in the academic methods did not prevent each one them from acknowledging the knowledge and virtue of the other.

Abu Ḥanīfah has clearly shown his admiration for Ja‘far by saying, “I have not seen anyone for intelligent than Ja‘far ibn Muḥammad.”²

And Ja‘far has displayed his admiration for Abū Ḥanīfah by saying, “This is Abū Ḥanīfah, the most intelligent person of his country.”³

1 *Al-Ikhtisāṣ*, pg. 189; *Mustadrak al-Wasā’il*, 17/266, Ḥadīth 21300.

2 *Tadhkirat al-Ḥuffāz*, 1/166. This is the habit of the scholars when viewing people of virtue. It has been narrated from al-Khuraybī that he said regarding Sufyān al-Thawrī, “I have not seen anyone more intelligent than Sufyān.” It has been narrated from al-Shāfi‘ī that he said, “I have not seen anyone more intelligent than Sufyān ibn ‘Uyaynah and more silent in issuing fatwa than him.” It is narrated from Maymūn ibn Mahrān that he said, “I have not seen anyone more intelligent than Ibn ‘Umar and no one more knowledgeable than Ibn ‘Abbās.”

3 Al-Kurdī: *Manāqib Abī Ḥanīfah*, pg. 103; al-Makkī: *Manāqib Abī Ḥanīfah*, pg. 287.

These dialogues—assuming they are authentic—reinforce what we have mentioned before about the different principles of the two Imams in deducing rulings. Leniency in Qiyās is a general feature in the methodology of Abū Ḥanīfah and his followers, contrary to Ja‘far, who prohibited Qiyās and criticised those who practiced it.

Regarding this, the contemporary scholar of reference of the Shī‘ah Shaykh Nāṣir Makārim al-Shīrāzī states:

ولهذا السبب منع أئمتنا (عليهم السلام) من القياس بشدة استلهاما من كلام النبي صلى الله عليه وسلم وأبطلوه لأنّ فتح باب القياس يتسبب في أن يعتمد كل أحد بالاعتماد على دراسته المحدودة وفكره القاصر وبمجرد أن يعتبر موضوعين متساويين من بعض الجهات... أن يعتمد إلى إجراء حكم الأول على الثاني وبهذا تتعرض قوانين وأحكام الدين إلى الهرج والمرج

For this reason, our leaders have strongly prohibited Qiyās, taking inspiration from the speech of the Prophet ﷺ. They have abolished it because opening the door of Qiyās leads a person to rely on his limited studies and restricted thoughts, by merely considering two similar subjects from a few different viewpoints, and relying on applying the principle one on the other. In this manner, the principles of Sharī‘ah and the rulings of dīn are exposed to pandemonium.¹

What is certain is that Imam Abū Ḥanīfah رَحِمَهُ اللهُ did not stop practicing on Qiyās or showed leniency in it because of Ja‘far or anyone else. He was steadfast on this principle, which he selected for his Fiqh, till his death.

How can it be possible to say that he acquired fiqh from those who regarded practicing upon Qiyās, manipulation of dīn?

Second Observation

Imām Abū Ḥanīfah became famous for his fiqh and dīn. His travels for seeking knowledge became well known. He acquired knowledge from some of the most distinguished luminaries like ‘Aṭā’ ibn Abī Rabāḥ, al-Sha‘bī, Qatādah, ‘Amr ibn Dīnār, Nāfi‘—the freed slave of Ibn ‘Umar, ‘Adī ibn Thābit, ‘Abd al-Raḥmān ibn

1 Al-Amthal fī Tafṣīr Kitāb Allāh al-Munazzal, 4/582.

Hurmuz al-A'raj, Ibn Shihāb al-Zuhrī, Muḥammad ibn al-Munkadir, Abū Ishāq al-Sabī'ī, and others whose names will be difficult to encompass due to their large number.¹

The person who had the greatest impact on him from the jurists was his teacher Imām Ḥammād ibn Abī Sulaymān. He was attached to him for 18 years, acquiring knowledge of fiqh from him.²

Due to his love and reverence for his teacher Ḥammād, he named his son after this great Imām through whose grace (after divine ability and favour from Allah (سُبْحَانَهُ وَتَعَالَى)) he became one of the greatest jurists of Iraq.

Regarding his engrossment in fiqh, al-Ḥāfiẓ al-Dhahabī states in his biography:

وعنى بطلب الآثار وارتحل في ذلك وأما الفقه والتدقيق في الرأي وغوامضه فإنه
المنتهى والناس عليه عيال في ذلك

He paid attention to seeking narrations and travelled for it. As for fiqh, scrutinising and its intricacies, his is the final limit. People are indebted to him for that.³

He also states:

فأفقه أهل الكوفة علي وابن مسعود وأفقه أصحابهما علقمة وأفقه أصحابه إبراهيم
وأفقه أصحاب إبراهيم حماد وأفقه أصحاب حماد أبو حنيفة

The most knowledgeable of the people of Kūfah in fiqh are 'Alī and Ibn Mas'ūd (رضي الله عنهما) and the most knowledgeable of their students is 'Alqamah, and the most knowledgeable of his students is Ibrāhīm, and the most knowledgeable of Ibrāhīm's students is Ḥammād, and the most knowledgeable of Ḥammād's students is Abū Ḥanīfah.⁴

1 *Siyar A'lām al-Nubalā'*, 6/391. After enumerating some of the names Imām al-Dhahabi says, "And a group besides them."

2 Al-Ḥāfiẓ al-Dhahabī quotes (in *al-Siyar*, 6/398) from Aḥmad ibn 'Abd Allāh al-'Ijlī who says that my father narrated to me that Abū Ḥanīfah said, "I came to Baṣrah. I thought I will be able to answer any question posed to me. They asked me about many things to which I had no answer. Hence, I made it incumbent upon myself that I will not separate from Ḥammād till death. Thus, I accompanied him for 18 years."

3 Ibid.

4 *Siyar A'lām al-Nubalā'*, 5/236, biography of Ḥammād ibn Abī Sulaymān.

It has been narrated that Abū Ja‘far al-Manṣūr asked, “O Abū Ḥanīfah! From whom did you acquire knowledge?”

He replied, “From Ḥammād, (and he) from Ibrāhīm, (and he) from ‘Umar ibn al-Khaṭṭāb, ‘Alī ibn Abī Ṭālib, ‘Abd Allāh ibn Mas‘ūd, and ‘Abd Allāh ibn ‘Abbās.”

Thereafter Abū Ja‘far said, “Excellent, excellent! You have secured all that you could, O Abū Ḥanīfah! These are pure, good, and blessed people.¹ May the blessings of Allah *سُبْحَانَهُ وَتَعَالَى* be upon them.”²

As for Ja‘far al-Ṣādiq, he is not known for travelling for acquiring knowledge. He stayed in the city of the Prophet *صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ* all his life. He was born there, studied, taught and is buried there.

All his teachers are distinguished personalities of Madīnah like his maternal grandfather—al-Qāsim ibn Muḥammad ibn Abī Bakr al-Ṣiddīq, his father—Abū Ja‘far al-Bāqir, ‘Ubayd Allāh ibn Abī Rāfi‘, ‘Urwah ibn al-Zubayr, Aṭā’ ibn Abī Rabāh, Nāfi‘ al-‘Umarī, Muḥammad ibn al-Munkadir, Ibn Shihāb al-Zuhrī, and Muslim ibn Abī Maryam, etc.³

The narrations that we have mentioned before (in the first observation) about Ja‘far al-Ṣādiq’s objection to Abū Ḥanīfah regarding Qiyās indicate that, at that time, Abū Ḥanīfah was not unknown or in his initial stages of studies. In fact, he was already a scholar and jurist of Iraq before meeting Ja‘far al-Ṣādiq. Ja‘far al-Ṣādiq himself, acknowledged this.

Indicating to this also is what al-Zubayr ibn Bakkār (256 AH) and others narrated from Ibn Shubrumah wherein he says:

I came to Ja‘far ibn Muḥammad ibn ‘Alī with Abū Ḥanīfah. I greeted him as he was my friend. Then addressing Ja‘far I said, “May Allah bless you! This is man from Iraq. He possesses much knowledge and Fiqh.”

Ja‘far said to me, “Maybe he is the one who analyses dīn through his opinion.”

1 However, this approval did not intercede for Abū Ḥanīfah in front of Abū Ja‘far al-Manṣūr. He passed away oppressed, in his prison.

2 Al-Ṣaymarī: *Akhbār Abī Ḥanīfa wa Aṣḥābiḥī*, pg. 68; *Tārīkh Baḡhdād*, 15/444.

3 *Siyar A‘lām al-Nubalā’*, 6/255.

He then said, “Is he Nu‘mān ibn Thābit?” (Till the end of the narration)¹

This narration denotes that Ibn Shubrumah and Abū Ḥanīfah came to Madīnah or Makkah and met Ja‘far al-Ṣādiq. His introduction of Abū Ḥanīfah by saying, “This is a man from Iraq,” indicates to this.

Ibn Shubrumah was astonished that Ja‘far al-Ṣādiq already had knowledge of the fact that Abū Ḥanīfah used to apply Qiyās. In fact, he even knew that his name was al-Numān ibn Thābit, which Ibn Shubrumah was unaware of.

The Imāmiyyah narrate from Muḥammad ibn Muslim that he said:

I was with Abū ‘Abd Allāh in Minā when Abū Ḥanīfah arrived on his donkey. He sought permission from Abū ‘Abd Allāh, who granted him permission. As he sat down, he said to Abū ‘Abd Allāh, “I would like to discuss Qiyās with you.”

Abū ‘Abd Allāh replied, “There is no Qiyās in the Dīn of Allah Ta‘ālā. However, I would like to ask you about matters of this donkey.”

“Which aspect of the donkey would you like to discuss?” asked Abū Ḥanīfah.

He replied, “Inform me about these two spots in the front.” (Referring to the nostrils)

Abū Ḥanīfah replied, “It is created in the animal just as your ears and nose are created in your head.”

Then Ja‘far said to him, “Allah Ta‘ālā created my ears to hear, my eyes to see and my nose to differentiate between good and bad smell. What are these created for? And how is it that the hair grows on the entire body except this place?”

Abū Ḥanīfah retorted, “I came to ask you about the dīn of Allah ﷻ and you are asking me about children’s matters.”

Thereafter he stood up and departed.²

This narration is a proof that Abū Ḥanīfah was known for fiqh and leniency in

1 Reference of this narration has passed in the first observation.

2 Reference of this narration has passed in the first observation.

Qiyās before he met Ja‘far al-Ṣādiq. Hence, the discussion was based on Qiyās. In fact, the strain on Abū Ḥanīfah, due to Ja‘far al-Ṣādiq’s manner of dialogue with regards to worldly matters which have no place in dīn, affirms that he did not learn fiqh from him. Similarly, this narration confirms that their first meeting was in Makkah and specifically in Minā.

When Taqīyy al-Dīn ibn Taymiyyah embarked on refuting Ibn al-Muṭahhar al-Ḥillī for his claim that Abū Ḥanīfah is the student of Ja‘far, he said rebuking:

إن هذا من الكذب الذي يعرفه من له أدنى علم فإن أبا حنيفة من أقران جعفر الصادق توفي الصادق سنة ثمان و أربعين وتوفي أبو حنيفة سنة خمسين و مائة وكان أبي حنيفة كان يفتي في حياة ابي جعفر والد الصادق وما عرف أن أبا حنيفة أخذ عن جعفر الصادق ولا عن أبيه مسألة واحدة بل أخذ عن من كان أسن منهما كعطاء بن أبي رباح وشيخه الأصلي حماد بن أبي سليمان و جعفر بن محمد كان بالمدينة وبالجملة فهؤلاء الأئمة الأربعة ليس فيهم من أخذ عن جعفر شيئاً من قواعد الفقه ولكن رووا عنه أحاديث كما رووا عن غيره وأحاديث غيره أضعاف أحاديثه وليس بين حديث الزهري وحديثه نسبة لا في القوة ولا في الكثرة

This is a lie which anyone with least amount of knowledge will realize, because Abū Ḥanīfah is a contemporary of Ja‘far al-Ṣādiq. Ja‘far al-Ṣādiq passed away in 148 AH, whereas Abū Ḥanīfah passed away in 150 AH. Abū Ḥanīfah used to issue fatwā during the era of Abū Ja‘far, father of Ja‘far al-Ṣādiq. It has not been established that Abū Ḥanīfah studied a single ruling from Ja‘far or his father.¹ In fact, he studied from those who were elder than them, like ‘Aṭā’ ibn Abī Rabāḥ and his main teacher, Ḥammād ibn Abī Sulayman. Ja‘far ibn Muḥammad was in Madīnah.²

1 It is important to note that Ibn Taymiyyah’s statement here refers to fiqh, principles, and rulings of fiqh and not narrations. What Ibn Taymiyyah is refuting—as it will come in due course—is the acquisition of any fiqhī ruling by Abū Ḥanīfah or any of the other Imāms from al-Bāqir or al-Ṣādiq, which is derived through their *Ijtihād* (diligent research). This has not been proven at all. However, al-Bāqir being one of his teachers in narrations is something that cannot be denied. In fact, there is evidence of good relationship between the two Imāms, contrary to the dissention and hatred which the Imāmiyyah usually portray. Knowledge is a mercy amongst its people. As for Ja‘far al-Ṣādiq, al-Ḥāfiẓ al-Dhahabī mentions that Abū Ḥanīfah narrated from him. See *Siyar A‘lām al-Nubalā’*, 6/256.

2 *Minhāj al-Sunnah al-Nabawīyah*, 7/532.

In general, none of these four Imams studied any principle of fiqh from Ja‘far. Yes, they narrate ḥadīth from him as they narrate from others. The aḥādīth of others are much more than his. There is no link between his and al-Zuhri’s ḥadīth, neither in strength nor in quantity.¹

Third Observation

The claim that Imām Mālik studied fiqh from Ja‘far al-Ṣādiq is also incorrect. He met Ja‘far al-Ṣādiq, praised him, and narrated few narrations from him; however, he did not sit in his company as a student would with his teacher and he did not obtain any principles of fiqh from him.

Teachers of Imām Mālik

From amongst his teachers—although there were plenty—the ones that had influenced Imām Mālik the most are:

1. Imām Rabī‘ah al-Ra’y

Rabī‘ah رحمته الله was an Imām, preserver of Ḥadīth, a *Mujtahid*², and had deep insight in formulating opinion. He was one of the first jurists that Imām Mālik accompanied and was influenced by him. Imām Mālik رحمته الله went into his company to learn from childhood. His mother recommended him to join Rabī‘ah’s company to learn etiquettes from him before knowledge.³

Imām Mālik رحمته الله said about him, “The sweetness of fiqh disappeared since Rabī‘ah ibn Abī ‘Abd al-Raḥmān passed away.”⁴

Imām Mālik رحمته الله had extreme reverence for him. He would not speak in his company and would not hasten to answer when asked about anything. He used to consult with him in many of his matters.

He stated, “I did not issue fatwā until I asked if I was in a position to issue fatwā.”

1 *Minhāj al-Sunnah al-Nabawiyah*, 7/533.

2 A legist formulating independent decisions in legal and theological matters.

3 *Tartīb al-Madārik*, 1/130; *al-Dībāj al-Madhhab*, 1/98.

4 *Al-Ṭabaqāt al-Kubrā*, 5/416, al-‘Ilmiyyah print; *Tārīkh Baghdād*, 9/414, *al-Muntazim fī Tārīkh al-Mulūk wa al-Umam*, 7/351.

When he was asked as to whom he asked, he replied, “Al-Zuhrī and Rabīʿat al-Ra’y.”¹

Rabīʿat al-Rā’y رَحِمَهُ اللهُ passed away in 136 AH. He passed away when Mālik رَحِمَهُ اللهُ was 43 years old.²

Rabīʿat al-Ra’y’s influence becomes very clear through the statement of Muḥammad ibn Fulayḥ who said, “I was by Rabīʿah and Mālik used to sit by him. Then Mālik became noble and he was sought after.”³

2. Imām Ibn Hurmuz al-Makhzūmī

It is narrated that Imām Mālik stayed exclusively in his company in the initial stages of his studies for 7 or 8 years.⁴

His attachment to him reached such a level that he says, “I used to come to him early in the morning and I would not leave his house till nightfall.”⁵

He said, “I loved to follow him. He seldom issued fatwā and he was very conservative.”⁶

He said, “I heard Ibn Hurmuz saying, ‘It is important for a scholar to bequeath the statement ‘I don’t know’ to his companions, so that it can be the main principal in their possession which they resort to. Whenever they are asked about something that they do not know, they must say ‘I don’t know.’”⁷

I say: Imām Mālik learned fiqh, caution in issuing fatwā, and prudence in recording *Masā’il* (rulings),⁸ to such an extent that Ibn Wahab states regarding

1 *Tartīb al-Madārik*, 1/142; *al-Dībāj al-Madḥhab*, 1/102.

2 Because Imām Mālik was born in 93 AH. See *Siyar A’lām al-Nubalā’*, 8/49.

3 *Tartīb al-Madārik*, 1/140.

4 *Tartīb al-Madārik*, 1/131; *al-Dībāj al-Madḥhab*, 1/99.

5 *Al-Ṭabaqāt al-Kubrā*, 5/466, al-’Ilmiyyah print; *Tartīb al-Madārik*, 1/132; *al-Dībāj al-Madḥhab*, 1/99.

6 *Al-Ma’rifah wa al-Tārīkh*, 1/652; *Siyar A’lām al-Nubalā’*, 6/379.

7 *Al-Qāḍī ‘Iyāq*: *Tartīb al-Madārik*, 1/182; *ibn Farḥūn*: *al-Dībāj al-Madḥhab*, 1/112.

8 Scholars have mentioned regarding his caution and prudence in issuing fatwa which would astonish a person. Some are:

- ▶ The statement of his student Ibn al-Qāsim who says, “I heard Mālik saying, ‘I am reflecting on a *Mas’alah* (ruling) for more than 10 years. I have not come to a conclusion till now.’”

continued...

this, “In most of the questions that Mālik was asked, he would say ‘I do not know’.”¹

3. Imām Ibn Shihāb al-Zuhrī

Imām Mālik accompanied him for long periods and learnt from him, so much so that he would go to him during his resting time and days of ʿĪd. Regarding this he says, “This knowledge is dīn. Hence, see who you acquire your dīn from. I have met 70 people who narrate saying, ‘so and so said that the Prophet صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ said,’ by these pillars and he pointed at the Masjid of the Prophet صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ, but I did not take anything from them. If anyone of them were entrusted on the public treasury they would be trustworthy. However, they were not people of this field. Then Ibn Shihāb arrived and we used to crowd his doorway.”²

4. Imām Nāfi‘ Mawlā Ibn ‘Umar

Imām Mālik رَحِمَهُ اللهُ stayed in his company for long time and acquired from his knowledge. He used to say, “When I used to hear Nafi‘ narrating from Ibn ‘Umar, then I would not bother if I did not hear it from anyone else.”

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- ▶ The statement of Ibn Mahdī who says, “I heard Mālik saying, ‘Sometimes a Mas’alah arises, then I stay awake for most of the night.’”
- ▶ The statement of Ibn ‘Abd al-Ḥakam, “Whenever Mālik was asked a question, he would say to the questioner, ‘Go away till I reflect on it.’ He would go away and hesitate about it. We asked him regarding this. He cried and said, ‘I fear that I will be answerable to the questioner one day, and what a day that will be.’” See Qāḍī ‘Iyāḍ: *Tartīb al-Madārik*, 1/178; Ibn Farḥūn: *al-Dībāj al-Madhhab*, 1/111.

This caution has caused Imām Mālik رَحِمَهُ اللهُ to be elevated amongst the other scholars and brought blessings to his Madhhab. The former scholars treaded this path and reached the pinnacle of knowledge and nobility because of this. It has been narrated from Ibn ‘Abbās رَضِيَ اللهُ عَنْهُ that he said, “When a scholar stops saying, ‘I do not know,’ then know that his proficiency has been compromised.” The Khalīfah ‘Umar ibn ‘Abd al-‘Azīz رَحِمَهُ اللهُ is reported to have said, “Whoever says, ‘I do not know,’ he has secured half of knowledge.” Al-Jāḥiẓ has commented on this statement by saying, “Because anyone who possesses this ability on himself, proves to us the quality of his comprehension, extreme desire, and potent capability.” (*al-Bayān wa al-Tabyīn*, 1/314)

1 Al-Qāḍī ‘Iyāḍ: *Tartīb al-Madārik*, 1/182.

2 *Al-Tamhīd limā fī al-Muwaṭṭa’ min al-Ma’ānī wa al-Asānīd*, 1/67; *al-Masālik fī Sharḥ Muwaṭṭa’ Mālik*, 1/335.

Imām Mālik رَحِمَهُ اللهُ used to go to him during his childhood and undergo difficulties, as he used to go in the midday heat and trick him to ask questions. He recounts about himself saying:

كنت آتي نافعاً مولى ابن عمر نصف النهار ما يظلني شيء من الشمس وكان منزله بالنقيع بالصُورين وكان حداً فاتحين خروجه فيخرج فأدعه ساعة وأريه أني لم أرده ثم أعرض له فأسلم عليه ثم أدعه حتي إذا دخل البلاط أقول كيف قال ابن عمر في كذا وكذا فيقول قال كذا وكذا فأخسن عنه

I used to go to Nafi‘ Mawlā Ibn ‘Umar at midday. There was nothing to shade me from the sun. His residence was in the Ṣawrān¹ area of al-Naqī². He was very hot tempered. I used to wait for him to come out. When he used to come out, I would wait a while, to show him that I do not intend seeing him. After a while I would present myself and greet him. Then I would leave him till he enters Bilāṭ.³

Then I would ask him, “What did Ibn ‘Umar say regarding such and such?”

He would say, “He said so and so.”

Then I would sneak away from him.⁴

Eventually he used to guide him from his house to the Masjid when he lost his eyesight.⁵

Scholars say that the most knowledgeable person about Ibn ‘Umar is Nāfi‘ and the most knowledgeable about Nāfi‘ is Mālik. This chain (of narration) is known as the ‘golden chain’. This is the most authentic chain according to al-Bukhārī and others.

1 Al-Ṣawrān is the dual form of Ṣawr. These are two places in al-Naqī. See *Wafā’ al-Wafā’*, 4/107.

2 Al-Naqī received this name due to water gathering there. It is place close to Madīnah on the south western side towards Wādī al-‘Aqīq, at a distance of 4 Burd (approximately 88 Km). See *Wafā’ al-Wafā’*, 3/218.

3 Al-Bilāṭ and al-Balāṭ is a place between the market place of Madīnah and Masjid al-Nabawī on the eastern side. It was later extended till its various areas were surrounded, from side to side, by the Ḥaram, forked between some houses. See *Wafā’ al-Wafā’*, 2/249.

4 *Al-Ma’rifah wa al-Tārīkh*, 1/646; *Tartīb al-Madārik*, 1/132.

5 *Tartīb al-Madārik*, 1/132.

These are the most distinguished teachers from whom Imām Mālik رَحْمَةُ اللَّهِ acquired knowledge. He was greatly influenced by them and would mention them excessively. Many authors who wrote biographies of Imām Mālik رَحْمَةُ اللَّهِ make mention of them specifically.

Fourth Observation

Mālik رَحْمَةُ اللَّهِ did not study anything from Abū Ḥanīfah رَحْمَةُ اللَّهِ. In fact, the opposite is the correct view, even though Abū Ḥanīfah was 13 to 15 years older than Mālik.¹ Some experts have established that Abū Ḥanīfah narrated two aḥādīth from Mālik. The issue of Abū Ḥanīfah narrating from Mālik is an area of debate amongst the *Muḥaddithīn* (scholars of Ḥadīth). However, no one has mentioned that Mālik narrated from Abū Ḥanīfah or was his student.

Thereafter, Muḥammad ibn al-Ḥasan al-Shaybānī—the companion of Abū Ḥanīfah and custodian of his fiqh—was a student of Mālik and a narrator of his book, the *Muwaṭṭaʿ*. This affirms that the influence of Mālik upon the Ḥanafī fiqh is much greater than the influence of Abū Ḥanīfah upon the Mālikī fiqh. (Assuming this influence exists.)

Thus, the claim that the Four Imāms reverted to Jaʿfar al-Ṣādiq is clearly false. None of the Four Imāms or any other jurists reverted to the fiqh of Jaʿfar. Mālik رَحْمَةُ اللَّهِ acquired his knowledge from the people of Madīnah, they from the Seven Jurists² and they from ʿUmar, Ibn ʿUmar etc.

1 Imām Abū Ḥanīfah was born in 80 AH and passed away in 150 AH. Imām Mālik was born in 93 AH or 95 AH and passed away in 179 AH.

2 Ibn al-Qayyim has mentioned them in *Iʿlām al-Muwaqqiʿīn*, 2/41-42 (Ibn al-Jawzī print). He says, “The Muftīs (those who issue fatwā) of Madīnah amongst the Tābīʿīn are: Saʿīd ibn al-Musayyab, ʿUrwah ibn al-Zubayr, al-Qāsim ibn Muḥammad, Khārījāh ibn Zayd, Abū Bakr ibn ʿAbd al-Raḥmān ibn al-Hārith ibn Hishām, Sulaymān ibn al-Yasār, and ʿUbayd Allāh ibn ʿAbd Allāh ibn ʿUtbah ibn Masʿūd. These are the 7 Jurists. Someone composed their names in a poem:

روايتهم ليست من العلم خارجه	إذا قيل من في العلم سبعة ابجر
سعید أبو بكر سليمان خارجه	فقل هم عبد الله عروة ، قاسم

*If you are asked, who are the 7 oceans of knowledge,
Whose narrations are not devoid of knowledge?
Then say: They are ʿAbd Allāh, ʿUrwah, Qāsim,
Saʿīd, Abū Bakr, Sulaymān and Khārījāh.*

As for Imām al-Shāfi‘ī, he first studied fiqh from the Makkans, the companions of Ibn Jurayj, like Sa‘īd ibn Sālim al-Qaddāh and Muslim ibn Khālid al-Zanjī. Ibn Jurayj acquired from the companions of Ibn ‘Abbās رَضِيَ اللَّهُ عَنْهُ like ‘Aṭā’ and others and Ibn ‘Abbās رَضِيَ اللَّهُ عَنْهُ was an independent Mujtahid. Then al-Shāfi‘ī studied from Mālik, then the scribes of the people of Iraq. He learnt the Madhhabs of the people of Ḥadīth and selected it for himself.

As for Abū Ḥanīfah, his special teacher was Ḥammād ibn Sulaymān, who studied from Ibrāhīm, Ibrāhīm from ‘Alqamah, and ‘Alqamah from Ibn Mas‘ūd رَضِيَ اللَّهُ عَنْهُ. Abū Ḥanīfah studied from ‘Aṭā’ and others also.

As for Imām Aḥmad, he followed the Madhhab of the people of Ḥadīth. He studied from Ibn ‘Uyaynah, Ibn ‘Uyaynah from ‘Amr ibn Dīnār and he from Ibn ‘Abbās and Ibn ‘Umar رَضِيَ اللَّهُ عَنْهُمَا. He also studied from Hishām ibn Bashīr, Hishām from the companions of al-Ḥasan and Ibrāhīm al-Nakha‘ī. He also studied from ‘Abd al-Raḥmān ibn Mahdī, Wakī ibn al-Jarrāh etc. He accompanied al-Shāfi‘ī and studied from Abū Yusuf. He selected a view for himself.¹

Fifth Observation

The jurists and the distinguished scholars of the Ja‘farī School are perplexed in the views of the two Imāms al-Bāqir and al-Ṣādiq. Some divert it to Taqiyyah, courtesy towards the opposition, and practicing contrary to the majority of Muslims. Some advocate permissibility of practicing on all the views of the Imām, even though they may differ with the pretext that the Infallible Imām intended contradiction in the fatwā in defence of the Shī‘ah against their opposition.

Al-Kulaynī has reported in *al-Kāfi* from Zurārah ibn A‘yan from Abū Ja‘far al-Bāqir saying:

سألته عن مسألة فأجابني ثم جاءه رجل فسأله عنها فأجابه بخلاف ما أجابني ثم جاء رجل آخر فأجابه بخلاف ما أجابني وأجاب صاحبي فلما خرج الرجلان قلت يا ابن رسول الله رجلان من أهل العراق من شيعتكم قدما يسألان فأجبت كل واحد منهما بغير ما أجبت به صاحبه فقال يا زرارة إن هذا خير لنا وأبقى لنا ولكم ولو اجتمعتم على أمر واحد لصدقكم الناس علينا ولكان أقل لبقائنا وبقائكم

¹ *Minhāj al-Sunnah al-Nabawiyah*, 7/529-530, with some adaptations.

I asked him about a *Mas'alah* (ruling) and he answered me. Then another person came and asked the same question. He answered him contrary to what he answered me. Then another person came and he gave him an answer contrary to what he answered me and my companion.

I said to him, “O son of the Prophet ﷺ, two men of your Shī'ah, from Iraq, came and asked you a question. You answered each one contrary to the other?”

He replied, “O Zurārah, this is better for us and more lasting for us and for you. If you agree on one ruling, people will accept you over us and this would be detrimental to yours and our survival.”¹

Muḥammad Ṣāliḥ al-Māzindarānī states:

وتلك الأجوبة المختلفة عن مسألة واحدة يحتمل أن يكون بعضها أو كلها من باب التقية لعلمه (عليه السلام) بأن السائل قد يضطر إليها، ويحتمل أن يكون كلها حكم الله تعالى في الواقع إذ ما من شيء إلا وله ذات وصفات متعددة متغايرة يترتب عليها أحكام مختلفة فلو سئل العالم النحرير عنه مرارا وأجاب في كل مرة بجواب مخالف للجواب السابق كانت الأجوبة كلها صادقة في نفس الأمر وإن لم يعلم السائل وجه صحتها ولا يقدح عدم علمه في صحتها لأن الواجب عليه بعد معرفة علو شأن المسؤول وتبحره في العلوم والمعارف هو التسليم واعتقاد أنها صدرت منه لمصلحة قطعاً

It is possible that the different answers to one question, some of them or all of them, are a form of Taqiyyah because the Imām knew that the questioner was compelled to it. It is possible that all the answers are, in reality, the orders of Allah ﷻ, because everything has an original being as well as a variable, multiple traits, whereupon different rules formed. Therefore, if a skilled scholar is asked multiple times and he answers each time with a different answer, then, in reality, all the answers will be correct, even though the questioner does not know the reason for its validity. Not knowing the reason for its validity cannot be criticized because, after recognising the high status of the Imām and his deep insight in knowledge and sciences, it is incumbent on him to accept and believe that the answer was issued due to some definite benefit.²

1 Al-Kāfi, 1/65.

2 Sharḥ Uṣūl al-Kāfi, 2/330.

Yūsuf al-Baḥrānī, explaining the situation of the Imāms in issuing fatwā, states:

فصاروا (صلوات الله عليهم) محافظة على أنفسهم و شيعتهم يخالفون بين الأحكام
و ان لم يحضرهم أحد من أولئك الأنام فتراهم يجيبون في المسألة الواحدة بأجوبة
متعددة و ان لم يكن بها قائل من المخالفين كما هو ظاهر لمن تتبع قصصهم و
اخبارهم و تحدى سيرهم و آثارهم

They sought thus to protect themselves and their sect by contradicting their rulings, even though none of those people came to them. You will see them giving different answers to one question even though none of the opposition advocate it, as it is apparent to those who pursue their stories and incidents, and investigate their transmissions.¹

Ḥusayn ibn ‘Abd al-Ṣamad al-‘Āmilī has enumerated the reasons for differences in ḥadīth according to the Imāmiyyah. From amongst them he mentions:

ما كان يخرج عن أئمتنا عليهم السلام على وجه التقية كما اشتهر بل تواتر النقل عنهم
(ع) بأنهم كانوا ربما يجيبون السائل على وفق معتقده أو معتقده بعض الحاضرين أو
بعض من عساه يصل إليه الحديث من أعدائهم المناوئين

That which our Imāms issue as Taqīyyah, as it is famous, in fact it has been consecutively transmitted from them that, at times, they would answer the questioner according to his belief or the belief of those who were present, or the belief of the hostile enemies to who these narrations would reach.

Then he cited two reports from *al-Kāfi* with his chain and thereafter comments:

ومثل ذلك ما ورد عنهم عليهم السلام كثير وهو مما لا شبهة فيه بين شيعتهم

Numerous similar narrations have been reported from them. This is something that their group has no doubt about.²

If the jurists of the school are perplexed about their Imām and his school, then is it possible to imagine that matters straightened out for Imām Abū Ḥanīfah رَحِمَهُ اللهُ to such an extent that he achieved this high status, knowledge and fiqh in dīn because of him.

1 *Al-Ḥadā'iq al-Nāḍirah*, 1/4.

2 *Wuṣūl al-Akhyār ilā Uṣūl al-Akhhbār*, pg. 170.

Sixth Observation

The Imāmiyyah narrate in their Ḥadīth compilations that which confirms that Abū Ḥanīfah رَحْمَةُ اللَّهِ was not a student of Ja'far al-Ṣādiq and not even his father, al-Bāqir, for a single day also. In fact, he is regarded by them as one who prevents others from the dīn of Allah سُبْحَانَهُ وَتَعَالَى, who should be avoided and not accompanied.

It is reported in *al-Kāfi* from Sudayr who says:

سمعت أبا جعفر (عليه السلام) وهو داخل وأنا خارج وأخذ بيدي ثم استقبل البيت فقال يا سدير إنما أمر الناس أن يأتوا هذه الأحجار فيطوفوا بها ثم يأتونا فيعلمونا ولايتهم لنا وهو قول الله وإني لغفار لمن تاب وآمن وعمل صالحا ثم اهتدى ثم أوماً بيده إلى صدره إلى ولايتنا ثم قال يا سدير فأريك الصادين عن دين الله ثم نظر إلى أبي حنيفة وسفيان الثوري في ذلك الزمان وهم حلق في المسجد فقال هؤلاء الصادون عن دين الله بلا هدى من الله ولا كتاب مبين إن هؤلاء الأخابث لو جلسوا في بيوتهم فجاء الناس فلم يجدوا أحدا يخبرهم عن الله تبارك وتعالى وعن رسوله (صلى الله عليه وآله) حتى يأتونا فنخبرهم عن الله تبارك وتعالى وعن رسوله (صلى الله عليه وآله)

I heard Abū Ja'far, he was inside while I was outside, he held my hands, faced the Qiblah and said, “O Sudayr, the people are only instructed to come to these stones, circumambulate around it, and then come to us and acknowledge guardianship for us. That is what Allah Ta'ālā says in the Qur'ān:

وَإِنِّي لَغَفَّارٌ لِّمَن تَابَ وَآمَنَ وَعَمِلَ صَالِحًا ثُمَّ اهْتَدَىٰ

*But indeed, I am the Perpetual Forgiver of whoever repents and believes and does righteousness and then continues in guidance.*¹

He pointed with his hands to his chest and said, “That is, (guided) to our guardianship.” Thereafter he said, “O Sudayr, I will show you those who obstruct from the dīn of Allah سُبْحَانَهُ وَتَعَالَى.”

He looked at Abū Ḥanīfah and Sufyān al-Thawrī, who were with groups of students in the Masjid and said, “These are the people who prevent others

1 Sūrah Ṭāhā: 82.

from the dīn of Allah ﷻ. They have no guidance from Allah ﷻ and no clear Book. If these evil people stayed in their homes and the people start to roam around, they would not find anyone who can inform them about Allah ﷻ and his Prophet ﷺ till they come to us and we inform them about Allah ﷻ and his Prophet ﷺ.”¹

Muḥammad ibn al-Ḥasan al-Ṣaffār reports in *Baṣā'ir al-Darajāt* from Muḥamad ibn Ḥakīm from Abū al-Ḥasan Mūsā al-Kāzīm that he said:

إن أبا حنيفة لعنه الله ممن يقول قال علي وقلت

May the curse of Allah Ta'ālā be upon Abū Ḥanīfah. He used to say, “Alī said and I say.”²

Al-Kulaynī reports (in *al-Kāfi*) from Muḥammad ibn Muslim who says:

قال دخلت علي أبي عبد الله وعنده أبو حنيفة فقلت له جعلت فداك رأيت رؤيا عجيبة فقال لي يا ابن مسلم هاتها فإن العالم بها جالس واوما بيده إلى أبي حنيفة قال فقلت رأيت كاني دخلت داري وإذا أهلي قد خرجت علي فكسرت جوزا كثيرا ونثرته علي فتعجبت من هذه الرؤيا فقال أبو حنيفة رجل تخاصم وتجادل لثاما في مواريث أهلك فبعد نصب شديد تنال حاجتك منها إن شاء الله فقال أبو عبد الله أصبت والله يا أبا حنيفة قال: ثم خرج أبو حنيفة من عنده فقلت جعلت فداك إني كرهت تعبير هذا الناصب فقال يا ابن مسلم لا يسؤك الله فما يواطى تعبيرهم تعبيرنا ولا تعبيرنا تعبيرهم وليس التعبير كما عبّره قال فقلت له جعلت فداك فقولك أصبت وتحلف عليه وهو مخطئ قال نعم حلفت عليه أنه أصاب الخطاء قال فقلت له فما تأويلها قال يا ابن مسلم إنك تتمتع بامرأة فتعلم بها أهلك فتمزق عليك ثيابا جدداً فإن القشر كسوة اللب قال ابن مسلم فوالله ما كان بين تعبيره وتصحيح الرؤيا إلا صبيحة الجمعة فلما كان غداة الجمعة أنا جالس بالباب إذ مرت بي جارية فأعجبني فأمرت غلامي فردها ثم أدخلها داري فتمتعت بها فأحست بي وبها أهلي فدخلت علينا البيت فبادرت الجارية نحو الباب وبقيت أناء فمزقت علي ثيابا جدا كنت البسها في الأعياد

1 *Al-Kāfi*, 1/392, book on evidence, chapter: it is incumbent on the people that after completing their rituals they must come to the Imām and inquire about the salient features of their dīn and learn about their guardianship and love for the Imām, Ḥadīth: 3.

2 *Baṣā'ir al-Darajāt*, pg. 167; *al-Kāfi*, book on the virtues of knowledge, chapter on innovations, opinion and analogies, Ḥadīth: 9 & 13.

I came to Abū ‘Abd Allāh and Abū Ḥanīfah was by him.

I said to him, “May I be sacrificed for you. I have seen a strange dream.”

He said to me pointing with his hands toward Abū Ḥanīfah,¹ “Mention it. We have a scholar sitting here who has knowledge about it.”

I said, “I saw that I entered my house and my wife came to me angry. She broke a lot of walnuts and threw them on me. I was very astonished with this vision.”

Abū Ḥanīfah said, “You will argue and fight wretchedly for the inheritance of your wife. After a lot of exertion, you will achieve your quest from her, if Allah سُبْحَانَهُ وَتَعَالَى wills.”

Abū ‘Abd Allāh said, “By Allah, you are correct O Abū Ḥanīfah.”

Then Abū Ḥanīfah went away. I said to Abū ‘Abd Allāh, “May I be sacrificed for you. I dislike the interpretation of this *Nāṣib* (one who harbours enmity for the Ahl al-Bayt).”

He said, “O Abū Muslim, may Allah save you from harm. Neither does their interpretation conform with ours nor vice versa. The interpretation is not as he mentioned.”

I said to him, “May I be sacrificed for you, you told him that he was correct and you took an oath whereas he was wrong?”

He said, “Yes, I took an oath that he was correct in being wrong.”

I asked, “Then what is the interpretation?”

He replied, “O Ibn Muslim, you will perform *Mut‘ah* (temporary marriage) with a woman and your wife will come to know about it. She will tear your new clothes in anger, because the shell is the clothing of the nut.”

Ibn Muslim states, “I only had to wait till the morning of Friday to see this dream come true. In the morning of Friday, I was sitting by the door when

1 Al-Māzindarānī states (in *Sharḥ Uṣūl al-Kāfi*, 12/408), commenting on this text, “He brought him forward and called him a scholar practicing Taqiyyah or to expose his ignorance before some of the companions.”

a girl passed by. I liked her so I instructed my slave to call her. He brought her to the house and I performed Mut'ah with her. My wife became aware of this and entered the house. The girl ran to the door and I was left alone. She tore apart my new clothes which I used to wear on the day 'Id."¹

In justification of Ja'far al-Ṣādiq's stance regarding Abū Ḥanīfah in the above mentioned narration, Abū Ṭālib al-Tajlīl al-Tabrīzī states:

أبو حنيفة هو قائد مذهب الحنفية أحد مذاهب أهل السنة الأربعة وكان أشد تعصبا من قادة المذاهب الثلاثة الأخرى وأكد هم خلافاً للأئمة المعصومين وكانت له سلطة ونفوذ كلمة في الحنفيين وكان يحذر من بثه وتحريكه لبعض تبعته علي إيداء أبي عبد الله وشيعته

This is Abū Ḥanīfah, the leader of the Ḥanafī Madhhab which is one of the four Madhhabs of the Ahl al-Sunnah. He was more fanatical than the leaders of the other three Madhhabs. He was severest of them against the infallible Imāms. He had authority and influence amongst the Ḥanafīs. He was warned for inciting and mobilising some of his followers to harm Abū 'Abd Allāh and his sect.²

Ni'mat Allāh al-Jazā'irī (d. 1112 AH) confirms that according to the Imāms and the elite of the Ahl al-Bayt, Abū Ḥanīfah is regarded as one of the Nawāṣib, even though he displayed affection and dedication towards them. He says, "This is confirmed by the fact that the Imāms and their elite use the word 'Nāṣib' on Abū Ḥanīfah and others like him, despite the fact that Abū Ḥanīfah did not display enmity to the Ahl al-Bayt. In fact, he was dedicated to them and would display affection towards them. Yes, he used to contradict their opinions and say, "Alī رَضِيَ اللَّهُ عَنْهُ said and I say."³

A person whose condition is this, how is it possible to assume that he is a student of Ja'far al-Ṣādiq, or to assume that Ja'far taught him anything about Fiqh? At the same time the Imāmiyyah narrate from Ja'far al-Ṣādiq that he used to differ in his fatwā amongst his special students and use his concern for them to justify it.

1 *Al-Kāfi*, 8/292-293, Ḥadīth: 447.

2 *Tanzīh al-Shī'ah al-Ithnā 'Ashariyyah 'an al-Shubuhāt al-Wāhiyyah*, pg. 357.

3 *Al-Anwār al-Nu'māniyyah*, 2/307.

Al-Mīrzā Faṭḥ Allāh ibn Muḥammad Jawād al-Aṣbahānī expresses astonishment at the claim of attestation and happiness from Abū Ḥanīfah towards Ja‘far al-Ṣādiq and the Ahl al-Bayt out of love for them.

He says:

ومما يقضى منه العجب أن بعضهم ذكر أن ابا حنيفة استشهد في طريق محبة مولانا الصادق قال محمود القادري في كتاب حياة الذاكرين قيل إن رجلا اتى ابا حنيفة رحمة الله عليه وقال اخي توفي وأوصى بثالث ماله لإمام المسلمين إلى من أذفع فقال له ابو حنيفة أمرك بهذا السؤال ابو جعفر الدوانيقي وكان يبغض ابا حنيفة كبغض جماعة من أشقياء بلدنا الإمام الشافعي فحلف السائل كذبا أنه ما أوفى بهذا السؤال فقال أبو حنيفة ادفع الثلث إلي جعفر بن محمد الصادق فإنه هو الإمام الحق، انتهى وذكر صاحب كتاب غرة الراشدين أن هذه الفتوى صارت سببا لحبه أقول ولا أدري كيف جمع أبو حنيفة بين هذا التصديق والاعتراف وذاك التخلف والانحراف وبين هذا الإقرار والالتزام وذاك الإعراض في جمع العقائد والأحكام وما قصده من الإفحام والإلزام. اللهم إلا أن يقال لا غرو فقد جمع بين الإذعان بنبوة سيد المرسلين والمخالفة في أربعمئة مسألة من مسائل الدين وقد ثبت بحمد الله زندقته وكفره باعترافه حيث أنه إذا كان من جال في قلب أنه خير من صبي من اهل بيت النبي زنديقا بمقتضى صريح ما حكى من كلامه فكيف حال من قصد الإلزام والإفحام لأئمة الأعلام من أهل البيت وبالجملة فشئاعه أكثر من أن تسطر وأشهر من أن تذكر

What is surprising is that some of them mention that Abū Ḥanīfah attested, in a loving way, to Ja‘far al-Ṣādiq. Maḥmud al-Qarī states in *Kitāb Ḥayāt al-Dhākirīn*:

It has been narrated that a person came to Abū Ḥanīfah and said, “My brother passed away and he bequeathed one third of his wealth to the Imām of the Muslims. Who should I give it to?”

Abū Ḥanīfah asked him if Abū Ja‘far al-Dawānīqī sent him to ask this question. He used to hate Abū Ḥanīfah like how some wrenched people of our country hate Imam al-Shāfi‘ī. The questioner took a false oath that he did not instruct him to ask this question. Thereafter Abū Ḥanīfah said, “Give the one third to Ja‘far in Muhammad al-Ṣādiq as he is the rightful Imam.”

The author of *Ghurrat al-Rashidīn* states that this fatwā became the means for his love.

I say: I do not know how Abū Ḥanīfah combined between this certification and confession and those differences and deviations, between this acknowledgement and commitment and the aversion in all beliefs and rulings and the intended defiance and accusations. The only way is to say that, it is not surprising that he combined between compliance with the prophethood of the Prophet ﷺ and violation of 400 rulings of dīn. By the praise of Allah, his infidelity and disbelief has been established through his own acknowledgement, because if person who has this thought is his heart that he is better than any child of the Ahl al-Bayt, then he is an infidel according to what he clearly stated, then what will be the condition of the one who intended accusing and impeaching the distinguished Imams of the Ahl al-Bayt? In brief, his slanders are too many to pen and too common to mention.¹

Because of all this, al-Mirzā Muḥammad Taqī al-Māmqānī (d. 1312 AH) displays intense resentment towards this popular claim of tutelage. Thus, he uses regrettable words by saying:

قد اشتهر بين الناس ان أبا حنيفة كان من تلامذة أبي عبد الله ولم اجد له إلى الآن ماخذا صحيحا بل هذا الخبر وما في سوقه من سائر اخبار العامة والخاصة يعطي أن ذلك من الشهرات التي لا أصل لها يظهر ذلك لمن تتبع السير والأخبار (إلى أن قال) والذي يتلجلج في خاطري أن هذا الشيخ ابن أبي الحديد المعتزلي واخوانه من العامة قصدوا بذكر هذا التفصيل تصحيح طريقتهم بانتهاؤها إلى باب مدينة العلم الذي لم يختلف احد من أهل الاسلام في حقية طريقتة لانتهاؤها إلى رسول الله بغير نكير وانما أخرجره في صورة إثبات الفضل لأمير المؤمنين ليغتر به الشيعة فيتلقوه بالقبول فإذا نالوا من ذلك ما يريدون اعترضوا عليهم في رد مذاهب العامة وإبطالها كما اغتر بذلك بعض علمائنا عقله عن حقيقة الحال فذكروا ما يقرب من هذا التفصيل من كتبهم وزعموا أنهم أقاموا به الحجة علي العامة ولم يعرفوا أنه لو صح ذلك فالحجة للعامة عليهم لا العكس ... واما انتهاء علوم المذكورين إليه فحاشا وكلا فإن الله ورسوله وأمير المؤمنين وعترته الطاهرين برآء من طريقة هؤلاء أصولا وفروعاً

1 *Al-Qawl al-Ṣarāḥ fi al-Bukhārī wa Ṣaḥīḥihī al-Jāmi'*, pg. 64-65.

وقد فرغ علماء الشيعة شكر الله مساعيهم الجميلة عن إثبات ذلك في كتبهم الموضوعة لهذا الشأن ولم يدعوا شكاً في مخالفة أصحاب هذه الطرق لله ورسوله وأوصياء رسوله لا سيما أبو حنيفة فإن فقهه كان بين قدماء العامة من أشنع المذاهب فكيف الخاصة فنسبة أبي حنيفة إلى صحبة الصادق لعله من فلتات هؤلاء وإنما تبعهم بعض أصحابنا من غير تبين وإلا فالأخبار التي وردت من طرفنا في محاورات الرجل للصادق ومجالسته معه كثير منها صريح في تكذيب هذه النسبة وإنه ما كان معروفاً عند الصادق في الظاهر وهو في ذلك الوقت مفت بالعراق طاعن في السن ولو أغمضنا عن جميع ذلك فهو ممن عق معلمه لأنه يقول في فتياه بالرأي والقياس وأهل البيت برآء من ذلك فلا ينفعه انتسابه إليه شيئاً

It has become famous amongst the people that Abū Ḥanīfah was a student of Abū ‘Abd Allāh. Till now, I have not come across any authentic source regarding this. This information as well as other specific and general information amongst the masses indicates that this a rumour which has no origin, which is clear to those who explore history and news. (He continues till he says:)

What is shimmering in my mind is that this shaykh, Ibn Abī al-Ḥadīd al-Mu‘tazilī and his followers amongst the masses intend authenticating their ways through this explanation by attributing it to the door of the city of knowledge whose authentic way is doubtless amongst all Muslims because of its undeniable link to the Prophet ﷺ. They merely present it in the form of establishing virtue of Amīr al-Mu‘minīn to deceive the Shī‘ah to accept it. When they achieve what they intended, they raise objections against them to refute and falsify the schools of the masses, as some of our scholars got deceived in understanding the reality of the matter. Thus, they mention virtues like these from their books and think that they have established evidence against the masses. They do not realise that if it is correct then the masses have evidence against them and not vice versa. As for attributing the knowledge of the above-mentioned people to him, Allah forbid this can never be possible as Allah, His Prophet ﷺ, Amīr al-Mu‘minīn, and his pure family are free of these peoples’ ways, in fundamental and subsidiary rulings.

The Shī‘ī scholars have already substantiated this—may Allah accept their beautiful effort—in their books that were set for this topic, and did not

leave any doubt in opposing the people of these ways—for the sake Allah ﷺ, His Prophet ﷺ, and the guardians of his Prophet ﷺ—especially Abū Ḥanīfah, because his fiqh was the worst amongst the former masses. Then what about the elite?... Thus, attributing Abū Ḥanīfah to the company of Ja‘far is perhaps these people’s mistake. Some of our followers followed them without clarification. Otherwise, narrations regarding this man’s debates and association with Ja‘far al-Ṣādiq are plenty, many are explicit in refuting this attribution. In reality he was not known to al-Ṣādiq. During that time, he was an old aged muftī in Irāq. If we turn a blind eye to all of this, then he is one of those who disobeyed his teacher as he issued fatwā using opinion and Qiyās, and the Ahl al-Bayt are free of that. Thus, his attribution to al-Ṣādiq will not benefit him in any way.¹

After the above quotation, is there anything left to say? If this is the condition of a person according to the view of Ja‘far al-Ṣādiq and the seniors of the school attributed to him, then how can that person be a student of Ja‘far?

Seventh Observation

If, for argument’s sake, we accept that the four Madhhabs are taken from Ja‘far al-Ṣādiq, then the proof will be established against the claimant of that. Because that which the four Imāms narrate from Ja‘far is, then, completely in contrast to what the fanatics attribute to him. The four Imāms are, undoubtedly, more reliable, higher in rank and more intelligent than these fanatics who narrate heinous lies from Ja‘far, like distorting the Qur’ān, rulings of disbelief against the Companions ﷺ, cursing the Muslim Ummah, etc. Taking this into consideration, if a person wants to be attributed to Ja‘far al-Ṣādiq, then he will have no option but to follow one of the four Madhhabs as they are all taken from Ja‘far, even though they differ in subsidiary rulings.

1 *Ṣaḥīfat al-Abrār*, pg. 205-107, al-A‘lamī print.

Formulating the Sunnī Stance on the Ja‘farī School

Are the scholars of Ahl al-Sunnah wa al-Jamā‘ah on the same page with regards to accepting or rejecting the Ja‘farī School, or are there details in this viewpoint which are hidden from some of those who are associated to knowledge and dīn in the present day?

Indeed, whoever explores the books of the Ahl al-Sunnah will realize that undoubtedly there is unanimity that the school, known presently as Ja‘farī School, does not represent in any way, the Fiqhī school of Ja‘far ibn Muḥammad al-Ṣādiq, let alone representing the school of the Ahl al-Bayt in general. The only difference amongst these luminaries is in some specific rulings of this school and in the authenticity of associating it to Ja‘far al-Ṣādiq, ‘Alī ibn Abī Ṭālib رَضِيَ اللَّهُ عَنْهُ, or others like Ibn ‘Abbās رَضِيَ اللَّهُ عَنْهُ.

Investigating the reasons that resulted in these luminaries taking a dismissive stance on the structures of the present day Ja‘farī School and doubt in the authenticity of its association to Ja‘far, is the subject of this book. Most of its pages will be dedicated to answering this.

However, it will be appropriate to indicate, under this topic, the differences in accepting some specific rulings of the Ja‘farī School and in viewing their jurists like the reliable jurists.

Approaches of Scholars of Ahl Al-Sunnah in Dealing with the Ja‘farī School

After probing the views and stances of the scholars of the Ahl al-Sunnah, 3 approaches are possible in dealing with the Ja‘farī School:

First Approach

No consideration is given to the Imāmī differences. This is the stance of most of the jurists of the four Madhabs, former and latter.

The books of fiqh merely relate their views in some Fiqhī rulings. Sometimes it mentions it together with some sort of criticism and objection of their main

proofs and response to it.¹

Al-‘Allāmah Ibn al-Ṣalāḥ (d. 634 AH) states:

خلاف الشيعة لا يعتد به عند الأئمة ولذلك لا يذكرون في كتب اختلاف العلماء في الأحكام إلا على ندرة وقد تقرر في الأصول إن الإجماع ينعقد وإن خالفوا فلا ينبغي إذاً التعرض لذكر خلافهم فيما نحن فيه

Differences of the Shī‘ah are not considered by the Imāms. Thence, they are very rarely mentioned in the books of the differences of scholars in rulings. It is an established principle that *Ijmā‘* (consensus) will take place even though they differ. Therefore, it is not appropriate to mention their differences in our rulings.²

Similar statements are also narrated from the following scholars:

Muḥy al-Dīn al-Nawawī (d. 676 AH) in *al-Majmū‘*,³ Taqī al-Dīn al-Subkī (d. 756 AH) in his *Fatāwā*,⁴ Badr al-Dīn al-Zarkashī (d. 794 AH) in *al-Baḥr al-Muḥīṭ*,⁵ Jalāl al-Dīn al-Suyūṭī (d. 911 AH) in *al-Ḥāwī li al-Fatāwā*⁶, and Ibn Ḥajar al-Haytamī (d. 974 AH) in his *Fatāwā Fiqhiyyah*.⁷

These jurists attribute the failure to consider the Imāmī fiqh—in brevity and in detail—to this school’s indifference towards the verses of the Qur’ān, the Sunnah

1 Contrary to this stance is another stance which is more severe on the Imāmī jurists, which at times reaches the point of open criticism and attack on the opposing Muslim, like the statement of al-Shaykh Muḥammad Ḥasan al-Najafī (d. 1266 AH) in *Jawāhir al-Kalām*, while discussing *al-Ṭalāq al-Mu‘allaq* (pending divorce). He states:

As one can see, this cannot be tracked to any origin from the Imāmī principles. It is from amongst the myths. They have regarded it as permissible and filled their books with its rulings. All praises is for Allah سُبْحَانَهُ وَتَعَالَى who has protected us from many of that which his creations are afflicted with. If He willed, He would have done it. Our books being devoid of these myths and sufficing on the complete form of the word (when issuing divorce, without considering the intention) is just to expose them.

2 *Sharḥ Mushkil al-Wasīt*, 3/569-570.

3 *Al-Majmū‘ Sharḥ al-Muhadhab*, 1/383, 1/416, 2/62, 2/101, 3/34, 9/80, 9/234.

4 *Fatāwā al-Subkī*, 2/322.

5 *Al-Baḥr al-Muḥīṭ*, 6/419.

6 *Al-Ḥāwī li al-Fatāwā, Risālah - Masālik al-Ḥanafā fi Walidī al-Muṣṭafā’*, 2/264-265.

7 *Al-Fatāwā al-Fiqhiyyah al-Kubrā*, 4/105.

of the Prophet ﷺ, the Companions and their followers or majority of them, in speech and in action,¹ (let alone opposing it when it is authenticated from the Ahl al-Bayt) or the skepticism in the authenticity of the Imāmīyyah's narrations from Ja'far al-Ṣādiq.

Imām al-Ḥaramayn al-Juwaynī, while discussing the Zāhiriyyah, adds regarding refutation of Qiyās (This will apply, more so, to the Imāmīyyah because of their stance regarding Qiyās):

الذي ذهب اليه أهل التحقيق: أن منكري القياس لا يعدون من علماء الأمة ، ولا من حملة الشريعة ، لأنهم معاندون مباحثون فيما ثبت استفاضة و تواترا لأن معظم الشريعة صادر عن الإجتهد ولاتفي النصوص بعشر معاشرا وهؤلاء ملتحقون بالعوام

The researchers have declared that the deniers of Qiyās are neither regarded as scholars of this Ummah nor the bearers of Sharī'ah, because of their stubbornness and slander in a matter that has been proven extensively and consecutively, as majority of Sharī'ah is derived through Ijtihād. Clear text only covers one tenth of Sharī'ah. These people are considered to be amongst masses.²

According to this stance, they don't regard it appropriate to give any consideration to the views of the Imāmīyyah, to entertain any Fiqhī differences with them, or pay attention to collect their books due to their shunning of Qiyās, which is a fundamental pillar of Ijtihād, as Ijtihād cannot be established without it,³ in addition to the consensus which has been mentioned before.

Ḥaydar Ḥubb Allāh's view is that comparison (the majority and the minority), to a great extent, contributed to the reluctance of the Ahl al-Sunnah's scholars from pursuing the narrative and Fiqhī legacies of the Imāmī Shī'ah till the era of al-'Allāmah ibn al-Muṭahhar al-Ḥillī (d. 726 AH).⁴

1 For example see al-Bābartī: *al-'Ināyah Sharḥ al-Bidāyah*, 5/254; al-Māwardī: *al-Ḥawā al-Kabīr*, 9/221.

2 *Siyar A'ālām al-Nubalā'*, 13/105. (Biography of Imām Dawūd ibn 'Alī, Imām of the Ahl al-Zāhir)

3 *Siyar A'ālām al-Nubalā'*, 13/104.

4 *Al-Madkhal ilā Mawsū'at al-Ḥadīth al-Nabawī 'Inda al-Imāmīyyah*, pg. 509-510.

Second Approach

Relative consideration to Imāmī Fiqh. This is represented by Ibn Taymiyyah,¹

1 According to the Imāmiyyah, Ibn Taymiyyah's name is associated to two matters:

First: Naṣb – enmity towards the Ahl al-Bayt and aversion from them. Ibn Taymiyyah is free of this accusation. It originates from prejudice and unfair attribution to some of his statements regarding the Companions and the Ahl al-Bayt specifically. Sulaymān al-Kharāshī in *Shaykh al-Islām Ibn Taymiyyah lam Yakun Naṣibiyyan*, and ‘Amar ibn Ṣāliḥ al-Qarmūshī in *Ahl al-Bayt ‘Ind Shaykh al-Islām Ibn Taymiyyah*, have both embarked in responding to this accusation. However, this matter needs a better treatise than what these two books contain.

Second: Ruling of disbelief from the opposition in general and specifically from the Imāmiyyah. The Imāmiyyah regard him as the first and the most prominent person who passed the verdict of disbelief and permissibility of killing against them. At times the ISIS joined them in holding this view. Hence, they attribute all kinds of absurdities towards him. There is no doubt that to investigate the attribution of general disbelief to Ibn Taymiyyah, to explore his statements in this ruling, and to respond to some of the texts which are incorrect or taken out of context, needs an independent book; however, here I wish to merely indicate that there is an unjust attribution towards Ibn Taymiyyah—from his supporters and adversaries—that he issued a general verdict of disbelief and apostasy against the Imāmiyyah. Shaykh Sulṭān al-‘Amīrī has penned a discussion about Ibn Taymiyyah's stance regarding the Imāmiyyah. He states in it:

» That despite acknowledging their deviation, he did not issue verdict of disbelief against them. In fact he issued a verdict of their Islam clearly, by stating in *Majmū‘ al-Fatāwā*, 13/96:

وقد ذهب كثير من مبتدعة المسلمين من الرافضة والجهمية وغيرهم إلى بلاد الكفار فأسلم على يديه خلق كثير وانتفعوا بذلك وصاروا مسلمين مبتدعين وهو خير من أن يكونوا كفارا وكذلك بعض الملوك قد يغزو غزوا يظلم فيه المسلمين والكفار ويكون آتيا بذلك ومع هذا فيحصل به نفع خلق كثير كانوا كفارا فصاروا مسلمين وذلك كان شرا بالنسبة إلى القائم بالواجب وأما بالنسبة إلى الكفار فهو خير فهذا الكلام من ابن تيمية يدل على أن وصف الإسلام ثابت لهم وأن دخول الكافر في الإسلام على مذهب الإمامية خير له من بقاءه على كفره

Many Muslim innovators from amongst the Rāwāfiḍ, Jahmiyyah, and others went to the lands of the disbelievers. Many of them benefitted and accepted Islam on their hand and became Muslim innovators. This is better than them remaining on disbelief. Similarly some kings rage wars wherein they oppress the Muslims and disbelievers, therefore becoming sinners. Despite this, many disbelievers benefit as they become Muslims. This is evil for the duty bearer; however, for the disbelievers, it is good.

This statement of Ibn Taymiyyah indicates that Islam is established for them and that for the disbelievers to enter into Islam, albeit in the Imāmī School is better than them remaining on disbelief.

continued...

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This is a viewpoint that the Imāmiyyah do not hold regarding their opposition. Thus, Shaykh al-Mufid states in *Awā'il al-Maqālāt*, pg. 44:

واتفقت الإمامية على أن من أنكر إمامة أحد الأئمة وجحد ما أوجبه الله تعالى من فرض الطاعة فهو كافر ضال مستحق
للخلود في النار

The Imāmiyyah are unanimous that anyone who denies the Imāmah of any of the Imāms and rejects obedience to them as Allah سُبْحَانَهُ وَتَعَالَى has obliged, he is a deviate disbeliever, deserving perpetual entrance into hellfire.

Shaykh al-Ṭā'ifāh al-Ṭūsī (460 AH) endorses this view in *Talkhīṣ al-Shāfi*, 4/131, wherein he says:

دفع الإمامة كفر كما أن دفع النبوة كفر لأن الجهل بهما على حد واحد

Rejecting Imāmah is disbelief just as rejecting prophet hood is disbelief as ignorance regarding any of them is same.

- » That he differentiates between the Bāṭinī Ismā'īlī and the Īthnā 'Asharī Imāmīs in *Minhāj al-Sunnah al-Nabawīyah*, 2/452-453. He says:

والإمامية الإثنا عشرية خير منهم بكثير فإن الإمامية مع فرط جهلهم و ضلالهم فيهم خلق مسلمون باطنا و ظاهرا ليسوا زنادقة منافقين ولكنهم جهلوا و ضلوا و اتبعوا أهوائهم و أما أولئك فأئمتهم الكبار العارفون بحقيقة دعوتهم الباطنية زنادقة منافقون و أما عوامهم - الإسماعيلية - الذين لم يعرفوا باطن امرهم فقد يكونوا مسلمين

The Īthnā 'Asharī Imāmīs are better than them by far. The Imāmiyyah despite their extreme ignorance and deviation, there is a large number of them that are Muslims outwardly and inwardly. They are not apostate hypocrites. However, they are ignorant deviants and followed their desires. As for the others (the Ismā'īlīs), their senior Imāms, who know the reality of their inner claims, are apostate hypocrites. As for their masses (the Ismā'īlīs) who are not aware of the inner secrets, they can be Muslims.

- » His refutation of the view that the People of the Book (i.e. the Jews and Christians) are better than the Shī'ah, taking into consideration that they are Muslims, as he states in *Majmu' al-Fatāwā* 35/201:

كل من كان مؤمنا بما جاء به محمد فهو خير من كل من كفر به وإن كان في المؤمن بذلك نوع من البدعة سواء كانت بدعة الخوارج والشيعه والمرجئه والقدرية أو غيرهم

Whoever believes in that which Muḥammad صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ brought is better than those who refuted it, even though that Muslim is involved in some innovation, be it he innovation of the Khawārij, the Shī'ah, the Murji'ah, the Qadariyyah, or others.

- » That he does not pass verdict of disbelief against any of them specifically except when certain conditions are found or certain preventives are absent as is mentioned in *Majmu' al-Fatāwā* 26/500.

then his distinguished student Ibn Qayyim al-Jawziyyah, who would rarely differ from his views.

Ibn Taymiyyah is of the view that the Imāmiyyah, even though they differ with the Ahl al-Sunnah in some of the schools' fundamentals as well as some of their isolated Fiqhī rulings, they conform with the Ahl al-Sunnah in most of the Fiqhī rulings. In the course of his rebuttal of 'Allāmah Taqī al-Dīn al-Subkī (d. 756 AH) regarding the issue of divorce, he states:

و جمهور ما ينقلونه من الشريعة موافق لقول جمهور المسلمين فيه ما هو من مواقع
الإجماع وفيه ما فيه نزاع بين اهل السنة فليس الغالب فيما ينقلونه عن هؤلاء الأئمة
من مسائل الشرع الكذب بل الغالب عليه الصدق وفيه ما هو كذب خطأ أو عمدا
بلا ريب وأقوالهم كأقوال نظائرهم من أئمة المسلمين

Majority of the Sharīah which they narrate is in conformity with the majority of Muslims. Some reach the stage of *Ijmā'* (consensus) while in others there are differences of opinion amongst Ahl al-Sunnah. Thus, most of that which they narrate from these Imāms regarding rulings of Sharīah are not lies. In fact, majority of it is the truth. Undoubtedly there are some lies in it, whether intentional or unintentional. Hence, their views are like the views of other Muslim Imāms.¹

He repeats this stance in *al-Minhāj*, wherein he states:

وإنما يزعمون أنهم تلقوا عن الأئمة الشرائع وقولهم في الشرائع غالبه موافق لمذهب
أهل السنة أو بعض أهل السنة ولهم مفردات شنيعة لم يوافقهم عليها أحد ولهم
مفردات عن المذاهب الأربعة قد قال بها غير الأربعة من السلف وأهل الظاهر وفقهاء
المعتزلة وغير هؤلاء فهذه ونحوها من مسائل الاجتهاد التي يهون الأمر فيها بخلاف
الشاذ الذي يعرف أنه لا أصل له في كتاب الله ولا سنة رسوله ولا سبقهم إليه أحد.

They merely claim to receive their Sharī rulings from the Imāms. Most of their views in Sharī rulings conform to the Ahl al-Sunnah or some of the Ahl al-Sunnah. They hold some outrageous isolated views which no one agrees with. Some of their views are isolated from the four Madhhabs; however, other predecessors, the Zāhiriyyah, jurists of the Mu'tazilah etc,

1 *Al-Radd 'Alā al-Subkī*, 2/697-697.

hold these views. These are rulings through Ijtihād, wherein leniency can be shown, contrary to those rare views which have no basis in the Book of Allah ﷻ, the Sunnah of the Prophet ﷺ, and no one has held that view before.¹

Ibn Taymiyyah has based his argument, regarding considering their views in differences on including them as part of the *Ummah* (followers of the Prophet ﷻ) and that the protected *Ijmā'* (consensus) is the *Ijmā'* of the *Ummah* and they are part of the *Ummah*. Hence, whilst advocating consideration of the *Imāmī* view in the ruling of 'sworn divorce', he states:

وأيضاً فالنزاع في الطلاق المحلوف به والطلاق المعلق مشهور في كتب الشيعة وهم ينقلونه عن أئمة أهل البيت كأبي جعفر الباقر وابنه أبي عبد الله جعفر بن محمد وغيرهما فإن كانوا صادقين في هذا النقل عنه فلا يستريب مسلم في الاعتداد بنزاع هؤلاء وأنه لا يتعقد إجماع التابعين مع مخالفة أبي جعفر الباقر وأمثاله ولا إجماع تابعي التابعين مع مخالفة جعفر بن محمد وأمثاله وفي ذلك نقول كثيرة متعددة بأسانيد مختلفة يمتنع أن تكرر كلها كذبا لكن يقع فيها الخطأ أو كذب متعمد في بعضها فإن هذا يقع كثيرا

وبتقدير أن يكون كل ما نقل عن أهل البيت كذبا فهؤلاء عدد كثير ولهم نظر واستدلال يقولون إن الطلاق المعلق بالصفة لا يقع والطلاق المحلوف به لا يقع وليس ذلك مما انفردوا به عن أهل السنة بل وافقهم طائفة من أهل السنة

وقد تنازع الناس في أهل الأهواء والبدع هل يعتد بخلافهم علي قولين مشهورين في مذهب أحمد ومذهب أبي حنيفة وغيرهما وهذا قول عامة أصحاب الشافعي وهو اختيار أبي الخطاب وغيره من أصحاب أحمد وأكثر الناس يقولون إنه يعتد بخلافهم إذا كانوا من أهل الملة فإنهم داخلون في مسمى الأمة والمؤمنين

واختلفوا أيضا في الاعتداد بأقوال أهل الفسق الذين يعرفون فسق أنفسهم ولكن أكثرهم لا يعتد بأقوال هؤلاء كما لا تقبل شهادتهم باتفاق العلماء ولا فتياهم وأما المتأولون من أهل الأهواء فأبو حنيفة والشافعي وغيرهما يقبلون شهادتهم مطلقا وأما مالك وأحمد وغيرهما فيردون شهادتهم ولكن التحقيق مذهب أحمد وغيره من فقهاء الحديث أنهم يفرقون بين الداعية و غير الداعية في الشهادة والحديث

1 *Minhāj al-Sunnah al-Nabawiyyah*, 2/369-370.

والهجر فمن كان داعية إلى البدعة هجره فلم يحدثوا عنه ولم يستشهدوا به بخلاف غير الداعية ولهذا لم يخرج أصحاب الصحيح والسنن عن الدعاة إلى البدع وخرجوا عن عدد من الخوارج والشيعة والقدرية والمرجئة والداعية هجره لكونه أظهر المنكر فاستحق العقوبة وأدناها الهجر

وأما مناظرتهم في الشريعة فما زال السلف والخلف يتكلمون معهم ولا يقولون لهم أنتم خالفتم الإجماع فلا قول لكم وكان ابن عباس يخاطب نجدة الحروري ونافع بن الأزرق وغيرهما

وإذا نازعوا الناس في مسألة من مسائل الشرع لم يقولوا لهم قد انعقد الإجماع على خلافكم في هذه المسألة بل يحتجون عليهم بالكتاب والسنة وذلك أنهم وإن كانوا ضالين فيما خالفوا فيه أهل السنة فلا يلزم ضلالهم في كل شيء لا سيما إذا كان قد وافقهم بعض أهل السنة والجماعة في تلك المسائل ولا يجوز أن يكون الله أقام عليهم الحجة بقول منازعيهم الذين لم يقيم دليل شرعي على عصمتهم فإن أدلة الإجماع إنما دلت على عصمة المؤمنين بلفظ المؤمنين ولفظ الأمة كقوله تعالى ويتبع غير سبيل المؤمنين وقوله صلى الله عليه وسلم لا تجتمع أمتي على ضلالة فإذا كان اسم المؤمنين وأمة محمد صلى الله عليه وسلم يتناولهم ولهم نظر واستدلال ولهم دين يوجب قصدهم الحق لم يبق وجه لمنع الاعتداد بهم فإن المانع من الاعتداد بهم إما عدم العلم وإما سوء القصد فمن لم يكن عارفا بأدلة الشرع فهو عاص بخلافهم، يجب عليه اتباع العلماء

Also, the differences regarding sworn divorce and pending divorce are well known in the Shīr books. They narrate it from the Imāms of the Ahl al-Bayt like Abū Ja'far, his son Abū 'Abd Allāh Ja'far ibn Muḥammad, and others. If they are truthful in this narration from them, then any Muslim cannot have any doubt in considering their differences, as Ijmā' of the Tābi'in (followers of the Companions) cannot be convened with opposition to Abū Ja'far al-Bāqir, etc., and the Ijmā' of the Tab' al-Tābi'in (followers of the followers of the Companions) without Ja'far ibn Muḥammad etc. There are so many different narrations, with various chains, regarding this that for all of them to be lies is not possible. Yes, mistakes can occur and there can be intentional lies in some, as this often happens.

Assuming that whatever they narrated from the Ahl al-Bayt is lies, even then, these people are in large numbers who possess views and ability to

deduce. They say that the divorce which pending on some action or a sworn divorce does not take place. This is not a view which is isolated from the Ahl al-Sunnah. In fact, a group of the Ahl al-Sunnah conform to this view.

Scholars have differed regarding heretics and innovators. Should their differences be considered? There are two popular views in the Madhhab of Ahmad, Abū Ḥanīfah, and others. This is the view of most of the Shāfi'īs and it is the preferred view of Abū al-Khaṭṭāb from the followers of Aḥmad. Majority of people say that their views will be considered if they are part of the religion and these people are regarded to be part of the Ummah and *Mu'minīn* (believers).

Similarly, they differed regarding the sinners who are aware of their sins.

Majority do not consider their views as their evidence and fatwās are not accepted unanimously.

As for the interpreters from amongst the heretics, Abū Ḥanīfah, Shāfi'ī, etc., accept their evidence in general. Mālik, Aḥmad, etc., reject their evidence.

However, the researched view of Aḥmad and other jurists of Ḥadīth is that they differentiate between those who propagate and those who do not propagate with regards to their evidence, Ḥadīth, and discarding them. Whoever propagates his innovation, they discard him and do not narrate any Ḥadīth from him and do not accept his evidence, contrary to those who do not propagate. Hence, the authors of *Ṣaḥīḥ* and *Sunan* (different books of Ḥadīth) do not narrate from those who propagate their innovation but they narrate from some of the Khawārij, Shī'ah, Qadariyyah, and the Murji'ah. They abandon the one who propagates because he has attested to evil, which deserves punishment and the lowest form of punishment is abandonment.

As for their discussions regarding Sharī'ah, the predecessors and the successors have continuously kept dialogue with them and did not say that because you opposed Ijmā', you have no say. Ibn 'Abbās رضي الله عنه used to speak to Najdah al-Ḥarūrī, Nafī' ibn Azraq, etc.

When people had differences in any ruling of Sharī'ah, they did not say to them that Ijmā' has been convened against you in this ruling, but they

debate with them through the Book of Allah ﷻ and the Sunnah of the Prophet ﷺ. This is so, because even though they are deviated in that which they differ with the Ahl al-Sunnah, this does not necessitate their deviation in all matters, especially if some of the Ahl al-Sunnah conform to them in those rulings. It is not possible that Allah ﷻ established evidence against them through the views of their opposition, who are not protected by any Sharī proof. The evidence of Ijmā' only indicates to the protection of the believers because the word *Mu'minīn* (believers) and Ummah are used, as Allah ﷻ says in the Qur'ān:

وَيَتَّبِعْ غَيْرَ سَبِيلِ الْمُؤْمِنِينَ

*And follows other than the believers' way.*¹

The Prophet ﷺ said:

لا تجتمع أمتي علي ضلالة

My Ummah will not unite upon deviation.

When the name *Mu'minīn* and the word Ummah includes them and they possess a view and ability to deduce, and they have a *dīn* which obligates them to seek the truth, then there is no reason for not considering their views, because the reason for not considering their views could either be lack of knowledge or evil intention. Thus, a person who has no knowledge of the sources of Sharī'ah would be sinning by opposing them. It is necessary for him to follow the scholars.²

Despite this, Ibn Taymiyyah criticises the Imāmiyyah for their false extremism regarding their Imāms and the jurists of the Ahl al-Bayt, as they regard them to be infallible like the Prophet ﷺ, regard all their narrations to be narrated from the Prophet ﷺ and the Ijmā' of their sect to be protected evidence. They based the rulings of their *dīn* on these three principles. Majority of the Sharī'ah which they narrate is in conformity with the majority of Muslims. Some reach the stage of *Ijmā'* (consensus) while in others there are differences of opinion amongst Ahl al-Sunnah. Thus, most of that which they narrate from

1 Sūrah al-Nisā': 115.

2 *Al-Radd 'alā al-Subkī*, 2/659-660.

these Imāms regarding rulings of Shari'ah are not lies. In fact, majority, of it is the truth. Undoubtedly there are some lies in it, whether intentional or unintentional. Hence, their views are like the views of other Muslim Imāms.¹

It is important to note, he set an important criterion for considering the Imāmī Fiqhī view. It is not considered unconditionally. The condition is that the view should not be completely isolated from the Ahl al-Sunnah to an extent that this view is not narrated from any one of the former scholars (in the era of the Companions and their successors) or latter, during the era of the Mujtahid Imāms (and they are a large group).²

Ibn Taymiyyah elucidates the intention of this criterion, clarifying that this does not mean restricting the truth to the four Madhhab.³

1 *Al-Radd 'alā al-Subkī*, 2/697-698.

2 *Al-Radd 'alā al-Subkī*, 2/659-660.

3 Those who are of the view that it is necessary to hold on to the four Madhhabs only, base their view on the fact that the Madhhabs of the other Companions رضي الله عنهم, their successors and Imāms are not regulated and their principles are not recorded. Contrary to these are the four Madhhabs, that each Imām's Madhhab's fundamental and subsidiary principles, as well as their regulations are recorded, so that the rulings can be referred to them and discussions regarding permissible and impermissible matters can be regulated.

Conversely the other Madhhabs are not popular and not regulated. At times things could be attributed to them which they did not say or certain meanings could be taken which they did not imply, and there would be no one to defend the Madhhab or clarify the ambiguous matters, contrary to these famous Madhhabs. (see *Majmū' Rasā'il Ibn Rajab*, booklet on the rebuttal of those who follow any Madhhab other than the four Madhhabs.)

This statement will be valid if the intended meaning is to adhere to the complete Madhhabs, out of fear of what is mentioned above. When it comes to adhering to the view of one of the Imāms, after establishing the authenticity of the narration and the Imāms practice on that view—even though it differs with the four Madhhabs—then there is nothing wrong in that, let alone the differences being in understanding or giving preference to one view of the four Imāms, as this takes place in the four Madhhabs itself. The critics and the senior scholars did not see any blemish or reason to disregard it.

Hence, Ibn Taymiyyah regards this claim to be inconsistent and weak, particularly the claim that whatever is found in the four Madhhabs is Ijmā' of the Muslims which is impermissible to breach. He explicitly mentions this in one of his answers in *Majmū' al-Fatāwā*, 20/10-11 saying:

continued...

The intended meaning is that the view in discussion should not be such that it is isolated from the Muslim Ummah. Thus, he states while responding to Ibn al-Muṭahhar al-Ḥillī (d. 726 AH):

ولم يقل أحد من علماء المسلمين أن الحق منحصر في أربعة من علماء المسلمين كأبي حنيفة ومالك والشافعي وأحمد كما يشنع بذلك الشيعة علي أهل السنة فيقولون إنهم يدعون أن الحق منحصر فيهم بل أهل السنة متفقون علي أن ما تنازع فيه المسلمون وجب رده إلي الله والرسول وأنه قد يكون قول ما يخالف قول الأربعة من أقوال الصحابة والتابعين لهم بإحسان وقول هؤلاء الأربعة مثل الثوري والأوزاعي والليث بن سعد وإسحاق بن راهويه وغيرهم أصح من قولهم فالشيعة إذا وافقت بعض هذه الأقوال الراجحة كان قولها في تلك المسألة راجحا ليست لهم مسألة واحدة فارقوا بها جميع أهل السنة المثبتين لخلافة الثلاثة إلا وقولهم فيها فاسد

None of the Muslim scholars maintain that the truth is confined to four Muslim scholars like Abū Ḥanīfah, Mālik, Shāfi'ī, and Aḥmad, as the Shī'ah slander the Ahl al-Sunnah about it, saying that they claim that truth is confined to them. In fact, the Ahl al-Sunnah are unanimous that whenever the Muslims differ in any matter, it is necessary to refer it to Allah سُبْحَانَهُ وَتَعَالَى and His Prophet صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ. Sometimes there is a view of some of the

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وإذا ثبت إجماع الأمة على حكم من الأحكام لم يكن لأحد أن يخرج عن إجماعهم فإن الأمة لا تجتمع على ضلال ولكن كثير من المسائل يظن بعض الناس فيها إجماعا ولا يكون الأمر كذلك بل يكون القول الآخر أرجح في الكتاب والسنة وأما أقوال بعض الأئمة كالفقهاء الأربعة وغيرهم فليس حجة لازمة ولا إجماعا باتفاق المسلمين بل قد ثبت عنهم أنهم نهوا الناس عن تقليدهم وأمروا إذا رأوا قولاً في الكتاب والسنة أقوى من قولهم أن يأخذوا بما دل عليه الكتاب والسنة ويدعوا أقوالهم ولهذا كان الأكابر من أتباع الأئمة الأربعة لا يزالون إذا ظهر لهم دلالة الكتاب أو السنة علي ما يخالف قول متبوعهم اتبعوا ذلك

When Ijmā' is established in any ruling then it is not permissible for anyone to come out of it, because the Ummah will not unite on deviation. However, in many rulings, some people think that Ijmā' is established but in reality it is not. In fact, sometimes another view is more preferable according to the Qur'an and Sunnah. The views of some Imāms like the jurists of the four Madhhabs etc., are not proofs which are incumbent and not Ijmā', agreed upon by all the Muslims. In fact, it has been established from them that they prevented people from following them and instructed them that if they see any view in the Qur'an and Sunnah that is more authentic than their view, then they should practice on that which the Qur'an and Sunnah indicates to and leave out their view. That is why the practice of the senior scholars from followers of the four Imāms has been, that, if they find any proof from the Qur'an and Sunnah that differs from the view of their Imām, they would follow that.

Companions رَضِيَ اللَّهُ عَنْهُمْ or their followers in all that is good, or a view of anyone of al-Thawrī, al-Awzā'ī, Layth ibn Sa'd, or Ishāq ibn Rāhawayh etc., which differs from the view of the four Imāms and it is more authentic than their views. Therefore, if a Shī'ī view conforms to any of these preferable views then their view in that particular ruling will also be preferred. There is not a single ruling wherein they differ with all the Ahl al-Sunnah who attest to the Khilāfah of the three (i.e. Abū Bakr, 'Umar, and 'Uthmān), except that it is rejected¹.

1 This means that they exclusively cannot be on the truth in any ruling. It is necessary that prior to them a Companion رَضِيَ اللَّهُ عَنْهُ, or their successors or a distinguished person who is known for his fiqh and dīn held this view. The method of Sharīf al-Murtaḍā in *al-Intiṣār wa al-Nāṣiriyyāt* endorses this statement, because in many of the Fiqhī rulings, he points out towards the conformity with the Companions, their successors or the Imāms of the Ahl al-Sunnah. Hence, Ibn Taymiyyah states in *Minhāj al-Sunnah al-Nabawiyyah*, 1/381:

ثم إن الواحد من هؤلاء إذا قال قولاً لا يطلب دليلاً من الكتاب والسنة ولا ما يعارضه ولا يردون ما تنازع فيه المسلمون إلى الله والرسول كما أمر الله به ورسوله بل قد أصلوا لهم ثلاثة أصول أحدها أن هؤلاء معصومون والثاني أن كل ما يقولونه منقول عن النبي والثالث أجماع العترة حجة وهؤلاء هم العترة وإذا صنف واحد منهم كتاباً في الخلاف وأصول الفقه كالموسوي أي الشريف المرتضي وغيره فإن كانت المسألة فيها نزاع بين العلماء أخذوا حجة من يوافقهم واحتجوا بها احتج به أولئك وأجابوا عما يعارضهم بما يجيب به أولئك، فيظن الجاهل منهم أن هذا قد صنف كتاباً عظيماً في الخلاف أو الفقه أو الأصول ولا يدري الجاهل أن عامته استعارة من كلام علماء أهل السنة الذين يكفروهم ويعاديهم وما انقردوا بها فلا يساوي مداده فإن المداد ينفع ولا يضر وهذا يضر ولا ينفع وإن كانت المسألة مما انفردوا به اعتمدوا على تلك الأصول الثلاثة التي فيها من الجهل والضلال ما لا يخفي

When any of them mentions a view, he neither looks for its proof from the Qur'ān or the Sunnah, nor that which contradicts it, and in the differences of the Muslims they do not refer it to Allah سُبْحَانَهُ وَتَعَالَى and His Prophet صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ as commanded by Allah سُبْحَانَهُ وَتَعَالَى and His Prophet صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ. Conversely they created 3 principles:

First: That they (their Imāms) are infallible.

Second: That whatever they say, is narrated from the Prophet صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ.

Third: The Ijmā' of the household (of the Prophet صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ) is proof and they are from the household.

When anyone of them—like Sharīf al-Murtaḍā al-Mūsawī etc.—write a book about differences of opinion or principles of Fiqh, and there are differences amongst the scholars on that ruling, they take the evidence of those who conform to their views, use their arguments and take their answers when answering any objections. The ignorant from amongst them thinks that this person has written a great book about differences, Fiqh, and its principles. What this ignorant does not know is that most of it is borrowed from the Ahl al-Sunnah, who they despise and regard as disbelievers. What is exclusively their writing is not worth the ink they use because ink is beneficial and not harmful, whereas this is harmful and not beneficial. If the ruling is an isolated one then they rely on the 3 principles which consist of obvious ignorance and deviation.

He also states:

والمقصود أن كل طائفة سوى أهل السنة والحديث المتبعين آثار رسول الله صلي الله عليه وسلم فلا ينفردون عن سائر طوائف الأمة إلا بقول فاسد لا ينفردون قط بقول صحيح وكل من كان عن السنة أبعد كان انفراده بالأقوال والأفعال الباطلة أكثر وليس في الطوائف المنتسبين إلى السنة أبعد عن آثار رسول الله صلي الله عليه وسلم من الرافضة فلهذا تجد فيما انفردوا به عن الجماعة أقوالا في غاية الفساد

The object is that all groups other than the Ahl al-Sunnah and Ḥadīth, who follow the transmissions of the Prophet ﷺ, only have a corrupted view if it is isolated from the rest of the Ummah. This isolated view can never be correct. Whoever is further away from the Sunnah, his isolated views and corrupted actions will increase. Amongst the groups associated to the Sunnah, none of them are further away from the traditions of the Prophet ﷺ than the Rawāfiḍ. Therefore, one would find, in their isolated views, the most corrupted views.¹

He presented some examples for this. Some of them are:

- Their delaying of the Maghrib Ṣalāh till the stars become visible contrary to what has been consecutively narrated from the Prophet ﷺ, which is to hasten in performing Maghrib.²
- Their fasting before the rest of the people and stopping to fast before the rest of the people³, contrary to what is reported in al-Bukhārī and Muslim from the Prophet ﷺ who said, “We are an unlettered Ummah that does not count and write. If you see it (the crescent) then fast and when you see it again then stop fasting. If it becomes concealed (cloudy) then estimate.”

1 *Minhāj al-Sunnah al-Nabawiyyah*, 5/173.

2 The detailed Ḥadīth regarding this will come in ‘Fourth factor’ of the factors that led to the extinction of Ja‘far al-Ṣādiq’s Madhhab, which is ‘lack of ability to differentiate between authentic and fabricated.’

3 The detailed Ḥadīth regarding this will come in ‘third factor’ of the factors that led to the extinction of Ja‘far al-Ṣādiq’s Madhhab, which is ‘excessive infusion and forgery in the Madhhab of Ja‘far.’

Another narration states, “Then complete the number (i.e. 30 days).”

- Their prohibition of some type of fish¹, regarding liquids that were touched

1 According to the Imāmiyyah, hunted of the sea is of two types: fish and everything other than fish. All creatures of the sea other than fish is *Ḥarām* (unlawful). Amongst the fish there are some who have scales while others do not, like catfish, bagrid catfish, eel, floating fish (that died a natural death) etc. Those with scales are permissible while those without scales are *Ḥarām*.

Refer to the following: Ibn Bābawayh al-Qummī (d. 381 AH): *al-Muqni‘*, pg. 423; *al-Hidāyah*, pg. 308; Shaykh al-Mufīd (d. 413 AH): *al-Muqni‘ah*, pg.576; al-Sharīf al-Murtaḍā (d. 436 AH): *al-Intiṣār*, pg. 400; Sallār (d. 448 AH): *al-Marāsīm al-‘Alawiyyah*, pg. 209; Shaykh al-Ṭā’ifah al-Ṭūsī (d. 460 AH): *al-Nihāyah*, pg. 576. The contemporary Shī‘ī scholar of reference al-Sayyid ‘Alī al-Sīstānī states in his academic treatise *Minhāj al-ṣāliḥīn*, 3/293, Mas’alah: 878:

لا يحل من السمك إلا ما كان له فلس ولو بالأصل فلا يضر زواله بالعارض فيحل الكنتع والريثا والبز والبنبي والشبوط والقطان والطراني والإبلامي وغيرها حتي الأربيان المسمي في زماننا هذا ب الروبيان ولا يحل ما ليس له فلس في الأصل كالجرى والزميز والزهو والمارماهي وإذا شك في وجود الفليس وعدمه بني علي العدم

Only those fish are *Ḥalāl* (permitted) that originally have scales. Removal of the scales through external means will not harm (its permissibility). Therefore mackerel, caridean shrimp, heckle, binni, different types of carp, king fish, barbel, etc., including *Arbayān* which is presently known as *Rūbayān* (shrimp) are all *Ḥalāl*. Those fish that do not have scales originally like catfish, bagrid catfish, eel etc., are *Ḥarām*. If there is a doubt about the scales then it would be regarded as not having scales.

It is stated in *Minhāj al-ṣāliḥīn*, 3/292, Mas’alah: 877:

لا يحل من حيوان البحر الا السمك

No animal of the sea is *Ḥalāl* except fish.

This is clear contradiction to what Allah ﷻ says in the Qur’ān:

أَحِلَّ لَكُمْ صَيْدُ الْبَحْرِ وَطَعَامُهُ مَتَاعًا لَكُمْ وَلِلسَّيَّارَةِ

Lawful to you is game from the sea and its food as provision for you and the travellers. (Sūrah al-Mā’idah: 96)

And contradicting the Ḥadīth of the Prophet ﷺ about the sea, wherein he says:

هو الطهور ماؤه الحل ميتته

Its water is pure and its dead is *Ḥalāl*.

The reason for the forbiddance of the above-mentioned types of fish is what Shaykh al-Mufīd mentioned in *al-Irshād*, 1/348:

ومن ذلك ما رواه نقلة الأخبار واشتهر في أهل الكوفة لاستفاضته بينهم وانتشر الخبر به إلي من عداهم من أهل البلاد فائتبه العلماء من كلام الحيتان له في فرات الكوفة وذلك أنهم رويوا أن الماء طغى في الفرات وزاد حتي أشفق أهل الكوفة من الغرق ففزعوا إلى أمير المؤمنين فركب بغلة رسول الله صلى الله عليه وسلم وخرج والناس معه حتى أتى شاطئ الفرات

continued...

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فتزل عليه وأسبح الوضوء وصلي منقردا بنفسه والناس يرونه ثم دعا الله بدعوات سمعها أكثرهم ثم تقدم الى الفرات متوكئا على قضيب بيده حتى ضرب به صفحة الماء وقال انقص ياذن الله ومشيته فغاض الماء حتي بدت الحيتان من قعر البحر فنطق كثير منها بالسلام عليه بإمرة المؤمنين ولم ينطق منها أصناف من السموك، وهي الجري والزمار والمارماهي. فتعجب الناس لذلك وسألوه عن علة نطق ما نطق وصموت ما صمت فقال أنطق الله لي ما طهر من السموك وأصمت عني ما حرمه ونجسه وبعده وهذا خير مستفيض شهرته بالنقل والرواية كشهرة كلام الذئب للنبي صلي الله عليه وسلم وتسيح الحصى بكفه وحنين الجذع إليه، وإطعامه الخلق الكثير من الطعام القليل ومن رام طعنا فيه فهو لا يجد من الشبهة في ذلك إلا ما يتملك به الطاعون فيما عدناه من معجزات النبي صلي الله عليه وسلم

Amongst them is the narration, from the transmitters which became extensively famous amongst the people of Kūfah, and the news spread to other parts of the country, thus the scholars confirmed it, that the fish of the Euphrates in Kūfah spoke to him. They narrate that water overwhelmed the Euphrates and it rose to such a level that the people of Kūfah feared drowning. Panic stricken, they went to the Amīr al-Mu'minīn (Alī رضي الله عنه). He mounted the mule of the Prophet صلى الله عليه وسلم and came to the banks of the Euphrates with the people following him. He dismounted and performed ablution thoroughly. He performed Ṣalāh individually while the people observed. Thereafter he supplicated which most of the people heard. Then he proceeded to the river leaning on the staff in his hand. He struck the surface of the water with it and said, "Recede with the permission and will of Allah." The water receded till the fish were visible at the bottom of the river. Many of the fish spoke by greeting the Amīr al-Mu'minīn. Some types of fish did not speak. They are the catfish, tube fish and the eel. People were perplexed by this and they asked him the reason for some speaking while others remained silent. He replied, "Allah سبحانه وتعالى made those fish speak to me that are pure and kept those fish silent that he prohibited, made impure, and distanced them." This information has become extensively famous through various narrations like the popularity of the wolf's speaking to the Prophet صلى الله عليه وسلم, the pebble's glorification in his palms, the tree trunk's yearning for the Prophet صلى الله عليه وسلم, and the Prophet's صلى الله عليه وسلم feeding a large group from very little food. Whoever hurls any criticism at this incident, he will merely be creating doubt like those who criticise the miracles of the Prophet صلى الله عليه وسلم that we mentioned above.

However, his student Sharīf al-Murtaḍā criticises his teacher's above mentioned statement, which he claims to be consecutively narrated. He regards this statement as laughable and astonishing. He states:

فأما تحريم السمك الجري وما أشبهه فغير ممتنع لشيء يتعلق بالمفسدة في تناوله كما نقول في سائر المحرمات فاما القول بان الجري نطق بأنه مسخ بجحدته الولاية - اي ولاية علي بن أبي طالب - فهو مما يضحك منه ويتعجب من قائله والملتفت إلي مثله
As for the prohibition of the catfish and others like it, its prohibition is not related to anything malicious in eating it, as is our view in all prohibited things. The claim that the catfish spoke and it was disfigured due to refuting the Wilāyah of 'Alī ibn Abī Ṭālib, is something laughable and to be astonished at someone who mentions it or pays attention to things like this.

by the Ahl al-Sunnah¹ as impure, prohibition of any animal slaughtered by the people of the book,² prohibition of most of the slaughter of majority of people (opposition)³ because they are apostates according to them, and

1 The view of the impurity of liquids touched by the Ahl al-Sunnah is based on the view that they (Ahl al-Sunnah) are impure. The Imāmiyyah is the only sect attributed to Muslims, who regard many of their opposition as impure, apart from regarding them as disbelievers. Sayyid Ḥusayn ibn Sayyid Ḍiyā' al-Dīn al-Āmilī al-Qazwīnī al-Ardabīlī (d.1001 AH) wrote a treatise called 'the impurity of the Ahl al-Sunnah and prohibition of their slaughter' and 'breaking the foundation of differences regarding the disbelief of most of the opposition.' Mirzā 'Abd Allāh Afandī al-İşfahānī states in *Riyāḍ al-'Ulamā'*:

وله رسالة وجيزة أيضا في بيان حال أهل الخلاف في التأتين وحكم فيها بكفرهم بل بنجاستهم أيضا وعندنا منها نسخة

He wrote a brief treatise in two geneses regarding the condition of the opposition. He passed verdict of their disbelief and impurity. I have a copy of that treatise.

2 Shaykh al-Mufīd—of the Imāmiyyah—wrote a book called *Tahrīm Dhabā'ih Ahl al-kitāb* (prohibition of the slaughter of the People of the Book). Shaykh Sharīf al-Murtaḍā states in *al-Intiṣār*, pg. 403:

ومما انفرد الإمامية به أن ذبائح أهل الكتاب محرمة لا يحل أكلها ولا التصرف فيها لأن الذكاة ما لحققتها وكذلك صيدهم وما يصيدونه بكلب أو غيره وخالف باقي الفقهاء في ذلك

The Imāmiyyah are isolated in the view that the slaughter of the People of the Book is unlawful to eat and utilise, as (Islamic) slaughter has not taken place. Similar is the case of their hunted animal and what they hunt with dogs, etc. They have differed with the rest of the jurists in this.

Shaykh al-Ṭā'ifāh al-Ṭūsī states in *al-Khilāf*, 6/24:

لا تجوز ذبائح أهل الكتاب - اليهود والنصارى - عند المحصلين من اصحابنا وقال شذاذ منهم إنه يجوز أكله و خالف جميع الفقهاء في ذلك

The slaughter of the people the Book—Jews and Christians—is not permissible according to the learned amongst us. Some of the rare ones' view is that it is permissible. They have differed from all the jurists in this.

Meanwhile Ibn Taymiyyah states in *Majmū' al-Fatāwā*, 35/323:

ما زال المسلمون في كل عصر و مصر يأكلون ذبائحهم فمن انكر ذلك فقد خالف إجماع المسلمين

Muslims in every era and place have continuously eaten their slaughter. Whoever denies this has opposed the *Ijmā'* (consensus) of the Muslims.

3 The Imāmiyyah have differed regarding the slaughter of the opposition. Some stipulate the condition of sectarian belief, i.e. the slaughterer must be an Imāmī Shī'ah. Thus they prohibit the slaughter of any other opposition. This is the view of Abū al-Ṣalāḥ al-Ḥalabī (d. 447 AH), al-Qāḍī Ibn al-Barrāj (d. 481 AH), Ibn Ḥamzah al-Ṭūsī (d. 560 AH) and Ibn Idrīs al-Ḥalabī (d. 598 AH). Others stipulate the condition that he must believe in love of 'Alī ibn Abī Ṭālib, even though he is not an Imāmī Shī'ah. Therefore they prohibit the slaughter of the Nawāṣib and the Khawārij, not other opposition. This is the view of Shaykh al-Mufīd (d. 413 AH), Shaykh al-Ṭā'ifāh al-Ṭūsī (d. 460 AH), and Ibn al-Muṭahhar al-Ḥillī (d. 726 AH).

their reducing the five daily Ṣalāh times to three. Therefore, they always perform Ṣuḥr and ‘Aṣr together and Maghrib and ‘Ishā together.¹ This is a view that no other group of this Ummah has maintained.²

As for Ibn al-Qayyim (d. 751 AH), the distinguished student of Ibn Taymiyyah who would rarely differ from his views, mentions, during the course of his discussion about the ruling of taking oath about divorce, a statement similar to that of Ibn Taymiyyah wherein he rules out the possibility that all or majority of what the Imāmiyyah narrate from the Ahl al-Bayt is lies. He states:

إن فقهاء الإمامية من أولهم إلي آخرهم ينقلون عن أهل البيت أنه لا يقع الطلاق المحلوف به وهذا متواتر عندهم عن جعفر بن محمد وغيره من أهل البيت وهب أن مكابرا كذبهم كلهم وقال قد تواطوا علي الكذب عن أهل البيت ففي القوم فقهاء وأصحاب علم ونظر في اجتهاد وإن كانوا مخطئين مبتدعين في أمر الصحابة فلا يوجب ذلك الحكم عليهم كلهم بالكذب والجهل وقد روي أصحاب الصحيح عن جماعة من الشيعة وحملوا حديثهم واحتج به المسلمون ولم يزل الفقهاء ينقلون خلافهم ويبحثون معهم والقوم وإن أخطاوا في بعض المواضع لم يلزم من ذلك أن

1 What is meant here is joining two Ṣalāh by a non traveller without illness or rain. The Imāmiyyah believe that there are three times for the daily five Ṣalāh, deducing from the verse:

أَقِمِ الصَّلَاةَ لِذُلُوكِ الشَّمْسِ إِلَى غَسَقِ اللَّيْلِ وَقُرْآنِ الْفَجْرِ إِنَّ قُرْآنَ الْفَجْرِ كَانَ مَشْهُودًا

Establish prayer at the decline of the sun (from its meridian) until the darkness of the night and (also) the Qur’ān (i.e., recitation) of dawn. Indeed, the recitation of dawn is ever witnessed.

Therefore they are unanimous on the permissibility of joining Ṣuḥr and ‘Aṣr in one time and Maghrib and ‘Ishā in one time without any valid excuse. They regard the performance of each Ṣalāh separately, in its stipulated time as *Mustahab* (commendable). The contemporary Shī‘ī scholar of reference Shaykh Ja‘far al-Subḥānī states in *al-Inṣāf ilā Masā’il al-Khilāf*, 1/288 that this ruling is regarded as from amongst the obligations of Imāmī Fiqh. The Ahl al-Sunnah state that there are two types of times with regards to the five daily Ṣalāh:

Optional time -This is the five stipulated times of Ṣalāh.

Emergency time – These are 3 times for excused people. They deduce this from many proofs from the speech and actions of the Prophet ﷺ and his Companions رَضِيَ اللهُ عَنْهُمْ. There are some proofs that many are not aware of, like the instruction of ‘Abd al-Raḥmān ibn ‘Awf, Ibn ‘Abbās and others to a menstruating woman, that if she becomes pure before Maghrib then she should perform Ṣuḥr and ‘Aṣr Ṣalāh, and if she becomes pure before Fajr then she should perform Maghrib and ‘Ishā. Refer to *Majmū‘ al-Fatāwā*, 22/75-76 and 24/25-26.

2 *Minhāj al-Sunnah al-Nabawiyyah*, 5/173.

يكون جميع ما قالوه خطأ حتي يرد عليهم هذا لو انفردوا بذلك عن الأمة فكيف وقد وافقوا في قولهم من قد حكينا قولهم وغيره ممن لم تقف علي قوله

All the Imāmī jurists, from the first to the last, narrate from the Ahl al-Bayt that sworn divorce does not take place. This, according to them, is consecutively narrated from Ja'far ibn Muḥammad and other Ahl al-Bayt. Granted, that a contentious person may falsify all of them by saying that they colluded upon narrating lies from the Ahl al-Bayt. However, amongst the group there are jurists, people of knowledge and Ijtihād. Despite the fact they are erroneous innovators with regards to the Companions رَضِيَ اللَّهُ عَنْهُمْ, this does not necessitate the ruling of lies and ignorance for all of them. The authors of authentic books of Ḥadīth narrate from a group of Shī'ah and reported their aḥādīth, and Muslims deduce from them. The jurists have continuously narrated their differences and debated with them. This group, even though they have erred in some instances, this does not necessitate that whatever they narrate is false, so much so that this view would be rejected even though they are isolated from the rest of the Ummah. How is this possible when their views conform to some of those whose views we have reported and others whose views we do not agree with.¹

Despite all this, it has been noticed that the school which in present day is known as Ja'farī School, depended a great deal on the Sunnī Fiqhī branches to fill the great void which it needed, as indicated by 'Allāmah Ḥaydar Ḥubb Allāh in *Nazariyyat al-Sunnah* wherein he states:

فإن الفقه التفريعي خطوة ترجع أقدم محاولة لها إلى الشيخ الطوسي (٥٤٦٠هـ) في المبسوط أو على أبعد تقدير إلي الإسكافي والحسن بن أبي عقيل النعماني وقد قيل في ذلك إن الطوسي أتى بالفروع من مصنفات أهل السنة ولم تكن هذه الفروع متداولة في الوسط الشيعي كما يشهد على ذلك مراجعة الكتب التي سبقت الطوسي مثل كتاب المقنعة للمفيد و الإنتصار والناصريات للمرتضى و المقنع و الهداية للصدوق ونحو ذلك حتي كانت محاولة الطوسي هذه محلًا لانتقاد بعض العلماء الذين أتوا بعده وعلي رأسهم ابن إدريس الحلبي (٥٥٩٨هـ) وهذا معناه أن الموضوعات التي تحتاج إلي الروايات وليس فيها مرجع آخر هي فروع الفقه والأخلاق وهي موضوعات كانت محدودة جدا

1 *Al-Sawā'iq al-Mursalāh*, 2/616-617.

The Fiqhī branch is a step which was first attempted by Shaykh al-Ṭūsī (d.460 AH) in *al-Mabsūt*, or at the very latest by al-Iskāfī and al-Ḥasan ibn Abī ‘Aqīl al-Nu‘mānī. It is said that al-Ṭūsī brought these branches from Sunnī literature and they were not prevalent amongst the Shī‘ah, as it can be observed by reviewing those books which preceded al-Ṭūsī like *al-Muqni‘ah* of al-Mufīd, *al-Intiṣār wa al-Nāṣiriyyāt* of al-Murtaḍā, *al-Muqni‘*, and *al-Hidāyah* of al-Ṣadūq, etc. In fact, al-Ṭūsī’s attempt was subjected to criticism by latter scholars, foremost amongst them being Ibn Idrīs al-Hillī (d. 598 AH). This is the meaning of ‘subjects need narrations’. There is no other reference than branches of Fiqh and ethics. These subjects are very limited.¹

Third Approach

Permissibility of practicing upon Ja‘farī Fiqh in general, except on some isolated views which contradict the Qur’ān and Sunnah. This is represented by the late Shaykh of al-Azhar Maḥmūd Shaltūt (d. 1383 AH). This view is relatively close to the view of Ibn Taymiyyah which we have mentioned. However, he differs with him in two major issues:

1. His ambition is to create unity amongst the various Islamic Fiqhī schools and not Fiqhī composition of the validity of a ruling and establishing the association of this school or that school to the Companions, Ahl al-Bayt or the Mujtahid Imāms, or the conformity of the schools fundamental or subsidiary rulings with the Qur’ān and the blessed Sunnah of the Prophet ﷺ.
2. To advocate the permissibility of practicing on the Ja‘farī School, just as the other four famous Sunnī Madhhabs. This is a view that no one ascribed to before and no one issued a fatwā of its permissibility before him.

Ibn Taymiyyah, although his view is that the truth is not confined to the four Fiqhī Madhhabs and he attests to relative consideration to the Imāmī School; however, despite this he did not permit a Sunnī to leave his Fiqhī Madhhab, whichever it may be², to follow a Fiqhī School which, according to the Ahl al-

1 *Nazriyyat al-Sunnah fī al-Fikr al-Imāmī al-Shī‘ī - al-Takawwun wa al-Ṣayrūrah*, pg. 63.

2 That which is correctly associated to the Mujtahid Imām and its fundamentals are derived from the Qur’ān and the Sunnah of the Prophet ﷺ which are transmitted by the Companions رضي الله عنهم. Similarly he practices on their transmissions رضي الله عنهم.

Sunnah, is estranged from the path of the Companions and the family of the Prophet ﷺ.¹

Regarding Shaykh Shaltūt's fatwā specifically, there was an excerpt in the beginning of the mentioned Fatwā, about his declaration to the Egyptian newspaper, *al-Ḥayāt*, in the beginning of 1909 CE. He mentions therein, his commitment to introduce a realistic project to create proximity amongst the Islamic Madhhabs, and to establish a seat for comparative fiqh in the faculty of Sharī'ah in al-Azhar University and to teach Ja'farī Fiqh under this seat's program.

Then one of the journalists had the courage to hold an interview with Shaykh Shaltūt regarding the above mentioned declaration. The magazine *Risālat al-Islām* reported it with the title 'historic fatwā'. The magazine al-Azhar published it in full with the title 'between Sunnah and Shī'ah'.² The text is as follows:

قيل لفضيلته إن بعض الناس يرى أنه يجب علي المسلم لكي تقع عباداته ومعاملاته علي وجه صحيح أن يقلد أحد المذاهب الأربعة المعروفة وليس من بينها مذهب الشيعة الإمامية ولا الشيعة الزيدية فهل توافقون فضيلتكم علي هذا الرأي علي إطلاقه فتمنعون تقليد مذهب الشيعة الإمامية الاثني عشرية مثلا

فأجاب فضيلته

١- إن الإسلام لا يوجب عل أحد من أتباعه اتباع مذهب معين بل نقول إن لكل مسلم الحق في أن يقلد بادئ ذي بدء أي مذهب من المذاهب المنقولة نقلا صحيحا والمدونة أحكامها في كتبها الخاصة ولمن قلده مذهباً من هذه المذاهب أن ينتقل إلى غيره أي مذهب كان ولا حرج عليه في شيء من ذلك

٢- إن مذهب الجعفرية المعروف بمذهب الشيعة الإمامية الاثني عشرية مذهب يجوز التعبد به شرعا كسائر مذاهب أهل السنة فينبغي للمسلمين أن يعرفوا ذلك

1 The Imāmī School holds a negative attitude towards the Companions رَضِيَ اللهُ عَنْهُمْ, in Fiqh and in transmission, which the fiqh of the Ithnā 'Asharī Imāms and their narrated transmissions regard as dīn and legislation to be practiced upon. This is something that majority of Muslims do not conform to them, i.e. none from the Ahl al-Sunnah, Mu'tazilah, Ibādīyah, Zaydiyyah, etc. This is an important distinction which should be kept in mind.

2 Refer to the quarterly magazine *Risālat al-Islām*, 3rd edition of the 11th year which was published in Muḥarram 1379 AH, June 1909 CE, pg. 227-228.

وأن يتخلصوا من العصبية بغير الحق لمذاهب معينة فما كان دين الله وما كانت شريعته بتابعة لمذهب أو مقصورة علي مذهب فالكل مجتهدون مقبولون عند الله تعالي يجوز لمن ليس أهلا للنظر والاجتهاد تقليدهم والعمل بما يقررونه في فقههم ولا فرق في ذلك بين العبادات والمعاملات

The honourable Shaykh was asked, “Some people are of the view that it is incumbent on a Muslim, for his worship and dealings to be correct, that he follows one of the four famous Madhhabs. The Shīṭī Imāmī and the Shīṭī Zaydī School is not from amongst them. Do you agree with this view in general, that you would prevent others from following the Ithnā ‘Asharī Imāmī Shīṭī School?”

He replied:

1. Islam does not demand from any of its followers to follow any specific Madhhab. In fact, we say that each Muslim has the right to follow whoever he wishes, whichever Madhhab he desires from the Madhhabs that have been correctly transmitted and their rulings have been compiled in specific books. Anyone who follows a Madhhab has the right to switch to any other Madhhab. There is nothing wrong in this.
2. The Ja‘farī School which is known as the School of the Ithnā ‘Asharī Imāmī Shī‘ah, is a Madhhab which can be practiced upon legitimately just as the other Madhhabs of the Ahl al-Sunnah. It is important for the Muslims to realise this and stay away from unjust fanaticism towards particular Madhhabs. The dīn of Allah سُبْحَانَهُ وَتَعَالَى and the Sharī‘ah is not dependant on a Madhhab or confined to a Madhhab. All are Mujtahids and accepted by Allah سُبْحَانَهُ وَتَعَالَى. It is permissible for those who do not possess the capability to deduce and Ijtihād to follow and practice on what is established in their fiqh. There is no difference between acts of worship and transactional dealings.

It is clear from Shaykh Shaltūt’s fatwā that his fatwā regarding the Ja‘farī School is with regards to its Fiqhī subsidiary rulings and not beliefs and theological theories. Hence, he said ‘and practice upon what is established in their fiqh. There is no difference between acts of worship and transactional dealings’. Therefore, there is no justification for some peoples’ objection on this fatwā by pointing to the Imāmiyyah belief of distorting the Qur’ān, or declaring disbelief against the

Companions رَضِيَ اللَّهُ عَنْهُمْ or their fanaticism regarding their Imāms because this is out of the fatwā's framework, as it is obvious.

Similarly, it is incorrect to raise objections regarding *Mut'ah* (temporary marriage) and *Taqiyyah* according to the Imāmī understanding, because Shaykh —whether we agree with him or not—does not permit anything, at all, the prohibition of which is established from the Qur'ān of Sunnah.¹

Yes, Shaykh Shaltūt was convinced of his fatwā. It was not merely a case of a fatwā that was issued and the matter ended there. After some time, the magazine *al-Mujtama' al-'Arabī*² published a lengthy interview with him and subsequently the magazine *al-Azhar* republished it, wherein the Shaykh clarified his intention of the above mentioned fatwā. His intention was the permissibility of practicing on anything that conforms to the Qur'ān and Sunnah, even though it differed with the Ijtihād of the four Sunnī Madhhabs. In the course of the interview, the following question was posed:

Does teaching the Shī'ī School in al-Azhar mean that it is applicable? Or is it taught merely for sake of information, acquisition and increasing a person's knowledge of dīn?

He replied saying, “We do not aspire that our lessons in al-Azhar should be merely for information and acquisition. We teach for one to absorb and understand, then apply and practice upon all that is possible to practice. Some of the Shī'ī School's rulings are derived from many of our legislations and many of our scholars practice upon some of their (the Shī'ah)³ acts of worship.

1 His precondition of conformity with the Qur'ān and Sunnah to accept any Madhhab will come in due course. As for *Mut'ah* (temporary marriage) specifically, he clarifies his stance in his *Fatāwā*, pg. 275 by saying, “If any Sharī'ah permits a woman to marry 11 men in one year, and permits a man to marry as many women as he wishes without assuming any responsibility for the consequences of marriage, then this is not the Sharī'ah of Allah ﷻ, The Lord of the universe and it is not the Sharī'ah of chastity and morality.”

2 Refer to the magazine *al-Mujtama' al-'Arabī*, edition 33, published in August 1959 CE.

3 I have tried to understand Shaykh Shaltūt's intended meaning of this statement. The only aspect that comes to mind is his practice on the fatwā of three divorces, which is from social relationships and not worship, until I came across clear statements attributed to him which states that he practiced on some Shī'ī rulings related to personal status. They are three rulings:
continued...

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1. Three divorces constitute one divorce. This is the view of Ibn Taymiyyah, who was put through trials because of it, as well as his student Ibn al-Qayyim and a group of Sunnī scholars before and after them, practicing on narrations from the Sunnah and transmissions of the predecessors. There is no reason to mention it as a ruling of the Imāmiyyah specifically when a group of Sunnī jurists hold this view even though the four Madhhabs differ with it.
2. Pending divorce. The Shaykh states:

رأي قوانين الأحوال الشخصية في آخر تدوين لها أن الطلاق المعلق يقع أحيانا و أحيانا لا يقع اذ يكون مرتبطا بقصد الطلاق أو التهديد به ولكن رأي مذهب الشيعة هو أن التعليق لا يكون موجبا للطلاق مطلقا ولو كان بقصد التهديد أو بقصد الطلاق وقد رجحت هذا الرأي وأفتيت به

The view according to the laws of personal status—in its last compilation—is that a suspended divorce, sometimes it takes place whole other times it does not, depending on whether the intention was for divorce or a mere threat. However, the Shīrī view is that divorce does not take place at all irrespective of whether divorce was intended or it was just a threat. I prefer this view and issue fatwā according to it.

Refer to *Roznāmah Jamhūrī Islāmī*, 19 October 1379 AH, 5th edition, pg. 10.

It was appropriate for the Shaykh to first gather the Madhhabs of the Sunnī jurists before moving to others because Imām Ibn Ḥazm’s view is that a pending divorce, when the suspended matter is found, does not take place at all whether it was in a form of an oath (which is to encourage to do something or abstain from it or to confirm something) or not (when the intention was that divorce will take place if the pending matter take place) Refer to *al-Muḥallā*, 6/8 and thereafter.

He states in *al-Muḥallā*:

من قال إذا جاء رأس الشهر فأنت طالق أو ذكر وقتا ما فلا تكون طالقا بذلك لا الآن ولا إذا جاء رأس الشهر برهان ذلك أنه لم يأت قرآن ولا سنة بوقوع الطلاق بذلك وقد علمنا الله الطلاق علي المدخول بها وفي غير المدخول بها وليس هذا فيما علمنا ومَنْ يَتَعَدَّ حُدُودَ اللَّهِ فَقَدْ ظَلَمَ نَفْسَهُ (الطلاق: ٢) وايضا فإن كان كل طلاق لا يقع حين إيقاعه فمن المحال أن يقع بعد ذلك في حين لم يوقعه فيه

If a person says that when the month begins, you are divorced, or mentions any other time then she will not be divorced. Not immediately nor at the beginning of the month. The proof for that is neither in the Qur’ān nor in the Sunnah does it appear that divorce will take place through that. Allah سُبْحَانَهُ وَتَعَالَى has taught us regarding the divorce of a consummated marriage and a non consummated one. Allah سُبْحَانَهُ وَتَعَالَى did not teach us about this. Allah سُبْحَانَهُ وَتَعَالَى says in the Qur’ān, “And whoever transgresses the limits of Allāh has certainly wronged himself.” (Sūrah al-Ṭalāq: 2.)

continued...

We only refer to the Qur'ān and the Sunnah. When any view does not contradict any authentic fundamental principal of Islam and it does not contradict any Sharī text, then there is no harm in applying and practicing upon it. This is the intended proximity and desired ease.¹

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Also, when a divorce does not take place when uttered, then it is impossible for it to take place at a time when it was not uttered.

As for Ibn Taymiyyah and his student Ibn al-Qayyim, their view is that a pending divorce will be regarded as divorce if divorce was intended. However, if the intention was of encouragement or prohibition, then it will be regarded as an oath which will result in expiation of oath which is feeding or clothing 10 poor people or freeing a slave. If a person cannot do any of this then he must fast for 3 days.

3. The ruling of breastfeeding. The Shaykh states:

في مسألة الرضاع وهل أن الطفل إذا رضع من امرأة مرة واحدة يستوجب الحكم بأمومتها له أم يتطلب عدا أكثر ليحكم بأمومة المرضعة أنا شخصياً رأيت أن دليل الشيعة أقوى ولذلك أفتيت في هذا الموضوع وفق رأيهم

Regarding the ruling of breastfeeding, if a child breastfeeds once, will this necessitate the ruling of fostership or does it require more amounts of breastfeeding to constitute fostership? My personal view is that the Shī proof is stronger; hence I issue fatwā accordingly on this subject.

The view in this ruling is similar to the previous one, as the Shaykh did not gather and investigate the Madhhabs of the Sunnī jurists before moving to others because the views of the famous jurists revolve around the following:

- ▶ Not specifying any number of breastfeeding, therefore a single suck is sufficient for prohibition (this is the view of Ibn al-Junayd and al-Qāḍī al-Nu'mān)
- ▶ Or specifying 10 breast feeds (this is the popular view of the former scholars).
- ▶ Or specifying 15 breast feeds (this is the view the latter scholars). (*Aḥkām al-Raḍā' fī Fiqh al-Shī'ah*, research of al-Khū'ī's discussion by al-Īrwānī and al-Khalkhālī, pg. 99-102.)

The reason for objecting on these views is that the Shaykh did not encompass all the views of both the parties in the ruling or else he would not have come up with this strange explanation.

Similarly, it becomes clear from what we have mentioned that the Shaykh did not have sufficient knowledge of the legacy of Ibn Ḥazm al-Zāhirī and Ibn Taymiyyah.

1 Refer to *al-Azhar*, volume 31, 3rd edition, published in Rabī al-Awwal 1379 AH, September 1959 CE, pg. 362.

Calls for Taqrīb - Contrasting View Point

The consequential objective of *Taqrīb* (rapprochement) between the Madhhabs of Islam is undoubtedly a noble objective regardless of its groups and the credibility of its pioneers. The Book of Allah—which falsehood cannot approach from before it or behind it—and the noble Sunnah of His Prophet ﷺ encourage unity, affinity, peace of heart, and closing of ranks.

Texts indicating to this are too famous and explicit to mention. Young Muslims in different regions of the world memorise most of it by heart, let alone the elders.

However, the experiment of *Taqrīb* (rapprochement), whereupon 7 decades have passed since inception, suffered and is still suffering a crisis in its cognitive structure, besides the political, religious, and social challenges it confronted.

A student who studies the literature of the institutes of *Taqrīb*¹ and its conferences will observe the obvious shortcomings in the explanation of some of its loose headlines like ‘Islamic Unity’ for example. What does it really mean? Does it mean unity of fundamentals and subsidiaries, i.e. to adopt all those fundamentals which are agreed upon and discard the rest even though it may be a fundamental principle according to another group, such as the Ithnā ‘Asharī Shī‘ah for example? Or is the unity on the level of subsidiary rulings and not fundamentals? How will this be possible as subsidiary rulings are mostly based on *Ijtihād* and using its tools to deduce, give preference, and harmonising?

The singular form of the word *Wahdah* (unity) in comparison to *Taqrīb* (rapprochement), itself suffers from structural problems, which necessitates rejecting multitude of Madhhabs found today. If a person investigates the term ‘unity’ in pursuit of the Muslims coexisting with each other, establishing fruitful dialogues or real political proximity, it will not be possible for him to start his cognitive structure through the claim of unity as an alternative to accepting multiplicity and dealing with it honestly.

1 By this I mean: Dār al-Taqrīb which was established by Shaykh Muḥammad Taqī al-Qummī—who was sent by the late Shī‘ī Marja‘, Sayyid Ḥusayn al-Burūjirdī at that time, in Egypt in 1947 CE. And the International Assembly for *Taqrīb* between Islamic Madhhabs, which was established in Tehran in 1990 CE by order of the Iranian Leader, Sayyid ‘Alī Khamenei.

In other words, it is not desired from the Muslims, despite their different Madhhabs and sects, that they all dye themselves with the same colour in order to understand each other, coexist, and start dialogues regarding the many common things that bring them together, instead of being playthings in the hands of the enemies, whether they perceive it or not.

As for the term *Taqrīb* (rapprochement), it is closer to reality than other terms. The reason being that here there is emotional, historical, contractual, Fiqhī, and ancient moral disconnection amongst the Muslim groups, especially between the Ahl al-Sunnah and the Ithnā ‘Asharī Shī‘ah, which in present times reached the stage of armed conflict, through the support and sponsorship of the non-Muslims.

I would not be exaggerating or harsh by openly and clearly saying that the initial defenders and advocators of *Taqrīb* were and are always of two types:

1. The aspirant who sees *Taqrīb* as a source of assistance to his Madhhab!
2. The naive abuser.

Discussing the second type is a waste of time. Time will tell whether it wakes him up from his slumber or keeps him a zero or even in the negative in the equation.

As for the first type, the advocators of *Taqrīb* select the best of speeches to call towards unity, solidarity, and affinity; whereas their viewpoints indicate the opposite and the slips of their tongues expose their agenda. Thus, *Taqrīb* is not their target and objective. It is a tool and a smokescreen. Through these flashy titles which they promote to the opposition, they achieve what they cannot achieve by competing through evidence and word of mouth.

‘Allāmah Murtaḍā al-Muṭahharī¹ clarified the objective of calling for *Taqrīb* by stating in his book *al-Imāmah*:

1 Murtaḍā al-Muṭahharī (1919-1979 CE), religious scholar and philosopher, founding member of the Council of the Islamic Revolution in Iran during the last days of the fall of the Shah’s regime, one of the theorists of the Islamic Republic of Iran and one of the most prominent students of the commentator and philosopher, Sayyid Muḥammad Ḥusayn al-Tabātabā‘ī, and the late religious authority and leader of the Iranian Revolution Rūḥ Allāh al-Khumaynī

إن ما ننتظره علي خط الوحدة الإسلامية أن ينبثق محيط صالح للتفاهم المشترك لكي نعرض ما لدينا من أصول وفروع تضم ما نحمله من فقه وحديث وكلام وفلسفة وتفسير وأدبيات بحيث يسمح لنا ذلك الجو أن نعرض بضاعتنا بعنوان كونها أفضل بضاعة حتي لا يبقى الشيعة في العزلة أكثر وتفتح أمامهم المواقع المهمة في العالم الإسلامي ثم لا تبقي الأبواب مغلقة أمام المعارف الإسلامية الشيعية النفيسة

What we await, on one Islamic field is that such an environment emerges which is suitable for mutual understanding, so that we can present our fundamental and subsidiary rulings which encompasses Fiqh, Ḥadīth, theology, philosophy, commentary of the Qur'ān and literature. This environment would allow us to present our goods with the title of it being the best of goods, so that the Shī'ah do not remain isolated most of the time and important opportunities open up for them in the Islamic world. Thus, the doors will not remain closed on the precious Shī'ī Islamic knowledge.¹

Then al-Muṭahharī confirms that this was the objective that the late Shī'ī Marja' al-Sayyid Ḥusayn al-Burūjirdī (d. 1380 AH) strove to establish by raising the slogan of Taqrīb, lauding the success he attained then, by saying:

ما كان يفكر به المرحوم آية الله العظمى البروجردي علي الخصوص هو إيجاد الأرضية المناسبة لبث معارف أهل البيت ونشرها بين الإخوة من أهل السنة وكان يعتقد أن هذا العمل لا يكون إلا بإيجاد أرضية التفاهم المشترك والنجاح الذي أحرزه المرحوم البروجردي جزاه الله عن الإسلام والمسلمين خير الجزاء في طبع بعض كتب الفقه الشيعي في مصر من قبل المصريين أنفسهم إنما كان علي إثر هذا التفاهم الذي انبثق وكان ذلك أهم نجاح حققه علماء الشيعة

What the late Āyat Allāh al-'Uzmā al-Burūjirdī was considering about in particular was to create an appropriate ground for propagating the knowledge of Ahl al-Bayt and spreading it among the Sunnī brothers. He believed that this work could only be achieved by creating the ground for mutual understanding. The success achieved by the late al-Burūjirdī—may Allah reward him on behalf of Islam and Muslims the best of rewards—in printing some Fiqhī books of the Shī'ah in Egypt by the Egyptians

¹ *Al-Imāmah*, pg. 28-29.

themselves, was as a result of this mutual understanding that emerged. That was the most important success achieved by Shī'ī scholars.¹

Likewise, that the late Shī'ī scholar of reference, Shaykh Fāḍil al-Lankarānī (d. 1428 AH), clearly indicates that the objective for the claim of Taqrīb was not honest, but rather its factional objective is completely visible, as he says:

إنه مما ذكرنا ظهر أنه لو أتى المخالف بما هو الصحيح عند الإمامية والمطابق لفتوى فقهاءهم وإن لم يكن ذلك فاسدا بنظره بلحاظ جواز الرجوع إلى فقهاء الشيعة كما أفتى بذلك شيخ جامعة الأزهر الشيخ شلتوت بعد تمهيد مقدمات من ناحية سيدنا المحقق الأستاذ آية الله العظمي البروجردي قدس سره الشريف ولعمري إنه كان منه خدمة عظيمة للتشيع وخطوة مهمة في ترويجه وتأييده جزاء الله عن الإسلام وأهله خير الجزاء وحشره مع سيد الأنبياء عليه آلاف التحية والثناء

From what we have mentioned, it becomes clear that if the opposition came with something that is correct according to the Imāmiyyah and conforms to the fatwā of their jurists, and if that is not corrupt in his view, then it is permissible to refer back to the Shī'ī jurists, as the Shaykh of al-Azhar, Shaykh Shaltūt, issued a fatwā on that, after being introduced to some introductions of our master, the researcher, teacher, Āyat Allāh al-'Uzmā al-Burūjirdī. May my life be sacrificed; it was a great service from him to the Shī'ah and an important step in promoting and supporting it. May Allah reward him on behalf of Islam and its people with the best reward, and may he be raised with the Master of the Prophets صلى الله عليه وسلم.²

Statements like these expose the objective behind promoting the idea of Taqrīb amongst the Islamic Madhhabs and is a great eye-opener for the Sunnī and other communities in the Islamic Republic of Iran, for whom the same steps of Taqrīb were not taken and rights of the Sunnīs in the country where this very idea arose not respected. This is despite their large numbers and ethnic diversity, and yet they still do not have appropriate representation in government etc.

How true is the saying of the Irāqī poet Ma'rūf al-Ruṣāfī who speaks about the alleged national lie during his time, in a poem which he named 'religion and homeland'? He says:

1 *Al-Imāmah*, pg. 30.

2 He mentions it in his book *Tafṣīl al-Sharī'ah fī Sharḥ Taḥrīr al-Wasīlah*, book on Ḥajj, 1/318.

لا يخدعك هتاف القوم في الوطن فالقوم في السر غير القوم في العلن

Do not be deceived by the cheering of the people in the homeland, as the people in private are not the same in public.

Despite all this, the pioneers of Taqrīb acknowledge the reality, the like of which is rarely seen, which the contemporary Shī'ī scholar of reference, Shaykh Yusuf Ṣāni'ī mentions by saying:

تأتي فكرة السيد حسين البروجردي حيث يتحدث كما ينقل بعض تلامذته عن ضرورة فهم نصوص أهل السنة ومواقفهم في الفقه والحديث، بوصف ذلك مقدمة لفهم نصوص أهل البيت

The idea of Sayyid Ḥusayn al-Burūjirdī becomes manifest when he discusses, as reported by some of his students, the necessity of understanding the texts of the Ahl al-Sunnah and their stance regarding Fiqh and Ḥadīth, by describing it as an introduction to understanding the text of the Ahl al-Bayt.¹

To consider the Fiqh of the Ahl al-Sunnah as an introduction to understanding the fiqh and knowledge of the Ahl al-Bayt is a matter that should be carefully noted, as there is a tacit acknowledgement of the Imāmī Fiqh's dependence upon the legacy of the Ahl al-Sunnah's Ijtihādī Fiqh.

Some of the prominent figures of the Imāmiyyah, who cannot be underestimated, have clearly declared a great proximity between the Ahl al-Sunnah and the Imāmī Fiqh. The most prominent of them are:

- The late Shī'ah scholar of reference, Sayyid Muḥammad Ḥusayn Faḍl Allāh (d. 1431 AH), who stated:

ما اتفق عليه السنة والشيعة أكثر من ٨٠٪ سواء في كلمة التوحيد والنبوة والمعاد والقرآن والإيمان بالرسول والإيمان بالملائكة والصلاة والصوم والحج والزكاة والجهد في سبيل الله والأمر بالمعروف والنهي عن المنكر وعندما نأتي إلي الفقه نجد أنه ما من رأي فقهي عند السنة إلا وهناك رأي فقهي يقابله عند الشيعة

1 Yūsuf Ṣāni'ī: *Muqārabāt fi al-Tajdīd al-Fiqhī*, pg. 33, researched and translated by Ḥaydar Ḥub Allāh.

What the Ahl al-Sunnah and the Shī'ah agree upon is more than 80%, be it with regards to proclamation of the Oneness of Allah سُبْحَانَكَ وَتَعَالَى, prophethood, the Hereafter, Qur'ān, belief in the prophets, belief in the angels, Ṣalāh, fasting, Ḥajj, Zakāh, Jihād in the path of Allah, commanding and forbidding evil etc. When it comes to fiqh then we find that there is no Fiqhī view of the Ahl al-Sunnah except that there is a corresponding view by the Shī'ah.¹

- Āyat Allāh Muḥammad 'Alī al-Taskhīrī, former secretary general of the International Assembly for proximity between Islamic Madhhabs. He stated:

ولا أدل على ذلك من سعة المساحة المشتركة بين الفقه الإمامي والفقه السني حتى تصل إلي أكثر من ٩٠٪ من الفقه بمجموعه بل إن الروايات المشتركة بين الفريقين تشكل أروع صورة للتقارب بين المضامين بحيث تعود الروايات المختلفة قليلة الحجم وضعيفة الأثر خصوصا على الصعيد الفقهي

And nothing is more evident than the vastness of the common space between the Imāmī and the Sunnī Fiqh, to such an extent that it reaches to more than 90% of fiqh in total. In fact, the common narrations between the two groups portrays a wonderful image of proximity amongst the contents, so much so that the differed upon narrations are small in size and have little impact, especially on a Fiqhī level.²

- Shaykh Muḥammad Wā'iz Zādah al-Khurāsānī, member of the International Union of Muslim Scholars and one of the activists in the field of Taqrīb. He said:

الاتفاق بين الشيعة وأهل السنة بشأن أصول الأحكام يبلغ ١٠٠٪. أما بشأن فروع الأحكام فمتفقة نحو ٨٥٪ وعلي الصعيد الأخلاقي فالإتفاق أيضا ١٠٠٪ [إلى أن يقول] إننا بعد الرجوع إلى كتب الحديث المهمة للطائفتين وجدنا أن الأحاديث الفقهية التي هي الآن محل البحث في هذا المجال في أصول الأحكام كالترغيب إلي الصلاة والجمعة والجماعة والزكاة والصوم والحج وغيرها متفقة ١٠٠٪. أما في فروع الأحكام فمتفقة نحو ٨٥٪. كما أن الأحاديث في صعيد الموعدة والسلوك والأخلاق أيضا متفقة ١٠٠٪ معنى أو لفظا

1 Al-Nadwah, 6/569.

2 Aḍwā' alā Ṭarīq al-Waḥdah al-Islāmiyyah, pg. 95

The agreed upon matters regarding the fundamentals of rulings is 100%. With regards to subsidiary rulings, the agreed upon is about 85%. On the moral level, the agreed upon is also 100%, [until he says, that] after referring to the important books of Ḥadīth of the two groups, we found that those Fiqhī aḥādīth that are now the subject of research in this field, in the fundamentals of rulings, such as encouragement to Ṣalāh, Friday Ṣalāh, Ṣalāh in congregation, Zakāt, fasting, Hajj etc., the agreed upon is 100%. As for the subsidiary rulings, the agreed upon is about 85%, just as the Aḥādīth in the field of advice, conduct and morals also agreed upon 100%, in meaning or wording.¹

- The contemporary Shī'ah scholar of reference Shaykh Ja'far al-Subḥānī. He stated:

طبع آية الله البروجردي في حياته كتاب (الخلاف) للشيخ الطوسي وأثبت عبر ذلك أن ٩٩٪ من المسائل الفقهية يوافق فيها الرأي الشيعي رأي أحد المذاهب الفقهية السنية وليست سوى مسائل معدودة تلك التي تفرد الشيعة بها كما هو الحال في كل مذهب حيث له متفرداته

Āyat Allāh al-Burūjirdī, during his lifetime published the book al-Khilāf of Shaykh al-Ṭūsī and he established through it that in 99% of the Fiqhī rulings, the Shī'ah view corresponds with one of the Sunnī Fiqhī Madhhabs. There are only a few rulings where the Shī'ah are isolated in their views, as is the condition of every Madhhab that it has some isolated views.²

- Shaykh Najm al-Dīn al-Ṭabasī. He states:

ولعلم أنه قل أن توجد مسألة فقهية عند الإمامية لم تطابق فتوى مذهب من مذاهب أهل السنة إذا نقاط الاشتراك والالتقاء في الفروع والفقهاء فضلا عن أصول الدين أكثر من نقاط الاختلاف والافتراق

It should be noted that very seldom a Fiqhī ruling would be found by the Imāmiyyah which does not correspond with the fatwā of any one of the Sunnī Madhhabs. Thus, the points of collaboration and conformity in

1 Majallat al-Majma' al-'Ālamī lī al-Taqrīb Bayna al-Madhāhib al-Islāmiyyah, no. 33, pg. 10 -13.

2 Al-Insijām al-Islāmī wa al-Waḥdah al-Qawmiyyah, Majallat Nuṣūṣ al-Mu'āshirah, 1 November 2014.

subsidiary rulings and fiqh, let alone fundamentals of dīn, are more than the points of differences and separations.¹

All these statements, despite what comes to mind first is that they endorse the issue of Taqrīb between the Ahl al-Sunnah and the Imāmiyyah, yet there is another dimension which one should be alerted to. It necessitates acknowledgement, whether we like it or not, that the Ahl al-Sunnah, on the level of fundamental and subsidiary Fiqhī rulings, have reached where they are, regarding beliefs, fundamentals, and sound Fiqhī Ijtihād without a single infallible Imām who would teach, issue fatwā, specify, restrict, give preference, and without all that the Imāmiyyah mention about divine books other than the Qur’ān which descended on the two Imāms such *al-Jafr*, *al-Ṣaḥīfah al-Jāmi’ah*, and *Muṣḥaf Fāṭimah*.²

And by practicing on the fiqh of the Companions رَضِيَ اللَّهُ عَنْهُمْ of the Prophet صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ, who the Imāmiyyah slander with regard to their dīn and truthfulness, at the forefront are the three³ Khulafā’—Abū Bakr, ‘Umar and ‘Uthmān—‘Ā’ishah bint Abī Bakr, ‘Abd Allāh ibn Mas‘ūd, Ubay ibn Ka‘b, Mu‘adh ibn Jabal, Zayd ibn Thābit, and ‘Abd Allāh ibn ‘Abbās رَضِيَ اللَّهُ عَنْهُمْ.

And by practicing on the Aḥādīth of Prophet صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ, which his Companions narrate from him, who the Imāmiyyah claim to have turned apostate except a

1 *Dirāsāt Fiqhiyyah fī Masā’il Khilāfiyyah*, pg. 113.

2 Bahā’ al-Dīn al-Āmilī states in *al-Arba‘ūn Ḥadīthan*, pg. 299:

وقد تظافرت الأخبار بأن النبي أُملي على أمير المؤمنين كتابي الجفر والجامعة وأن فيهما علم ما كان وما يكون إلى يوم القيامة
Information have converged on the fact that the Prophet صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ dictated the two books, *al-Jafr* and *al-Jāmi’ah* to Amīr al-Mu’minīn, and that these books contain the knowledge of what happened and what will happen till the Day of Qiyāmah.

Sayyid Murtaḍā al-‘Askarī states in *Ma‘ālim al-Madrasatayn*, 2/302:

تواترت الأخبار بأن أئمة أهل البيت ورثوا كتاب الإمام علي الجامعة في الأحكام والجفر ومصحف فاطمة وفيها أنباء الحوادث
الكائنة

This information has been consecutively narrated that the Imāms of the Ahl al-Bayt inherited the books *al-Jāmi’ah fī al-Aḥkām*, *al-Jafr*, and *Muṣḥaf Fāṭimah* from Imām ‘Alī and it contains information of incidents that will take place.

3 I did not say ‘the four Khulafā’, and I mention ‘Alī رَضِيَ اللَّهُ عَنْهُ taking into consideration the condition that I mentioned, which is the Imāmiyyah’s slander regarding their dīn and truthfulness.

few individuals,¹ and by practicing on their transmissions and the transmissions

1 Texts regarding this are plenty and declarations of this belief are even more.

Some of them are:

- Statement of Mirza Ḥusayn al-Nūrī al-Ṭabarsī (d. 1320) in *Nafs al-Raḥmān fī Fadāil Salmān*, pg. 583, wherein he states, after investigating the Imāmī narrations in this field:

وتحصل من تلك الأخبار وغيرها مما لم نذكرها أصل أصيل وهو الحكم بإرتداد جميع من بقي بعد النبي من صحبه في حياته إلا ثلاثة منهم أو أربعة والوجه في ذلك مضافا إلى تلك الأخبار هو إنكارهم ما سمعوه منه من النص على خلافة أمير المؤمنين مما هو مذكور مفصلا في كتب الإمامة وليس بغريب منهم فإن كثير الخلائق ضلوا عن الأنبياء الماضين وعبدوا غير رب العالمين بل لو لم تضل أكثر هذه الأمة كان ذلك ناقضا للعادات وخلاف ما تقتضيه طبائع البشر واختلافهم في الاعتقادات بل الذين كابروا واشتبه عليهم الحال بين علي وبين من تقدمه من الخلفاء أولي بالضلالة من الذين اشتبه عليهم الحال بين الله وبين خشية عبودها من دونه

From these narrations and others that we did not mention, we obtain an authentic principle, which is the ruling that all who remained after the Prophet, those who accompanied him during his life, turned apostate except for three or four of them. And the reason for that, in addition to those narrations, is their denial of the statements they heard from the Prophet ﷺ regarding the Khilāfah of Amīr al-Mu'minīn, which is mentioned in detail in Imāmī books. This is not something strange from them as many people deviated from the previous prophets and started worshipping other than the Lord of the universe. In fact, if most of this Ummah did not deviate then this would be contrary to the norm and the dictates of human nature. They turned apostate because of their contradiction in beliefs. In fact, those who are obstinate and are confused between 'Alī and those who preceded him in Khilāfah, are more deviated than those who are confused between Allah ﷻ and the wood which they worship.

And his statement in *Faṣl al-Khiṭāb*, pg. 47, first chapter, second proof regarding the description of the Companions رَضِيَ اللَّهُ عَنْهُمْ, wherein he states:

الذين آمنوا بألسنتهم ليحقتوا دماءهم وهم بين جاهل غيبي ومعاند غوي ولاء عن الدين وتائه في شيع الأولين رصارف همته في ترويح كفره وجبار يخاف من مخالفة نهيه وأمره وليس فيهم من يرجى خيره ويؤمن شره لا يكاد يشك أنهم اخس قدرا وأعجز تدبيرا وأصل سبيلا واخسر عملا واجهل مقاما وأشر مكانا وأسفه رأيا وأشقي فطرة

They are those who believed with their tongues, to protect their blood. They are amongst the stupid ignorant, deviated, obstinate, the one who is heedless of his dīn, arrogant regarding the former sects, using his ability in promoting his disbelief, an oppressor who is feared if his prohibition or command is transgressed. There is none from amongst them, from whom one can hope for any good and be safe from his evil. There can hardly be any doubt that they are the most inferior, of the weakest planning, most deviated from the path, of the worst actions, most ignorant standing, in the worst place, of the most foolish opinions and the most wretched nature.

continued...

of their successors who follow them in all that is good such as al-Ḥasan al-Baṣrī, al-Zuhrī, al-Sha'bī, and others.

And by considering the books and Sunnī Ḥadīth compilations, which compiled the aḥādīth of the Prophet ﷺ and the transmissions of the Companions such as *Ṣaḥīḥ al-Bukhārī* and *Ṣaḥīḥ Muslim*, and other books of the Sunnah, Musnads, and Ma'ājim.

When the result of these differences in fundamentals, Ḥadīth sources, and symbols leads to this satisfactory result **according to the Imāmiyyah** and a similar proportion of unity and proximity, then this is a tacit acknowledgment of the validity of what the Ahl al-Sunnah practice upon, and that the precondition of the presence of an infallible Imām and following of the 12 Imāms to be protected from deviation and misguidance is just rhetoric which has no effect in reality other than creating illusions and fantasies. In this case, the first step towards real unity among the Madhhabs would be to eradicate these illusions which bring no good at all.

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- Statement of the late Shī'ī scholar of reference, Sayyid Muḥammad al-Waḥīdī (d. 1421 AH) in *Iḥqāq 'Aqā'id al-Shī'ah*, pg. 108, wherein he states:

إن حديث ارتداد الناس بعد النبي من الأحاديث المعتبرة المتواترة ووجهه أن إنكار ضروري الدين والمذهب يوجب الارتداد فلما كانت الإمامة والخلافة أصلا من أصول الدين ومما آتاه الرسول الأكرم بالقطع فمن رد على الرسول الأكرم وانكر ما جاء به يكون مرتدا بإجماع المسلمين وهذا معني ارتداد الناس بعد الرسول إلا الثلاثة المذكورة (سلمان وأبوذر والمقداد)

The ḥadīth regarding the apostasy of the people after the Prophet ﷺ is from the reliable, consecutively narrated aḥādīth. Reason being that denial of any necessary aspect of dīn and Madhhab necessitates apostasy. Thus, when Imāmah and Khilāfah are fundamentals of dīn and something that the Prophet ﷺ definitely bestowed upon him, then denying the Prophet ﷺ and that which he brought would be apostasy according to the consensus of the Muslims. This is the meaning of the people becoming apostate after the Prophet ﷺ except three, namely, Salmān, Abū Dhar and al-Miqdād.

The Extinct Fiqhī Madhhabs

During the era of the *Tābi‘īn* (followers of the Companions) and the *Tab‘ al-Tābi‘īn* (followers of the followers of the Companions), a large group of Mujtahid scholars excelled. They laid down principles of Fiqh, expounded on it, and extracted subsidiary rulings. Hence, Islamic Fiqh became a procession for civilization, fulfilling its needs and requirements.

Fiqhī Ijtihād, during the Companions’ رَضِيَ اللهُ عَنْهُمْ era, was confined to a few Companions who were known for Fiqh and issuing fatwā.

Imām Ibn Ḥazm al-Andalūsī has divided the *Muftīs* (those who issue fatwā) among the Companions رَضِيَ اللهُ عَنْهُمْ into three categories:

1. Those who issue fatwā abundantly.
2. Those who issue fatwā moderately.
3. Those who issue very little fatwā.

He states:

المكثرون من الصحابة فيما روي عنهم من الفتيا عائشة أم المؤمنين، عمر بن الخطاب ابنه عبد الله علي بن أبي طالب عبد الله بن العباس عبد الله بن مسعود زيد بن ثابت فهم سبعة يمكن أن يجمع من فتيا كل واحد منهم سفر ضخم وقد جمع أبو بكر محمد بن موسي بن يعقوب بن أمير المؤمنين المأمون فتيا عبد الله بن العباس في عشرين كتابا وأبو بكر المذكور أحد أئمة الإسلام في العلم والحديث

والمتوسطون منهم فيما روي عنهم من الفتيا أم سلمة أم المؤمنين أنس بن مالك أبو سعيد الخدري أبو هريرة عثمان بن عفان عبد الله بن عمرو بن العاص عبد الله بن الزبير أبو موسي الأشعري سعد بن أبي وقاص سلمان الفارسي جابر بن عبد الله معاذ بن جبل وأبو بكر الصديق فهم ثلاثة عشر فقط يمكن أن يجمع من فتيا كل امرئ منهم جزء صغير جدا ويضاف أيضا إليهم طلحة الزبير عبد الرحمن بن عوف عمران بن الحصين أبو بكر عباد بن الصامت معاوية بن أبي سفيان

والباقون منهم مقلون في الفتيا لا يروى عن الواحد منهم إلا المسألة والمسألان والزيادة اليسيرة علي ذلك فقط يمكن أن يجمع من فتيا جميعهم جزء صغير فقط بعد التقصي والبحث ثم عدد أسماء كثيرة من الصحابة رضوان الله عليهم

Those Companions from who fatāwā have been abundantly narrated are:

Umm al-Mu'minīn 'Ā'ishah, 'Umar ibn al-Khaṭṭāb, his son—'Abd Allāh, 'Alī ibn Abī Ṭālib, 'Abd Allāh ibn 'Abbās, 'Abd Allāh ibn Mas'ūd, and Zayd ibn Thābit. They are 7 in number. The fatāwā of each of them could be compiled in a separate voluminous book. Abū Bakr ibn Muḥammad ibn Mūsā ibn Ya'qūb ibn Amīr al-Mu'minīn al-Ma'mūn compiled the fatāwā of 'Abd Allāh ibn 'Abbās in 20 volumes. The Abū Bakr mentioned here is one of the Muslim leaders in knowledge and Ḥadīth.

Those Companions from whom fatāwā have been narrated moderately are:

Umm al-Mu'minīn Umm Salamah, Anas ibn Mālik, Abū Sa'īd al-Khudrī, Abū Hurayrah, 'Uthmān ibn 'Affān, 'Abd Allāh ibn 'Amr ibn al-'Āṣ, 'Abd Allāh ibn al-Zubayr, Abū Mūsā al-Ash'arī, Sa'd ibn Abī Waqqās, Salmān al-Fārsī, Jābir ibn 'Abd Allāh, Mu'ādh ibn Jabal, and Abū Bakr al-Ṣiddīq رَضِيَ اللَّهُ عَنْهُ. They are only 13 in number. The fatāwā of each of them could be compiled in a very small book. The following are also included amongst them:

Ṭalḥah, al-Zubayr, 'Abd al-Raḥmān al-'Awf, 'Imrān ibn al-Ḥuṣayn, Abū Bakrah, 'Ubādah ibn al-Ṣāmit, Mu'āwiyah ibn Abī Sufyān.

The remainder of the Companions used to issue fatwā very rarely. (One would only find one, two or a bit more rulings from them. After research and investigation, it would be possible to compile all their fatāwā, collectively, in a small book.) Then he mentioned the names of many Companions رَضِيَ اللَّهُ عَنْهُ.¹

Prof. Muḥammad Ḥasan Hīṭaw, when discussing the manner of the Companions رَضِيَ اللَّهُ عَنْهُ in deducing, states in *al-Wajīz*:

لم يكن الصحابة بحاجة إلى القواعد التي ندرسها فيه نحن هذه الأيام بل كانوا يعرفونها بسليقتهم العربية الأصلية السليمة فكما كانوا يعرفون أن الفاعل مرفوع بالسليقة كانوا يعرفون أن (ما) تفيد العموم المستغرق لأفراد ما دخلت عليه وأنها تستعمل في غير العاقل حقيقة وفي العاقل مجارا وأن (من) للعموم أيضا وأنها تستعمل في العاقل حقيقة وفي غيره مجارا وأن (عشرة) من قبيل الخاص وأنها قطعية الدلالة علي مسمائها إلى غير ذلك من المسائل الأصولية التي تتوقف علي العربية وأما ما كان يحتاج إلى البيان أو التفصيل فكانوا يرجعون فيه إلى رسول

¹ *Al-Iḥkām fī Uṣūl al-Aḥkām*, 5/666.

الله عليه الصلاة والسلام فيسألونه عنه ولذلك لم يكونوا بحاجة إلى الخوض في
تقعيد القواعد وتأصيل الأصول وتدوين المسائل

ولما اتسعت رقعة الإسلام واختلط فيه العرب بغيرهم من الأمم المختلفة التي
دخلت فيه وضعفت الملكات وتعددت المسالك وتفرقت السبل كان لا بد
للعلماء من تدوين العلوم الدينية فروعاً وأصولاً للحفاظ على الشريعة والإبقاء
على دوامها واستمرارها فشرعوا في وضع القوانين التي بواسطتها يمكن لهم
أن يستنبطوا الأحكام الشرعية ويدونوا الفروع الفقهية بقواعد مضبوطة وأصول
معروفة وسموا هذه القواعد بـ (أصول الفقه)

The Companions رضي الله عنهم did not need rules, which we learn these days. Rather, they knew these rules through their original sound Arabic instinct. Thus, just as they knew that a *Fā'il* (the doer, in a construction of a sentence) is always *Marfū'* (nominative case), instinctively, similarly they knew that the word '*Mā*' gives the meaning of intense generality of the individual it indicates to, and it is used for inanimate objects originally and for animate figuratively. Similarly, they knew that the word '*Man*' also gives the meaning of generality and it is use for animate originally and for inanimate figuratively, and that the word "*Asharah*' (ten) gives the meaning of exclusivity and it shows definite indication to what it was stated for and other fundamental rules that depend on Arabic. Whenever they needed any clarity or explanation, they would refer to the Prophet صلى الله عليه وسلم and enquire about it. Therefore, there was no need for them to delve into regulating laws, establishing principals, and compiling rulings.

When the Muslim lands expanded and the Arabs mingled with the non-Arab nations that embraced Islam, and skills weakened, mannerisms multiplied and ways diversified, then it became necessary for the scholars to compile the fundamental and subsidiary Prophetic knowledge to safeguard the Sharī'ah and preserve its stability and continuity. Thus, they started laying down laws through which the rulings of Sharī'ah could be deduced and they compiled subsidiary Fiqhī rulings through accurate regulations and established principles. They named these regulations as *Uṣūl al-Fiqh* (principles of Fiqh).¹

1 *Al-Wajīz fī Uṣūl al-Tashrī' al-Islāmī*, pg. 10.

Al-Qāḍī 'Iyāḍ has discussed, in his unique book *Tartīb al-Madārik*, the Fiqhī evolution which this Ummah witnessed from the era of the Companions رَضِيَ اللَّهُ عَنْهُمْ till the emergence of the Fiqhī Madhhabs, expounding on the virtues of the Companions رَضِيَ اللَّهُ عَنْهُمْ and them deserving the status of leadership in Fiqh. He states:

وأحق بذلك فقهاء أصحاب رسول الله الذين أخذوا عنه العلم وعلموا أسباب نزول الأوامر والنواهي ووظائف الشرائع ومخارج كلامه وشاهدوا قرائن ذلك وشافهوا في أكثرها النبي واستفسروه عنها مع ما كانوا عليه من سعة العلم ومعرفة معاني الكلام وتنوير القلوب وانسراح الصدور فكانوا أعلم الأمة بلا مزية وأولاهم بالتقليد لكنهم لم يتكلموا من النوازل إلا في اليسير مما وقع ولا تفرغت عنهم المسائل ولا تكلموا من الشرع إلا في قواعد ووقائع وكان أكثر اشتغالهم بالعمل مما علموا والذب عن حوزة الدين وتوكيد شريعة المسلمين ثم بينهم من الاختلاف في بعض ما تكلموا فيه ما يبقي المقلد في حيرة ويحوجه إلي نظر وتوقف وإنما جاء التفريع والتتبيح وبسط الكلام فيما يتوقع وقوعه بعدهم

The most worthy of this were the Companions of the Prophet صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ who acquired knowledge from him and learnt reasons for the revelation of commandments and prohibitions, the functions of the Sharī'ah, and the origins of the Prophet's صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ speech. They witnessed its evidence and, in most cases, they communicated with the Prophet صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ and sought explanation from him. This is despite the fact that they had vast knowledge, they knew the meanings of words, and they had enlightened hearts and foresight. Undoubtedly, they were the most knowledgeable of this Ummah and most deserving of being followed. However, they did not delve into new incidents that arose except a few and rulings did not branch from them. Most of the time, their preoccupation was on practicing on what they knew, defending the territory of dīn, and strengthening the Sharī'ah of the Muslims. They had some differences in some of the issues that they discussed which left a follower perplexed and compelled him to ponder and formulate a view. Deducing rulings, its outcomes and detailed explanations of what is expected to happen, only came into existence after them.¹

Qāḍī 'Iyāḍ is of the opinion that the role of the Tābi'īn in this context was to ponder on the differences of the Companions رَضِيَ اللَّهُ عَنْهُمْ and build on their principles.

1 *Tartīb al-Madārik*, 1/61.

The actual emergence of the Fiqhī Madhhabs was through the Tab‘ al-Tābi‘īn who realised that occurrences have multiplied, new incidents arose, and Fatāwā regarding them are diverse. Thus, they gathered all the views, preserved their fiqh, discussed their differences, and agreed upon issues and they abstained from creating confusion and allowing the differences to go out of control. They strove in compiling books of Sunnah and capturing principles. They were asked so they answered. They set out regulations and laid down principles whereupon they deduced the rulings for new incidents. They authored books for the people and categorised them. Each one of them endeavoured according to his divine ability and inspiration. Thus, the knowledge of fundamental, subsidiary, differed, and agreed upon rulings, all reverts to them.

This continued until the matter reached the famous Madhhabs. Some of them remained while others disappeared. Regarding this Qādī ‘Iyād states:

فكان المقلدون المقتدى بمذاهبهم أصحاب الأتباع في سائر الأقطار البقاع قبل كثرة مالك بن أنس بالمدينة وأبو حنيفة والثوري بالكوفة والحسن البصري بالبصرة على ما تقدم منه والأوزاعي بالشام والشافعي بمصر وأحمد بن حنبل (بعده) ببغداد وكان لأبي ثور هناك أيضا أتباع ثم نشأ ببغداد أبو جعفر الطبري وداود الأصبهاني فالفا الكتب واختارا في المذاهب علي آراء أهل الحديث واطرح داود منها القياس وكان لكل واحد منهما أتباع

وسرت جميع هذه المذاهب في الآفاق فغلب مذهب مالك على الحجاز والبصرة ومصر وما والاها من بلاد أفريقية والأندلس وصقلية والمغرب الأقصى إلى بلاد من أسلم من السودان إلى وقتنا هذا وظهر ببغداد ظهورا كثيرا وضعف بها بعد أربعمائة سنة وضعف بالبصرة بعد خمسمائة سنة وغلب من بلاد خراسان علي قزوين وأبهر وظهر بنيسابور وكان بها وبغيرها أئمة ومدرسون سنذكر منهم بعد في طبقاتهم من ألهم الله تعالي إليه

وكان ببلاد فارس وانتشر باليمن وكثير من بلاد الشام وغلب مذهب أبي حنيفة على الكوفة والعراق وما وراء النهر وكثير من بلاد خراسان إلي وقتنا وظهر بإفريقية ظهورا كثيرا إلى قريب من أربعمائة عام فانقطع منها ودخل منه شيء ما وراءها من المغرب قديما بجزيرة الأندلس وبمدينة فاس وغلب مذهب الأوزاعي على الشام وعلى جزيرة الأندلس أولا إلي أن غلب عليها مذهب مالك بعد المائتين فانقطع

وأما مذهب الحسن والثوري فلم يكثر أتباعهما ولم يطل تقليدهما وانقطع مذهبهما عن قريب وأما الشافعي فكثر أتباعه وظهر مذهبه ظهور مذهبي مالك وأبي حنيفة قبله وكان أول ظهوره بمصر وكثر أصحابه بها مع المالكية وبالعراق وبغداد وغلب عليها وعليها كثير من بلاد خراسان والشام واليمن إلي وقتنا هذا ودخل ما وراء النهر وبلاد فارس ودخل شيء منه بلاد إفريقية والأندلس بأخرة بعد الثلاثمائة

وأما مذهب أحمد بن حنبل فظهر ببغداد ثم انتشر بكثير من بلاد الشام وغيرها وضعف الآن

وأما أصحاب الطبري وأبي ثور فلم يكثروا ولا طالت مدتهم وانقطع أتباع أبي ثور بعد ثلاثمائة وأتباع الطبري بعد أربعمائة

وأما داود فكثر أتباعه وانتشر ببغداد وبلاد فارس مذهبه وقال به قوم قليل بإفريقية والأندلس وضعف الآن

فهؤلاء هم الذين وقع إجماع الناس علي تقليدهم مع الاختلاف في أعيانهم واتفاق العلماء علي اتباعهم والافتداء بمذاهبهم ودرس كتبهم والتفقه على مأخذهم والبناء على قواعدهم والتفريع علي أصولهم دون غيرهم ممن تقدمهم أو عاصرهم للعلل التي ذكرناها وصار الناس اليوم في أقطار الدنيا إلي خمسة مذاهب مالكية وحنفية وشافعية وحنبلية وداودية وهم المعروفون بالظاهرية

Those, whose Madhhabs were followed and had followers all over the world, before, were plenty, such as Mālik ibn Anas in Madīnah, Abū Ḥanīfah and al-Thawrī in Kūfah, al-Ḥasan al-Baṣrī in Baṣrah in the beginning, al-Awzā'ī in Shām, al-Shāfi'ī in Egypt, and Aḥmad ibn Ḥanbal (after al-Shāfi'ī) in Baghdād. Abū Thawr also had followers there.

Thereafter, in Baghdād, Abū Ja'far al-Ṭabarī and Dāwūd al-Aṣbahānī emerged. They authored books and selected the views of the Ahl al-Ḥadīth in the Madhhabs. Dāwūd discarded Qiyās from the Madhhab. Each one of them had followers.

All these Madhhabs spread in various horizons. The Malikī Madhhab was dominant in Hījāz, Baṣrah, Egypt, the African countries close to it, Spain, Sicily, and Morocco until the regions of present-day Muslims of Sudan. It spread extensively in Baghdād but it weakened after four centuries and it weakened in Baṣrah after 5 centuries. From the regions of Khurāsān, it was

dominant in Qazwīn. It shone and was dominant in Naysābūr. In all these regions, there were Imāms and teachers, some of who will be mentioned in due course in their categories, with inspiration from Allah ﷻ. Similarly, it was prevalent in Persia and many parts of Shām.

The Ḥanafī Madhhab was dominant in Kūfah, Irāq, Transoxiana, and many parts of present day Khurāsān. It spread extensively in Africa for close to 4 centuries, then it discontinued. Some of it spread pass Morocco to Andalusia and the city of Fez.

The Madhhab of Awzāī was dominant in Shām and Andalusia until the Malīkī Madhhab overpowered it after two centuries, then it discontinued.

As for Ḥasan and al-Thawrī, they did not have many followers, their following did not last for long, and it discontinued in a short space of time.

As for al-Shāfīī, his followers were aplenty and his Madhhab spread like the Mālīkī and the Ḥanafī Madhhab. First, it emerged in Egypt, wherein he had many followers together with the Mālīkīs, Irāq, and Baghdād. It became dominant there and in many parts of Khurāsān, Shām, and present-day Yemen. It spread to Transoxiana, Persia, and some spread to Africa and Spain at end of the 3rd century.

The Ḥanbalī Madhhab emerged in Baghdād and then spread to many parts of Shām etc. Presently it is weak.

The followers of al-Ṭabarī and Abū Thawr were not many and they did not last for long. The followers of Abū Thawr discontinued after the 3rd century and the followers of Ṭabarī after the 4th century.

As for Dāwūd, he had many followers and his Madhhab spread in Baghdād and Persia. Few people followed him in Africa and Spain. Now it has weakened.

These are the luminaries, regarding whose following there is *Ijmā'* (consensus) amongst the people, despite the differences in their pioneers. Scholars have agreed to follow them and their Madhhabs, study their books, acquire fiqh from their sources, build on their regulations, and derive rulings from their principles, not anyone else who were their contemporaries or came after them, due to the reasons mentioned previously. Thus, people

today, in all parts of the world are divided in 5 Madhhabs, viz. the Mālikī, Ḥanafī, Shāfi'ī, Ḥanbalī, and Dāwūdī who are known as the Zāhiriyyah.¹

Ustādh al-Sāyis is of the view that since the beginning of the second century until the middle of the fourth century, the Muslim world witnessed 138 schools and Fiqhī Madhhabs, so much, so that many of the cities had their own specific Madhhab.²

Meanwhile Ustādh Asad Ḥaydar is of the view that there were more than 50 Madhhabs.³

The Madhhabs that sprout up after the Tābi'īn were individual Madhhabs⁴. These types of Madhhabs discontinued with the passing of its founders, as no consideration was given to compile and spread them. Their opinions are merely quoted in the Fiqh and Ḥadīth books and there are no traces of them anymore.

As for the collective Madhhabs, they were not formed merely through the views of its founder; rather, they grew under the guidance of what their founders and followers compiled as a collective unit. They added their specific views where there was no available view of the founder in that Madhhab.⁵ These were destined to remain.

Al-Suyūṭī (d. 911 AH) indicated to the most famous of the extinct Madhhabs when answering a question that was posed to him pertaining to the signs of the last Day. He replied, condemning the questioner's ignorance about confining Ijtihād in this Ummah to the four Madhhabs only. He states:

فهل خطر ببال السائل أن المذاهب في هذه الملة الشريفة منحصرة في أربعة
والمجتهدون من الأمة لا يحصون كثرة وكل له مذهب من الصحابة والتابعين

1 *Tartīb al-Madārik*, 1/64-67.

2 *Tārīkh al-Fiqh al-Islāmī*, pg. 86.

3 *Al-Imām al-Ṣādiq wa al-Madhāhib al-Arba'*, 1/160.

4 The meaning of individual Madhhab is the collection of all Fiqhī views transmitted from a Mujtahid, not its adoption by his followers, in order to establish rules of that Madhhab, complete, and spread it.

5 *Tārīkh al-Fiqh al-Islāmī wa Adwāruhū*, pg. 57-58.

وأتباع التابعين وهلم جرا وقد كان في السنين الخوالي نحو عشرة مذاهب مقلدة أربابها مدونة كتبها وهي الأربعة المشهورة ومذهب سفيان الثوري ومذهب الأوزاعي ومذهب الليث بن سعد ومذهب إسحاق بن راهويه ومذهب ابن جرير ومذهب داوود وكان لكل من هؤلاء أتباع يفتون بقولهم ويقضون وإنما انقرضوا بعد الخمسمائة لموت العلماء وقصور الهمم فالمذاهب كثيرة فلا شيء خصص السائل المذاهب الأربعة

Did it strike the questioners mind that there are only four Madhhabs in this noble religion, whereas the Mujtahids in this Ummah are so many that they cannot be enumerated? Everyone from the Companions رَضِيَ اللَّهُ عَنْهُمْ, Tābī'īn, and the Tab' al-Tābī'īn etc., had Madhhabs. In the past, there were 10 Madhhabs whose founders were followed and whose books were compiled. They are:

The 4 famous Madhhabs, the Madhhab of Sufyān al-Thawrī, al-Awzā'ī, al-Layth ibn Sa'd, Ishāq ibn Rāhawayh, Ibn Jarīr, and Dawūd. They all had followers who would issue fatwā and pass judgement according to their views. They became extinct after the 5th century due to the passing of the scholars and lack of determination. Hence, Madhhabs are many. Why did the questioner confine then Madhhabs to four only?¹

When we review the Madhhabs that were not destined to last long after the demise of its founders, we find that the most prominent were the following:

1. Madhhab of Imām al-Ḥasan al-Baṣrī (d. 110 AH)

Ibn Sa'd states:

كان الحسن جامعاً عالماً عالياً رفيعاً ثقة مأموناً عابداً ناسكاً كبير العلم فصيحاً جميلاً وسيماً وكان ما أسند من حديثه وروى عن سمع منه فحسن حجة وما أرسل من الحديث فليس بحجة وقدم مكة فأجلسوه على سرير واجتمع الناس إليه فحدثهم وكان فيمن أتاه مجاهد وعطاء وطاؤوس وعمرو بن شعيب فقالوا أو قال بعضهم لم نر مثل هذا قط

Al-Ḥasan was comprehensive, highly learned, high-ranking, reliable, trustworthy, worshiper, ascetic, of vast knowledge, handsome, and brilliant.

1 Al-Ḥawī li al-Fatāwā, 2/189.

Those aḥādīth which he narrates and attributes to whom he heard from, are accepted and can be used as evidence, whilst those aḥādīth which he narrates *Mursalan*¹ cannot be used as evidence. When he arrived in Makkah, the people put him on a stage and people gathered around him. He started narrating Ḥadīth to them. Mujāhid, ‘Aṭā’, Ṭāūs, and ‘Amr ibn Shu‘ayb were amongst those who came to him. They or some of them said, “We have never seen anything like this.”²

Ḥāfiẓ al-Dhahabī states:

كان سيد أهل زمانه علما وعملا وقال معتمر بن سليمان كان أبي يقول الحسن شيخ
أهل البصرة

He was the leader of his time, in knowledge and in practice. Mu‘tamar ibn Sulaymān states, “My father used to say, ‘Ḥasan is the leader of the people of Baṣrah.’”³

2. Madhhab of Muḥammad al-Bāqir (d. 114 AH)

The leader, Imām, and the trustworthy. He was the leader of the Banū Hāshim in his era. He was one of those people who combined between knowledge, practice, sovereignty, honor, reliability, and serenity. He was worthy of Khilāfah.⁴

Ḥāfiẓ al-Dhahabī states:

وشهر أبو جعفر بالباقر من بقر العلم أي شقه فعرف أصله وخفيه ولقد كان أبو
جعفر إماما مجتهدا تاليا لكتاب الله كبير الشأن ولكن لا يبلغ في القرآن درجة ابن
كثير ونحوه ولا في الفقه درجة أبي الزناد وربيعه ولا في الحفظ ومعرفة السنن
درجة قتادة وابن شهاب فلا نحايه ولا نحيف عليه ونحبه في الله لما تجمع فيه من
صفات الكمال

Abū Ja‘far became famous as al-Bāqir, which is derived from *Baqara al-Ilm*, i.e. he split open knowledge and understood its origins and secrets. Abū

¹ *Mursal* is that Ḥadīth where a Tābi‘ī narrates directly from the Prophet ﷺ without mentioning intermediary Companion رَضِيَ اللَّهُ عَنْهُ.

² *Al-Ṭabaqāt al-Kubrā*, 7/157.

³ *Siyar A‘lām al-Nubalā’*, 4/565.

⁴ *Siyar A‘lām al-Nubalā’*, 4/402.

Ja'far was a Mujtahid, Imām, fervent reciter of the Qur'ān, and of high status. However, he did not reach the status of Ibn Kathīr and others in (commentary of) Qur'ān, nor the status of Abū al-Zinād and Rabī'ah in fiqh, nor the status of Qatādah and Ibn Shihāb in memorizing and understanding the Sunnah. We do not express exaggerated love towards him nor do we debilitate him. We love him for the pleasure of Allah ﷻ because of the qualities of perfection found in him.¹

3. Madhhab of Imām Ibn Abī Laylā (d. 148 AH)

He is the Imām, expert, preserver of Ḥadīth Abū 'Īsā al-Anṣārī al-Kūfī, the judge, jurist, scholar and the reciter of Kūfah in his era.²

'Abd al-Malik ibn 'Umayr says regarding him:

أدرکت ابن أبي ليلى في حلقة فيها نفر من الصحابة منهم البراء بن عازب يستمعون
لحديثه وينصتون له

I found Ibn Abī Laylā in a gathering where there were some Companions رضي الله عنهم. Amongst them was al-Barā' ibn 'Āzib. They were silent and listening attentively to his ḥadīth.³

Sufyān ibn Sa'īd al-Thawrī and al-Ḥasan ibn Ṣāliḥ ibn Ḥayy acquired fiqh from him.

Sufyān al-Thawrī states:

فقهاؤنا ابن أبي ليلى وابن شبرمة

Our jurists are Ibn Abī Laylā and Ibn Shubrumah.⁴

4. Madhhab of Imām al-Awzā'ī (d. 157 AH)

He is the leader of Islam, Imām of the frontier regions, and scholar of the people of Shām, Abū 'Amr al-Awzā'ī. Walīd ibn Mazīd states:

1 Ibid.

2 *Tārīkh al-Islām*, 3/967.

3 *Tahdhīb al-Kamāl*, 17/375; *Tārīkh Dimashq*, 36/89.

4 *Ṭabaqāt al-Fuqahā'*, 1/84.

ولد ببلبك وربى يتيما فقيرا في حجر أمه تعجز الملوك أن تؤدب أولادها أدبه في نفسه ما سمعت منه كلمة فاضلة إلا احتاج مستمعها إلى إثباتها عنه ولا رأيته ضاحكا يقهقه ولقد كان إذا أخذ في ذكر المعاد أقول ترى في المجلس قلب لم يبكي

He was born in Baalbek and was raised as a poor orphan in the lap of his mother. Kings will be helpless in disciplining their children as he disciplined himself. I did not hear any redundant speech from him. If anyone claims such, then the listener will have to establish that it was from him. I have never seen him laugh loudly. When he would start speaking about the Hereafter, I would say (to myself) that do you see any heart that is not weeping.¹

Abū Ishāq al-Farāzī states:

لو خيرت لهذه الأمة لاخترت لها الأوزاعي

If I were given the option to select a person for this Ummah, I would select al-Awzā'ī for it.²

His Madhhab spread in Shām and Spain; however, it discontinued in the 4th century and the Shāfi'ī Madhhab replaced it in Shām, just as it discontinued in Spain after the 2nd century due to the dominance of the Mālikī Madhhab.

Ḥāfiẓ al-Dhahabī states:

كان أهل الشام ثم أهل الأندلس على مذهب الأوزاعي مدة من الدهر ثم فني العارفون به وبقي منه ما يوجد في كتب الخلاف

The people of Shām and Spain followed the Madhhab of al-Awzā'ī for some time. Then those who were acquainted to it passed away. Now only that remains of it, which is found in the books of differences.³

5. Madhhab of Imām Sufyān al-Thawrī (d. 161 AH)

He is the leader of Islam, Imām of the preservers of Ḥadīth, leader of the practicing scholars of his time, Abū 'Abd Allāh al-Thawrī al-Kūfī, the Mujtahid.⁴

1 *Tadhkirat al-Ḥuffāz*, 1/179.

2 *Ibid*.

3 *Tadhkirat al-Ḥuffāz*, 1/182.

4 *Siyar A'lām al-Nubalā'*, 7/230.

He was mentioned to Zā'idah who said:

ذاك أفقه أهل الدنيا

He is the most knowledgeable on earth.

Yahyā al-Qaṭṭān states:

سفيان الثوري فوق مالك في كل شيء

Sufyān al-Thawrī is superior to Mālik in everything.

Al-Awza'ī states:

لو قيل اختر لهذه الأمة رجلا يقوم فيها بكتاب الله وسنة نبيه لاخترت لهم سفيان
الثوري

If someone says, "Select a person for this Ummah, who would adhere to the Book of Allah and the Sunnah of His Prophet ﷺ." I would select Sufyān al-Thawrī for them.¹

Al-Marrūdhī narrates from Aḥmad ibn Ḥanbal who states:

أدري من الإمام الإمام سفيان الثوري لا يتقدمه أحد في قلبي

Do you know who the Imām is? The Imām is Sufyān al-Thawrī. No one surpasses him in my heart.

Al-Khuraybī states:

ما رأيت أفقه من سفيان

I have not seen anyone more knowledgeable than Sufyān.²

He had a Fiqhī Madhhab; however, it was not practiced for long. The Madhhab of al-Awza'ī replaced it. He bequeathed to 'Ammār ibn Sayf regarding his books, which he later erased and burned.³ Some people of Yemen practiced on his Madhhab, some in Iṣfahān, and some in Mosul. The followers of this Madhhab and their books disappeared in a short space of time.

1 *Siyar A'lām al-Nubalā'*, 7/249.

2 *Siyar A'lām al-Nubalā'*, 7/240.

3 *Siyar A'lām al-Nubalā'*, 7/242.

6. Madhhab of Imām al-Layth ibn Sa‘d (d. 175 AH)

He is the leader of the Egyptian regions in fiqh and Ḥadīth¹, and their noblest scholar, to such an extent that the deputy and the judge of Egypt was under his command. If he were suspicious about anyone, he would correspond with the Khalīfah, who would dismiss him.² Despite the prestige that he enjoyed, which many of the other Imāms did not, his Madhhab became extinct like many others, as there was no one to hold on to his Madhhab and spread it.

Imām al-Shāfi‘ī used to lament his demise and say:

هو أفقه من مالك إلا أن أصحابه لم يقوموا به

He was more knowledgeable than Mālik; however, his followers did not hold on to him.

He also said:

الليث أتبع للأثر من مالك

Al-Layth was more observant of transmissions than Mālik.

Yaḥyā ibn Bukayr states:

هو أفقه من مالك لكن الحفظ لمالك

He was more knowledgeable than Mālik, but fortune favoured Mālik.³

Al-Nawawī states:

وأما الليث بن سعد فإمامته وجلالته وصيانتته وبراعته وشهادته أهل عصره بسخائه وسيادته وغير ذلك من جميل حالاته أشهر من أن تذكر وأكثر من أن تحصر ويكفي في جلالته شهادة الإمامين الجليلين الشافعي وابن بكير رحمهما الله تعالى أن الليث أفقه من مالك رضي الله عنهم أجمعين فهذان صاحباً مالك وقد شهدا بما شهدا وهم بالمنزلة المعروفة من الإتيان والورع وإجلال مالك ومعرفتهما بأحواله هذا كله مع ما قد علم من جلالته مالك وعظم فقهه

1 *Wafayāt al-A’yān*, 4/127.

2 *Tadhkirat al-Ḥuffāz*, 1/224.

3 *Al-Dhahabī: Tārīkh al-Islām*, 4/710.

As for al-Layth ibn Sa'd, his leadership, greatness, preservation, ingenuity, the testimony of his contemporaries with regards to his generosity and leadership and other beautiful traits are too popular to mention and too many to enumerate. The testimony of the two great Imāms, al-Shāfi'ī and Ibn Bukayr, is sufficient that al-Layth was more knowledgeable than Mālik. These two accompanied Mālik and witnessed what they witnessed. They are well known for their perfection, piety, reverence for Mālik, and knowledge of his conditions. All this is despite the greatness of Mālik and his Fiqh.¹

7. Madhhab of Imām Abū Ja'far Muḥammad ibn Jarīr al-Ṭabarī (d. 310 AH)

The Imām of unique knowledge, the preserver of Ḥadīth, Abū Ja'far al-Ṭabarī, one of the giants, and author of many books. He acquired fiqh from Dāwūd and studied the fiqh of the people of Irāq, Mālik, and al-Shāfi'ī. Therefore, different forms of fiqh accumulated by him. He adopted a specific Madhhab for himself, which had followers². His Madhhab became famous in Baghdād. One of his books in fiqh is *Ikhtilāf al-Fuqahā'*. This book reiterates his familiarity with the views of the jurist that preceded him as well as his contemporaries. Through this, he preserved the views of jurists that were his contemporaries and those who preceded him. The star of this Madhhab set in the middle of the 5th century and now its views remain in books.

Al-Farghānī states:

بث مذهب الشافعي ببغداد سنتين واقتدى به ثم اتسع علمه وأداه اجتهاده إلي ما
اختاره في كتبه وقد عرض عليه القضاء فابى

He promoted the Shāfi'ī fiqh in Baghdād for two years and practiced it. Then his knowledge expanded and his Ijtihād led him to that which he selected in his books. He was offered the post of the judge, which he refused.³

1 *Sharḥ Ṣaḥīḥ Muslim*, 2/11.

2 Al-Khaṭīb states in his *Tārīkh* that Abū al-Ṭīb Aḥmad ibn Sulaymān ibn Aḥmad al-Jarīrī, Abū Ishāq Ibrāhīm ibn Mukhallad—known as al-Bāqir Ḥayy—and Mu'āfā ibn Zakariyyā—known as Ibn Ṭarrāz—were jurists of his Madhhab.

3 *Tadhkirat al-Ḥuffāz*, 2/712.

Al-Khaṭīb al-Baghdādī states:

له في أصول الفقه وفروعه كتب كثيرة واختيار من أقاويل الفقهاء وتفرد بمسائل
حفظت عنه

He authored many books regarding the fundamentals of fiqh and its subsidiaries and a selection of the views of jurists. He had some isolated views, which I memorised from him.¹

¹ *Tārīkh Baghdād*, 2/162.

Factors Leading to Extinction

In a concise statement, al-Suyūṭī has attributed the extinction of the ancient Sunnī Fiqhī Madhhabs, excluding the four, to the following:

- ▶ Demise of the scholars affiliated to these Madhhabs without being replaced by someone equal to them or someone that would carry the Madhhab from them.
- ▶ Lack of determination in guarding the Madhhab by teaching and referencing it.

Actually, these two factors are common in all the extinct Madhhabs except the School of Ja'far al-Ṣādiq which was enveloped, together with these two factors, by other factors too.

The Madhhab of Imām al-Awzā'ī spread in Syria and Spain, and then it weakened in Syria against the Shāfi'ī Madhhab that spread there through the intense effort of Imām Shāfi'ī's followers. Similarly, it weakened against the Mālikī Madhhab which was transferred to Spain by his followers. Thus, the only remains of Imām Awzā'ī's Madhhab presently, are the transmissions and views scattered in various books.

Here is Imām Sufyān al-Thawrī (d. 161 AH). He is among the Mujtahid Imāms. He had no supporters for his Madhhab. Thus, it breathed its last early, and it had no resilience or continuity.

There is Imām al-Layth ibn Sa'd (d. 175 AH). He was the jurist and the most prominent Imām of Egypt. His followers destroyed his Madhhab due to lack of enthusiasm in spreading it. Imām Shāfi'ī indicated to this reality by saying:

الليث أفقه من مالك إلا أن أصحابه لم يقوموا به

Al-Layth was more knowledgeable than Mālik; however, his followers did not hold on to him.¹

Meaning they destroyed his Fiqh.

¹ *Siyar A'lām al-Nubalā'*, 8/156.

Hence, presently, one would only find some Fiqhī views of al-Awzā'ī, al-Layth ibn Sa'd, Ishāq ibn Rāhawayh, and Sufyān al-Thawrī, scattered in books without it being collectively recorded by a school.

As for Ja'far al-Ṣādiq, he experienced certain factors that led to the extinction of his Madhhab which other Madhhabs, most likely, did not experience. We will summarise some of those main factors.

Factors that led to the extinction of the Ja'farī School

1. Excessive lies attributed to the Ahl al-Bayt

Ja'far al-Ṣādiq was born in Madīnah and he resided there throughout his life. He did not enter Irāq, according to one version,¹ except at the end of his life when Abu Ja'far al-Manṣūr summoned him. Thereafter he returned to Madīnah where he eventually passed away.

Regarding this, Dr Zuhayr Ghazzāwī² states:

عاش الإمام حياة بالغة الغني والتنوع رغم استقراره في المدينة المنورة لم ييارحها
إلا رحلات قصيرة إلى العراق ويبق أبرز ما أثر عنها مواجهاته مع أبي جعفر المنصور
ثاني خلفاء بني عباس

The Imām lived a very content and diverse life, despite remaining in al-Madīnah al-Munawwarah. He did not leave Madīnah except for a few short trips to Iraq. The most prominent impact of these trips remains his confrontation with Abū Ja'far Al-Manṣūr, the second Abbāsīd khalīfah.³

Narrations are contradictory pertaining to the place of this meeting. Some

1 This is because the chain of all the narrations pertaining to his summoning to Baghdād or confronting Abū Ḥanīfah in the presence of al-Manṣūr, are unauthentic, according to the sciences of Ḥadīth, be it from the Ahl al-Sunnah or the Imāmiyyah. The view of Āyat Allāh Muḥammad Āṣif Muḥsinī regarding this will come in due course.

2 Zuhayr Ghazzāwī: He is a Palestinian Shī'ī author and writer of story books. He was born in Haifa in 1941 CE. He holds a doctorate in education and is a member of the Story and Novel Association. He authored many books. Some of them are:

1. *Al-Imām Ja'far ibn Muḥammad al-Ṣādiq bayn al-Ḥaqīqah wa al-Nafī*.
2. *Al-Imām Mūsā ibn Ja'far al-Kāzīm Madrasat Ahl al-Bayt fī Marḥalat al-Iktimāl*.
3. *Al-Imām Ja'far ibn Muḥammad al-Ṣādiq bayn al-Ḥaqīqah wa al-Nafī*, pg. 26-27.

mention Madīnah while others mention al-Ḥīrah,¹ which is close to Kūfah.

For a long time, I have searched the Sunnī and the old translated Imāmī books of Ja‘far, and I did not come across any evidence, not even a weak one that proves Ja‘far’s residence in Kūfah to teach and spread his school. Throughout his life, as mentioned previously, he lived in Madīnah. He passed away there and his grave is popular in *al-Baqī* (graveyard of Madīnah).²

1 Ibn ‘Adī states in *al-Kāmil fī al-Ḍu‘afā’*, 2/358:

حدثنا ابن سعيد أي ابن عقدة حدثنا جعفر بن محمد بن حسين بن حازم قال حدثنا إبراهيم بن محمد الرماني أبو نجیح قال سمعت حسن بن زياد قال سمعت أبا حنيفة وسئل من أفتقه من رأيت فقال ما رأيت أحدا أفتقه من جعفر بن محمد لما أقدمه المنصور الحيرة بعث إلي ...

Ibn Sa‘īd, i.e. Ibn ‘Uqdah, narrated to us from Ja‘far ibn Muḥammad ibn Ḥusayn ibn Ḥāzīm, who said that Ibrāhīm ibn Muḥammad al-Rumānī Abū Najīḥ said that I heard Ḥasan ibn Ziyād saying that he heard Abū Ḥanīfah saying (when he was asked as to who is the most knowledgeable person that you have seen), “I have not seen anyone more knowledgeable than Ja‘far ibn Muḥammad. When al-Manṣūr summoned him at Hīrah, he called me...”

The chain of this narration is very weak. It contains unknown men. They are:

Ja‘far ibn Muḥammad ibn Ḥusayn ibn Ḥāzīm and Ibrāhīm ibn Muḥammad al-Rumānī. Similarly Ibn ‘Uqdah narrates it isolated and his religious inclinations correspond to it.

Al-Ḥīrah was a city situated 3 miles from Kūfah, in a region known as Najaf. (*Muḥjam al-Buldān*, 2/328.)

2 Ja‘far al-Ṣādiq is buried with his father and grandparents in al-Baqī. His grave is with his grandfather, al-Ḥasan ibn ‘Alī’s grave. ‘Allāmah Abū Ḥāmid al-Ghazālī (d. 505 AH) states in *al-Iḥyā’*, 1/260:

ويستحب أن يخرج كل يوم إلى البقيع بعد السلام على رسول الله ويزور قبر عثمان وقبر الحسن بن علي وفيه أيضا قبر علي بن الحسين ومحمد بن علي وجعفر بن محمد

It is recommended that every day, a person should go to al-Baqī after greeting the Prophet ﷺ and visit the graves of ‘Uthmān and al-Ḥasan ibn ‘Alī. The graves of ‘Alī ibn al-Ḥusayn, Muḥammad ibn ‘Alī, and Ja‘far ibn Muḥammad are also there.

Testament to this statement of al-Ghazālī is that the grave of Ja‘far is popular and visited. Thus, one should greet him and supplicate for his forgiveness, mercy and pleasure of Allah ﷻ. May Allah ﷻ be pleased with Ja‘far and have mercy on him.

Al-Mas‘ūdī (d. 346 AH) has indicated to the location of their graves with their grandmother, Fāṭimah ﷺ in *Murūj al-Dhahab*, 3/285, by stating:

وعلي قبورهم في هذا الموضع من البقيع رخامة عليها مكتوب بسم الله الرحمن الرحيم الحمد لله مبيد الأمم ومحيي الرمم هذا قبر فاطمة بنت رسول الله سيدة نساء العالمين وقبر الحسن بن علي بن أبي طالب وعلي بن الحسين بن علي بن أبي طالب ومحمد بن علي وجعفر بن محمد

continued...

I have not come across any narration (in my knowledge) that mentions Ja‘far al-Şādiq’s entry into Kūfah when Abū Ja‘far al-Manşūr summoned him, except the narration of Abū al-Faraj al-Aşbahānī (d. 356 AH) in *Maqātil al-Ṭālibiyyīn* through his chain of narrators,¹ from Ja‘far al-Şādiq who states:

لما قتل إبراهيم بن عبد الله بن الحسن بباخمرى حسرنا عن المدينة ولم يترك فيها منا محتلم حتى قدمنا الكوفة فمكثنا فيها شهرا نتوقع فيها القتل ثم خرج إلينا الربيع الحاجب فقال أين هؤلاء العلوية أدخلوا علي أمير المؤمنين رجلين منكم من ذوي الحجى قال فدخلنا إليه أنا والحسن بن زيد فلما صرت بين يديه قال لي أنت الذي تعلم الغيب قلت لا يعلم الغيب إلا الله قال أنت الذي يجيبى إليك هذا الخراج قلت إليك يجيبى يا أمير المؤمنين الخراج قال أتدرون لم دعوتكم قلت لا قال أردت أن

There is a marble placed on their graves in al-Baqī, with the following inscription:

In the name of Allah, the Most Gracious, the Most Merciful. All praise is for Allah, destroyer of nations and reviver of ruins. This is the grave of Fāṭimah, the daughter of the Prophet ﷺ and the leader of the women of the universe, and the graves of al-Ḥasan ibn ‘Alī ibn Abī Ṭālib, ‘Alī ibn al-Ḥusayn ibn ‘Alī ibn Abī Ṭālib, Muḥammad ibn ‘Alī, and Ja‘far ibn Muḥammad.

1 Abū al-Faraj states:

حدثنا علي بن الحسين قال حدثني الحسين بن علي السلولي قال حدثنا أحمد بن زيد قال حدثنا عمي أبو معمر سعيد بن خثيم (في المطبوع خثيم وهو خطأ) قال حدثني يونس بن أبي يعقوب قال حدثنا جعفر بن محمد من فيه إلى أذني، ثم ذكره ‘Alī ibn al-Ḥusayn narrated to us, who says that al-Ḥusayn ibn ‘Alī al-Salūlī narrated to me and said that Aḥmad ibn Zayd narrated to us, who says that my uncle Abū Ma‘mar Sa‘īd ibn Khuthaym (printed as Khaytham which is an error) narrated to us, who says that Yūnus ibn Abī Ya‘qūb narrated to me, who states that Ja‘far ibn Muḥammad narrated to me, from his mouth to my ear. He then mentions the narration.

The chain of this narration is very weak. This chain contains the following narrators:

Aḥmad ibn Zayd: As mentioned in the original print, however it is a misprint of Aḥmad ibn Rushd (or Rāshid) ibn Khuthaym al-Hilālī. Scholars have mentioned a Ḥadīth which he fabricated out of ignorance. (Refer to *Lisān al-Mīzān*, 1/459.)

Al-Ḥusayn ibn ‘Alī al-Salūlī: His condition is unknown.

Sa‘īd ibn Khuthaym al-Hilālī: Scholars have differed regarding him. Ibn Ma‘īn regards him to be reliable. Al-Azdī states that his ahādīth are *Munkar* (contradictory). Ibn ‘Adī states in *al-Kāmil fī al-Ḍu‘afā’*, 4/468:

أحاديث ليست بمحفوظة من رواية أحمد بن رشد عنه وسعيد بن خثيم عم أحمد بن رشد

Those ahādīth are not preserved which Aḥmad ibn Rushd narrates from him. Sa‘īd ibn Khuthaym is the uncle of Aḥmad ibn Rushd.

أهدم رباعكم وأروع قلوبكم وأعقر نخلكم وأترككم بالسراة لا يقربكم أحد من أهل الحجاز وأهل العراق فإنهم لكم مفسدة فقلت له يا أمير المؤمنين إن سليمان أعطي فشكر وإن أيوب ابتلي فصبر وإن يوسف ظلم فغفر وأنت من ذلك النسل قال فتبسم وقال أعد علي فأعدت فقال مثلك فليكن زعيم القوم وقد عفوت عنكم ووهبت لكم جرم أهل البصرة حدثني الحديث الذي حدثتني عن أبيك عن آبائه عن رسول الله قلت حدثني أبي عن آبائه عن علي عن رسول الله صلة الرحم تعمر الديار وتطيل الأعمار وإن كانوا كفارا فقال ليس هذا فقلت حدثني أبي عن آبائه عن علي عن رسول الله قال الأرحام معلقة بالعرش تنادي اللهم صل من وصلني واقطع من قطعني قال ليس هذا فقلت حدثني أبي عن آبائه عن علي عن رسول الله أن الله يقول أنا الرحمن خلقت الرحم وشققت لها اسما من اسمي فمن وصلها وصلته ومن قطعها بتتهه قال ليس هذا الحديث قلت حدثني أبي عن آبائه عن علي عن رسول الله صلى الله عليه وآله أن ملكا من الملوك في الأرض كان بقي من عمره ثلاث سنين فوصل رحمه فجعلها الله ثلاثين سنة فقال هذا الحديث أردت أي البلاد أحب إليك فوالله لأصلن رحمي إليكم قلنا المدينة فسرحننا إلي المدينة وكفي الله مؤنته

When Ibrāhīm ibn ‘Abd Allāh ibn al-Ḥasan was killed in Bākhmarā,¹ we were barred from Madīnah. There was no adult left in Madīnah. We came to Kūfah and stayed there for a month anticipating war. Then al-Rabī, the janitor, came to us and said, “Where are these ‘Alawīs? Send two intelligent people from amongst you to Amīr al-Mu’minīn.”

He (Ja’far) states, “Myself and al-Ḥasan ibn Zayd went to him. When I came in front of him, he asked, “Are you the one who knows the unseen?”

I replied, “No one knows about the unseen except Allah.”

He asked, “Are you the person for who these land taxes are collected?”

I replied, “The taxes are collected for you, O Amīr al-Mu’minīn.”

He asked, “Do you know why I summoned you?”

I replied, “No.”

1 Bākhmarā is a place situated between Kūfah and Wāsiṭ, closer to Kūfah. Al-Ṭabarī states in *Tārīkh*, 7/645, that it is at a distance of 16 Farsakh from Kūfah, which is approximately 80 km.

He said, “I intend destroying your dwellings, frightening your hearts, uprooting your palm trees, and leave you in Sarāt, where none of the people of Ḥijaz or Irāq can be close to you as they will spoil you”

I said to him, “O Amīr al-Mu’minīn, Sulaymān عَلَيْهِ السَّلَامُ was bestowed so he was grateful, Ayyūb عَلَيْهِ السَّلَامُ was tested then he was patient, Yūsuf عَلَيْهِ السَّلَامُ was oppressed and he forgave and you are from the same progeny.”

He smiled and said, “Repeat for me.”

So I repeated it. Thereafter he said, “Someone of your calibre should be the leader of the people. I have forgiven you and I grant you the date harvests of the people of Baṣrah as a gift. Narrate a ḥadīth to me which you narrate from your father, who narrates from his forefathers, who narrate from the Prophet صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ.”

I said, “My father narrated to me, from his forefathers, who narrated from ‘Alī رَضِيَ اللهُ عَنْهُ, who narrates from the Prophet صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ who said, “Joining kinship populates homes and prolongs lives even if they are disbelievers.”

He said, “Not this one.”

Then I said, “My father narrated to me, from his forefathers, who narrated from ‘Alī رَضِيَ اللهُ عَنْهُ, who narrates from the Prophet صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ who said, “Kingship is attached to the Throne of Allah proclaiming, ‘O Allah, join who joins me and cut off those who cut me off.’”

He said, “Not this one.”

Then I said, “My father narrated to me, from his forefathers, who narrated from ‘Alī رَضِيَ اللهُ عَنْهُ, who narrates from the Prophet صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ that Allah says, “I am the most gracious. I created kinship and derived a name for it from my name. Thus, whoever joins it, I will join him and whoever cuts it off, I will cut him off.”

He said, “Not this ḥadīth.”

I said, “My father narrated to me from his forefathers, who narrate from ‘Alī رَضِيَ اللهُ عَنْهُ, who narrates from the Prophet صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ that one of the kings of this world had three years of his life remaining. He joined kinship; as a result, Allah شَبَّحَهُ وَوَعَّالٌ increased it to 30 years.”

Thereafter he said, “This is the ḥadīth I intended. Which place is most beloved to you? By Allah, I will definitely join kinship with you.”

We replied, “Madīnah.”

He then sent us to Madīnah. Allah Ta‘ālā was sufficient for him.¹

This narration—despite being very weak—states that Ja‘far al-Ṣādiq did not stay in Kūfah longer than a month and that also in fear and anxiety. In fact, the manner of his summoning along with the other ‘Alawīs, confirms that he was arrested with them and he did not arrive in Kūfah willingly, let alone assuming that such difficult circumstances which befell upon them and compelled them to go to Irāq forcibly, would enable Ja‘far al-Ṣādiq to sit for teaching and narrating Ḥadīth to the people or welcoming his followers and the elite in a special gathering. Hence, this narration mentions that when he was given the choice as to which place he desired to reside in, he chose to return to Madīnah² and not to remain in Iraq.

However; the narration of al-Zubayr ibn Bakkār (d. 256 AH), which he narrates through his chain³ from al-Rabī, the janitor of Abū Ja‘far al-Manṣūr, confirms that this summons was in Madīnah. This can only be possible if we assume that there were two summonses. One was in Madīnah, due to the slandering of some malicious people and another after the martyrdom of Ibrāhīm ibn ‘Abd Allāh ibn al-Ḥasan.

Al-Rabī states:

قدم المنصور المدينة فأتاه قوم فوشوا بجعفر بن محمد وقالوا إنه لا يرى الصلاة خلفك ويتقصك ولا يرى التسليم عليك فقال لهم وكيف أقف علي صدق ما تقولون قالوا تمضي ثلاث ليال فلا يصير إليك مسلما قال إن في ذلك لدليلا فلما

1 *Maqātil al-Ṭālibiyyīn*, pg. 300-301.

2 There is another important consideration which persuaded Ja‘far al-Ṣādiq to make this choice, and that is, that Madīnah is the land of his Prophet ﷺ and forefathers, and the Prophet ﷺ granted virtue to the land, Masjid, and al-Baqī (graveyard).

3 Al-Zubayr states:

حدثني علي بن صالح قال سمعت الفضل بن الربيع يحدث عن أبيه الربيع فذكر الحديث

‘Alī ibn Ṣāliḥ narrated to me from ‘Amir ibn Ṣāliḥ who says that I heard al-Faḍl ibn al-Rabī narrating from his father, al-Rabī, then he mentions the report.

كان في اليوم الرابع قال يا ربيع ايتني بجعفر بن محمد فقتلني الله إن لم أقتله قال الربيع فأخذني ما قدم وما حدث فدافعت بإحضاره يومي ذلك فلما كان من غد قال يا ربيع أمرتك بإحضار جعفر بن محمد فوريت عن ذلك آتني به فقتلني الله إن لم أقتله وقتلني الله إن لم أبدأ بك إن أنت لم تأتني به قال الربيع فمضيت إلي أبي عبد الله فوافيته يصلي إلى جنب أسطوانة التوبة فقلت يا أبا عبد الله أجب أمير المؤمنين لتي لا شوى لها فاوز في صلاته وتشهد وسلم وأخذ نعله ومضى معي وجعل يهمس بشيء أفهمم بعضه وبعضا لم أفهم فلما أدخلته علي أبي جعفر سلم عليه بالخلافة فلم يرد له وقال يا مرثي يا مارق متتك نفسك مكاني فوريت علي ولم تر الصلاة خلفي والتسليم علي فلما فرغ من كلامه رفع جعفر رأسه إليه فقال يا أمير المؤمنين إن داود النبي أعطي فشكر وإن أيوب ابتلي فصبر وإن يوسف ظلم فغفر وهؤلاء صلوات الله عليهم أنبياءه وصفوته من خلقه وأمير المؤمنين من أهل بيت النبوة وإليهم يؤول نسبه واحق من أخذ بأداب الأنبياء من جعل الله له مثل حظك يا أمير المؤمنين يقول الله جل ثناؤه يَا أَيُّهَا الَّذِينَ آمَنُوا إِن جَاءكُمْ فَاسِقٌ بِنَبَأٍ فَتَبَيَّنُوا أَن تُصِيبُوا قَوْمًا بِجَهَالَةٍ فَتُصْبِحُوا عَلَىٰ مَا فَعَلْتُمْ نَادِمِينَ (الحجرات: ٦) فتبنت يا أمير المؤمنين يصح لك اليقين قال فسري عن أبي جعفر وزال الغضب عنه وقال أنا أشهد أبا عبد الله أنك صادق وأخذ بيده وفرعه وقال أنت أخي وابن عمي وأجلسه معه على السرير وقال سلني حاجتك صغيرها وكبيرها قال يا أمير المؤمنين قد أذهلني ما كان من لقاءك وكلامك عن حاجاتي ولكني أفكر وأجمع حوائجي إن شاء الله

Al-Mansūr came to Madīnah; some people came to him and slandered Ja'far ibn Muḥammad stating that he does not permit Ṣalāh behind you, detracts from you and does not recognise submission to you.

He said to them, “How do I discover the truth of your statement?”

They replied, “Wait for three days. He will not come to you in submission.”

He said, “Definitely there would be evidence in this.”

On the fourth day, al-Mansūr said, “O Rabī, bring Ja'far ibn Muḥammad to me. May Allah سُبْحَانَهُ وَتَعَالَىٰ destroy me if I do not kill him.”

Al-Rabī states, “What happened and what was happening overwhelmed me. On that day, I defended him from being summoned.”

The next day he said to me, “O Rabī, I instructed you to summon Ja‘far ibn Muḥammad and you hid away from it. Bring him to me. May Allah ﷻ destroy me if I do not kill him and may I be destroyed if I do not begin with you, if you do not bring him.”

Al-Rabī further states, “So, I went to Abū ‘Abd Allāh and found him performing Ṣalāh by the pillar of repentance.¹”

I said to him, “O Abū ‘Abd Allāh, come to the Amīr al-Mu‘minīn for a gruelling matter.”²

He curtailed his Ṣalāh, sat in Tashahhud,³ and completed his Ṣalāh. Thereafter he took his shoes and proceeded with me. He kept whispering something, part of which I understood and part of it I did not. When I presented him in the presence of Abū Ja‘far, he greeted him with the greeting of the Khilāfah, to which Ja‘far al-Ṣādiq did not reply.

Al-Manṣūr declared, “O hypocrite, O rogue, your ego made you conceited so you eluded me. You do not permit performing Ṣalāh behind me and submitting to me?”

When he completed speaking, Ja‘far raised his head towards him and said, “O Amīr al-Mu‘minīn, verily the Prophet Dāwūd ﷺ was bestowed so he was grateful, Ayyub ﷺ was tested and he persevered and Yūsuf ﷺ was oppressed and he forgave. These are the prophets of Allah ﷻ and His choicest creation. The Amīr al-Mu‘minīn is from the household of the prophets and he is attributed to them. The most worthy of adopting the attributes of the prophets are those whom Allah ﷻ has favoured like you, O Amīr al-Mu‘minīn. Allah ﷻ states in the Qur’ān:

*O you, who have believed, if there comes to you a disobedient one with information, investigate, lest you harm a people out of ignorance and become, over what you have done, regretful.*⁴

O Amīr al-Mu‘minīn, investigate and you will attain true conviction.”

1 It is the pillar where Abū Lubābah tied himself, hence, the name ‘Pillar of Repentance’. The Prophet ﷺ used to perform most of his optional prayers by this pillar.

2 Al-Shawā refers to an easy matter.

3 Tashahhud: The sitting posture before the completion of Ṣalāh.

4 Surah al-Ḥujurāt: 6

This pleased Abū Ja‘far and his anger subsided. Then he said, “I give testimony O Abū ‘Abd Allāh, that you are correct.”

Al-Manṣūr held his hands, raised them and said, “You are my brother and cousin.”

Thereafter he made him sit on the throne and said, “Ask whatever you need, small or big.”

Ja‘far al-Ṣādiq replied, “O Amīr al-Mu‘minīn, meeting you and speaking to you has distracted me from my needs. However, I will ponder and gather my need, if Allah سُبْحَانَهُ وَتَعَالَى wills.”¹

Whether the summons was in Madīnah in 140 AH; when Abū Ja‘far al-Manṣūr performed Ḥajj, then went to Madīnah, Bayt al-Muqaddas, and then al-Ḥīrah in Iraq,² or whether it was in Iraq for a period of one month, the matter is nothing more than a spontaneous occurrence, through which neither any doctrine can be established nor any school be founded.

This is besides what we have mentioned previously that there is not a single piece of historical evidence regarding Ja‘far al-Ṣādiq’s residence outside his hometown, i.e. Madīnah. However, an observer in the narrative and Fiqhī legacy of the Imāmiyyah will be surprised to see that all the narrators of this school, who are considered to be reliable according to them and narrate excessively, who are the basis of this school,³ are from Kūfah, Iraq.

It is a matter that baffles the mind and thought, and creates doubt in the heart about the credibility of this great narrative legacy which is transmitted from Ja‘far al-Ṣādiq.⁴

1 *Al-Akhbār al-Muwaffiqiyyāt*, pg. 134-136, research, Sāmī Makkī al-‘Ānī, ‘Ālam al-Kutub 2nd edition, 1416 AH.

2 *Tārīkh al-Ṭabarī*, 8/37; *al-Bidāyah wa al-Nihāyah*, 13/334.

3 Take note that I did not say ‘all the schools’ narrators. I mentioned those on whom the school is dependent on, not those who narrate one or two narrations.

4 Particularly when there is no evidence stating that these narrators resided in Madīnah in order to learn and study. They only resided in Kūfah. Then how is it possible to transmit and narrate such a large number of narrations that contradict the nature of things?

continued....

They have mentioned that the number of narrators that narrate from Ja‘far al-Ṣādiq individually, reach close to 4000.¹ Al-Ḥāfiẓ Ibn ‘Uqdah (d. 333 AH) has mentioned them in his book regarding narrators that narrate from Ja‘far al-Ṣādiq. Shaykh al-Ṭā’ifah al-Ṭūsī enumerated them and their number reaches to more than three thousand (3050). Similarly, al-Shabastarī—from the contemporaries—enumerated them and reached the number of 3759.

It is noticeable that most of those from this large number of narrators are from Kūfah.

Those who are specified to be from Kūfah are more than 1800, whilst narrators from Madīnah are about 150 only.²

One of the narrations in this regard is what al-Najāshī (d. 450 AH) mentioned in his book *Rijāl*, that al-Ḥasan ibn ‘Alī ibn Ziyād al-Washshā’ —who is one of the companions of al-Ridā—used to say:

أدرکت فی هذا المسجد (الکوفة) تسعمائة شیخ کل یقول حدثنی جعفر بن محمد

I found 900 scholars in this masjid (in Kūfah), all of them used to say, “Ja‘far ibn Muḥammad narrated to me.”³

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We know that those who narrate excessively and are associated to the class of a certain scholar or Muḥaddith, are generally from his town (people of the town) or they travelled and stayed in his company to acquire from him. Critics have always scrutinized transmissions when there is a difference in the towns of narrators and their teachers and regard it as lack of competence of the narrator.

1 Al-Mufid states in *al-Irshād*, 2/179:

ونقل الناس عنه من العلوم ما سارت به الركبان وانتشر ذكره في البلدان ولم ينقل عن أحد من أهل بيته العلماء ما نقل عنه ولا لقي أحد منهم من أهل الآثار ونقله الأخبار ولا نقلوا عنهم كما نقلوا عن أبي عبد الله فإن أصحاب الحديث قد جمعوا أسماء الرواة عنه من الثقات على اختلافهم في الآراء والمقالات فكانوا أربعة آلاف رجل

People transmitted so much knowledge from him that his fame spread far and wide. His name became well known in all regions. Scholars did not transmit from any of his household as much as they transmitted from him. None of the writers and narrators met and transmitted from any of the Ahl al-Bayt as they narrated from Abū ‘Abd Allāh. Experts of Hadīth compiled the names of authentic narrators that transmit from him, despite their differences in opinion and statements; they reached up to 4000 men.

2 Article of Yaḥyā Muḥammad, *Ḥadīth according to the Shī‘ah- its historical development, objections and situations*, published in the *Majallat Nuṣūṣ Mu‘āṣirah* (Journal of Contemporary Texts).

3 *Rijāl al-Najāshī*, pg. 40.

From this the legitimacy of Imām Abū Ṭālib al-Hārūnī's¹, the spokesman of truth, statement becomes evident wherein he states:

إن كثيرا من أسانيد الاثني عشرية مبنية على أسام لا مسمي لها من الرجال قال وقد
عرفت من رواتهم المكثرين من كان يستحل وضع الأسانيد للأخبار المنقطعة إذا
وقعت إليه وحكي عن بعضهم أنه كان يجمع روايات بزجرهم وينسبها إلي الأئمة
بأسانيد يضعها فليل له في ذلك فقال ألحق الحكمة بأهلها

Many of the Ithnā ‘Asharī chains are based on names that have no men to it. I know many of their narrators that consider it permissible to fabricate chains for sporadic incidents that occur. It is narrated from some of them that they would gather transmissions of Bozorgmehr² and attribute it to the Imāms through fabricated chains. When he was questioned about it, he said, “I am attaching wisdom to its people.”³

Al-Kashshī—he is one of the early Imāmī scholars—has quoted from Yaḥyā ibn ‘Abd al-Ḥamīd al-Ḥammānī who says:

قلت لشريك إن أقواما يزعمون أن جعفر بن محمد ضعيف الحديث فقال أخبرك
القصة كان جعفر بن محمد رجلا صالحا مسلما ورعا فاكتنفه قوم جهال يدخلون
عليه ويخرجون من عنده ويقولون حدثنا جعفر بن محمد ويحدثون بأحاديث كلها
منكرات كذب موضوعة على جعفر ليستأكلوا الناس بذلك ويأخذوا منهم الدراهم
كانوا يأتون من ذلك بكل منكر فسمعت العوام بذلك فمنهم من هلك ومنهم من
أنكر

I told Sharīk⁴ that people claim that Ja‘far ibn Muḥammad is weak in Ḥadīth, so he said, “I will tell you the story. Ja‘far ibn Muḥammad was a righteous

1 He is Yaḥyā ibn al-Ḥusayn ibn Hārūn ibn al-Ḥusayn ibn Muḥammad ibn Hārūn ibn Muḥammad ibn al-Qāsim ibn al-Ḥasan ibn Zayd ibn al-Ḥasan ibn ‘Alī ibn Abī Ṭālib. One of the senior scholars of the Zaydīs. He was born in Āmal Ṭabaristān. Allegiance to Imāmāh was taken for him in Daylam. He passed away when he was over 80 years old. (*A lām al-Muallifīn al-Zaydiyyah*, pg. 1121.)

2 Bozorgmehr ibn al-Bakhtkān was a minister of Anūshīrwān. He was a wise scholar. Lots of wisdom and proverbs are attributed to him. His name is mentioned in some important works of Persian literature, particularly in *al-Shāhnāmāh*.

3 Nashwān al-Ḥamīrī: *al-Ḥurr al-‘Ayn*, pg. 307, 2nd edition, Dār Āzāl, Beirut.

4 Sharīk ibn ‘Abd Allāh al-Nakhaī al-Kūfī, was initially the judge of Wāsiṭ and then Kūfah. He was amongst the early [political] Shī‘ah.

and pious Muslim man, but ignorant people surrounded him. They would come to him and then go to the people and say that Ja'far ibn Muḥammad narrated to us. They would narrate reprehensible reports which were lies and fabricated upon Ja'far, to eat from the people and take their Dirhams (money). In this manner, they would bring all evil. The masses would hear it. Subsequently some would perish while others would reject it.¹

Ja'far al-Ṣādiq would complain about excessive lies against him. He would say:

إنا أهل بيت لا يزال الشيطان يدخل فينا من ليس منا ولا من أهل ديننا فإذا رفعه ونظر إليه الناس أمره الشيطان فيكذب علينا وكلما ذهب واحد جاء آخر

We, the Ahl al-Bayt are such that Shayṭān always sends people to us who are neither from amongst us nor from our dīn. When he gets elevated and people start noticing him, Shayṭān instructs him to lie upon us. Whenever one goes, another one comes.²

He would also say:

إن الناس أولعوا بالكذب علينا إن الله افترض عليهم لا يريد منهم غيره وإني أحدث أحدهم بالحديث فلا يخرج من عندي حتى يتأوله علي غير تأويله وذلك أنهم لا يطلبون بحديثنا وبحبنا ما عند الله وإنما يطلبون به الدنيا وكل يحب أن يدعي رأسا

Verily, people have started lying against us. Allah ﷻ has only obliged them to convey and nothing else.³ I narrate a Ḥadīth to someone, and as soon as they leave from me, they misinterpret it. This is so because they do not aspire through our Ḥadīth and love, that which is by Allah ﷻ. They only desire this world. Everyone likes to be called a leader.⁴

In this same context, Shaykh Ḥusayn al-Rāḍī al-ʿAbd Allāh states:

فإن كثيرا من الرواة كان يدخل علي الإمام الصادق ويسمع الحديث منه ثم يخرج ويحدث بخلاف ذلك من المعجزات وخوارق العادات أو الأمور الخرافية وهو

1 *Rijāl al-Kashshī*, 2/616.

2 *Tuḥaf al-ʿUqūl ʿan Āl al-Rasūl*, pg. 31 -311; *Biḥār al-Anwār*, 75/289; *Mustadrak al-Wasā'il*, 9/91.

3 The original text appears like this. Perhaps there is some text missing or there is an implied meaning in the original text. The intended meaning is: 'Obliged on them to convey.'

4 *Rijāl al-Kashshī*, 1/347.

ينسبها إلى الإمام فلما يسمعها الآخرون يكذبها فريق ويصدقها فريق آخر وينحرف عن المذهب فريق ثالث ان النتيجة التي استفادها الأعداء من هذه الهجمة والحرب الكفرية والإعلامية على مدرسة أهل البيت هو خلط الأوراق واختلاف الأخبار والتعارض بينها فاجبت الإرباك لكثير من الأتباع

Many of the narrators would go to Ja'far al-Ṣādiq and listen to Ḥadīth from him. Then he would come out and narrate contrary to that. He would narrate miracles, supernatural occurrences, and superstitious things while attributing it to Ja'far al-Ṣādiq. When the others would hear it, some would reject it whilst others would verify it. A third group would avert from the school. The result, which the enemies took advantage of—from this attack and the war of blasphemy and propaganda on the school of the Ahl al-Bayt—is muddling of pages, confusing transmissions, and contradictions amongst them, which generated confusion amongst the followers.¹

However, Ja'far al-Ṣādiq—as reported by the Imāmiyyah—did not provide a decisive solution for the problem, as much as he contributed in its continuation and plunging the followers in another problem.

Abū Ja'far al-Ṣaffār (d. 290 AH) —one of the followers of al-Ḥasan al-'Askarī—narrates from Sufyān ibn al-Samaṭ who states:

قلت لأبي عبد الله جعلت فداك يأتينا الرجل من قبلكم يعرف بالكذب فيحدث بالحديث فنستبشعه فقال أبو عبد الله يقول لك إنني قلت الليل أنه نهار والنهار أنه ليل قلت لا قال فإن قال لك هذا أني قلته فلا تكذب به فإنك إنما تكذبني

I told Abū 'Abd Allāh, “May I be sacrificed for you. Sometimes a person comes from you and narrates ḥadīth and we dislike it.”

Abū 'Abd Allāh asked, “Does he claim that I said that day is night and night is day?”

I replied, “No.”

He then said, “If this person says to you that that I have said this, then too, do not falsify him, as this (falsifying him) would be falsifying me.”²

1 *Al-Mu'amarah l-Kubrā 'alā Madrasat Ahl al-Bayt*, pg. 9-10.

2 *Mukhtaṣar Baṣā'ir al-Darajāt*, pg. 77; *Bihār al-Anwār*, 2/211.

Ja'far al-Ṣādiq does not suffice—according to the Imāmī narrations—on justifying these disgusting narrations; rather, he laid the foundations for it by saying:

إن حديثنا صعب مستصعب شريف كريم ذكوان ذكي وعر لا يحتمله ملك مقرب
ولا نبي مرسل ولا مؤمن ممتحن

Indeed, our Aḥādīth are difficult, complex, honourable, noble, astute, intelligent¹ and rugged.

No close angel, sent prophet, or a tested believer can bear them.²

Al-Majlisī has reported one these narrations in *Biḥār al-Anwār*, pg. 16, in a chapter which he titled:

باب: أن حديثهم صعب مستصعب وأن كلامهم ذو وجوه كثيرة وفضيلة التدبر في
أخبارهم والتسليم لهم والنهي عن رد أخبارهم

Chapter with regards to their Ḥadīth being difficult and complex, and that their speech has many dimensions to it, and the virtue of pondering in their transmissions and submitting to them, and prohibition of refuting their transmissions.³

One can see that the narrations of Ja'far al-Ṣādiq have become, according to those who follow it, similar to the narrations of the People of the Book (Israelite narrations) which can neither be rejected on the assumption that it would lead to rejecting Ja'far al-Ṣādiq, nor can it be verified, due to its hideousness and the fear that it could be lies attributed to Ja'far. However, from the narrations—specifically the above mentioned narration pertaining to considering day as night and vice versa—it can be assumed that these narrations give a stamp of approval for accepting lies, no matter how clear they may be, even if it reaches to the extent of considering night as day and vice versa.

1 Al-Majlisī states:

الذكاء التوقد والالتهاب أي ينور الخلق دائما

Dhakā' means, burning and inflammation, i.e. something that always enlightens a person.

2 *Baṣā'ir al-Darajāt*, pg. 42; *Biḥār al-Anwār*, 2/191.

3 *Biḥār al-Anwār*, 2/192, and thereafter.

It can be said that this is just an over exaggeration in exemplification; however, Sharī'ah does not approve of impossibilities that are contrary to reason and are senseless. It is possible that the Sharī'ah instructs towards something which is difficult to comprehend or understand the wisdom behind it. Perhaps this meaning can be understood from the second narration (our Ḥadīth are difficult and complex). There is a clear difference in the mind between difficult and impossible, and between ambiguous and senseless. A Prophet is not permitted to contradict the truth and he does not inform of what the intellect regards as impossible and denies it, rather he informs of that which the intellect is incapable of comprehending. Thus, he informs of the mazes of the mind and not the impossibilities of the mind.¹

Hence, such examples should not be introduced in the Sharī'ah which leaves the door wide open to accept myths, slanders, and extremist information. We will soon see the effects of this in some of the Imāmī scholar's statements when endorsing narrations of this kind, by considering it as secrets of the Imām which leaves the mind perplexed. Thus, they made, that which necessitates criticism in a narration and rejecting its narrator, a cause for endorsing it. In the light of such narrations, all criteria for differentiating between authentic and unauthentic narrations lose its value and authority. Subsequently, there remains no applicable value, in attempting to establish criterion for accepting and rejecting narrations such as presenting it to the Qur'ān, opposing the masses etc., for the different narrations from the Imāms.

Hence, the burden on the reformers of this school is heavy, indeed very heavy. It is sufficient to live and read the hurricane that the late Shī'ah scholar of reference, Sayyid Muḥammad Ḥusayn Faḍl Allāh (d. 1431 AH) faced, with regards to beliefs and history, which reached the point of doubt in his loyalty, in fact his faith too.

Doubting in narrations pertaining to the virtues of the Imāms and other narrations considered to be well known, is regarded as blasphemy, whose perpetrators are branded with Naṣb, disbelief, and apostasy, as expressed by Shaykh Ja'far al-Shākhūrī when he states:

1 *Dar' Ta'arūḍ al-'Aql wa al-Naql*, 5/296 – 297.

والمشكلة هنا أن كثيرا من البسطاء عندما يسمعون حديثا في فضل أهل البيت حتى ولو كان مرويا من طرق الغلاة والمنحرفين عن التشيع صدقوا به واتهموا من ينكره أو يشكك فيه بأنه لا يؤمن بالغيب ودخلوا في دراسة طويلة عريضة عن الإيمان بالغيب بطريقة توحى بان الآخر لا يؤمن بالغيب أصلا أو لا يرتاح إلي سماع فضائل أهل البيت وكراماتهم

The problem here is that when many of the simple people hear a ḥadīth pertaining to the virtues of the Ahl al-Bayt, even though it is narrated by extremist and deviants from the Shī'ah, they validate it and accuse those who reject or doubt it of not believing in the unseen. They start a long broad study of belief in the unseen in a way that would suggest that the other person does not believe in the unseen at all and that he is not comfortable with listening to the virtues and the miracles of the Ahl al-Bayt.¹

If we select a Fiqhī ruling such as *Mut'ah* (temporary marriage), we find that all the Islamic sects have clearly forbidden *Mut'ah* with women except the Ithnā 'Asharī Shī'ah.

The Zaydīs, who are part of the Shī'ah, narrate from the Imāms of the Ahl al-Bayt that which indicates to the forbiddance of *Mut'ah*, and they emphasise that this is the school of the Ahl al-Bayt.

It is reported in the *Musnad* of Zayd ibn 'Alī, who narrates from his father, 'Alī ibn al-Ḥusayn, from his grandfather al-Ḥusayn, who narrates from 'Alī رَضِيَ اللَّهُ عَنْهُ who says:

نهى رسول الله صلى الله عليه وسلم عن نكاح المتعة عام خيبر

The Prophet صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ prohibited from *Mut'ah* marriage in the year of (battle) of Khaybar.²

Similarly, it is reported in the same book, with the same chain from 'Alī رَضِيَ اللَّهُ عَنْهُ who said:

لا نكاح إلا بولي وشاهدين ليس بالدرهم ولا بالدرهمين ولا اليوم ولا اليومين شبه السفاح ولا شرط في نكاح

1 *Marja'iyat al-Marḥalah wa Ghubār al-Taghyīr*, pg. 148.

2 *Musnad Zayd ibn 'Alī*, pg. 304.

There is no marriage except with (the permission of) a guardian and two witnesses. Marriage can neither take place with one or two dirhams, nor for one or two days like fornication. There are no conditions in marriage.¹

In this context, Ḥāfiẓ Muḥammad ibn ‘Alī al-‘Alawī al-Kūfī (d. 445 AH) quotes in his book *al-Jāmi‘ al-Kāfi fī Fiqh al-Zaydī*,² from al-Qāsim ibn Ibrāhīm al-Rassī (d. 246 AH),³

1 Ibid.

2 This book holds a special status amongst the Fiqhī books of the Zaydīs, being the most ancient Fiqhī book which compiled majority of the fiqh of the former Imāms from the household of the Prophet ﷺ, Companions رَضِيَ اللهُ عَنْهُمْ, and their successors. ‘Allāmah Ṣārim al-Dīn al-Wazīr (d. 914 AH) states in *al-Falak al-Dawwār*, pg. 59 -60:

ومن أكثرها جمعا وأجلها نفعا كتاب الجامع الكافي المعروف بجامع آل محمد الذي صنّفه السيد الإمام أبو عبد الله محمد بن علي بن عبد الرحمن الحسيني وهو ستة مجلدات ويشتمل من الأحاديث والآثار وأقوال الصحابة والتابعين ومذاهب العترة الطاهرين على ما لم يجتمع في غيره واعتمد فيه على مذهب القاسم بن إبراهيم عالم آل محمد وأحمد بن عيسى فقيههم والحسن بن يحيى بن حسين بن زيد وهو في الشهرة بالكوفة في العترة كأبي حنيفة في فقهاؤها ومذهب محمد بن منصور علامة العراق وإمام الشيعة بالاتفاق وإنما خص صاحب الجامع ذكر مذهب هؤلاء قال لأنه رأى الزيدية بالعراق يعولون على مذاهبهم وذكر أنه جمعه من نيف وثلاثين مصنفا من مصنفات محمد بن منصور وأنه اختصر أسانيد الأحاديث مع ذكر الحجج فيما وافق وخالف

From amongst the most comprehensive and beneficial books is *al-Jāmi‘ al-Kāfi*, popularly known as *Jāmi‘ Āl Muḥammad*, which is authored by Abū ‘Abd Allāh Muḥammad ibn ‘Alī ibn ‘Abd al-Raḥmān al-Ḥasanī. It comprises of 6 volumes and contains aḥādīth, transmissions, views of the Companions رَضِيَ اللهُ عَنْهُمْ, their successors and the schools of the pure household of the Prophet ﷺ, in a manner that no other book has compiled. In it, he relied on the school of al-Qāsim ibn Ibrāhīm, the scholar of the household of the Prophet ﷺ; Aḥmad ibn ‘Isā, their jurist; al-Ḥasan ibn Yaḥyā ibn Ḥusayn ibn Zayd, whose fame in Kūfah amongst the household resembles the fame of Abū Ḥanīfah amongst their jurists and the school of Muḥammad ibn Maṣṣūr, the great scholar of Iraq and the unanimous Imām of the Shī‘ah. The author mentioned these scholar’s schools only, because he realised the Zaydīs in Iraq depend on their schools. He states that he compiled it from more than 30 books of Muḥammad ibn Maṣṣūr. He merely condensed the chains of aḥādīth and mentioned the proofs where there is conformity and differences.

3 He is Imām al-Qāsim ibn Ibrāhīm (Ṭabāṭabā) ibn Ismā‘īl ibn Ibrāhīm ibn al-Ḥasan ibn al-Ḥasan ibn ‘Alī ibn Abī Ṭālib رَضِيَ اللهُ عَنْهُ, famously known as al-Qāsim al-Rassī. He was one of the supporters of his brother Muḥammad ibn Ibrāhīm during the reign of the Abbāsīd al-Ma’mūn. After his brother passed away in Kūfah in 218 AH, al-Qāsim rose to the post of leadership in 220 AH during the era of the Abbāsīd al-Mu’taṣim. However, he could not resist the attacks of the Abbāsīd army. Subsequently he relocated to al-Rass during his final days. It is said that al-Rass is a piece of land behind Mount ‘Ir close to Dhū al-Ḥulayfah. He bought it and built the residence for himself and his offspring. He passed away in 246 AH at the age of 77. (*A‘lām al-Mu’allifīn al-Zaydiyyah*, pg. 759–760)

Aḥmad ibn ʿĪsā ibn Zayd ibn ʿAlī (d. 247 AH),¹

Jurist of Irāq al-Ḥasan ibn Yaḥyā ibn Zayd (3rd century)², and Muḥammad ibn Manṣūr al-Murādī (d. 290 AH)³ that they were asked about Mutʿah with women. Is it permissible or not? They replied:

متعة النساء منسوخة نسختها آية الموارث الربع والثلث ولا نكاح عندنا إلا بولي
وشاهدي عدل

Mutʿah with women is abrogated. The verses pertaining to inheriting quarter or one eighth abrogated this rule. According to us, there is no marriage except with a guardian and two reliable witnesses.⁴

Imām al-Hādī ilā al-Ḥaqq Yaḥyā ibn al-Ḥusayn, (d. 298 AH)⁵ states:

1 He is Aḥmad ibn ʿĪsā ibn Zayd ibn ʿAlī ibn al-Ḥusayn ibn ʿAlī ibn Abī Ṭālib رضي الله عنه. He has a dictated a book known as *ʿUlūm Āl Muḥammad*. Imām al-Manṣūr bi Allāh named it *Badāʾiʿ al-Anwār*. His book *al-Amālī* has been published with the name *Raʾb al-Ṣadʿ* in 3 parts with the research of ʿAllāmah ʿAlī ibn Ismāʿīl ibn ʿAbd Allāh al-Muʾayyid al-Ṣanʿānī and released by Dār al-Nafāʾis, Beirut, in 1410 AH. The researcher states:

إنه كصحيح البخاري عند أهل البيت النبوي الشريف وقد أخرج المؤلف فيه ٢٧٩٠ حديثاً عن الرسول وائمة أهل البيت والباقر والصادق توفي وقد جاوز الثمانين سنة ٢٤٧ هـ وقد كان حبسه الرشيد ثم أخرجه الله تعالى وبقي في البصرة إلى أن توفي

It is like *Ṣaḥīḥ al-Bukhārī* according to the Ahl al-Bayt. The author has produced 2790 aḥādīth from the Prophet صلى الله عليه وسلم, the Imāms of the Ahl al-Bayt, al-Bāqir and al-Ṣādiq. He was over 80 years of age when he passed away in 247 AH. Al-Rashīd had imprisoned him, then Allah سبحانه وتعالى granted him freedom. He remained in Baṣrah till his death. (Refer to al-Muʾayyidī: *al-Tuḥaf Sharḥ al-Zulaf*, pg. 40.)

2 I did not come across any biography for him despite the effort in researching these scholars' biography. I assume he is Abū Muḥammad al-Ḥasan ibn Yaḥyā ibn Zayd ibn al-Ḥusayn ibn Zayd ibn ʿAlī ibn Ḥusayn ibn Abī Ṭālib. This is how he is mentioned in *al-Dhurriyyah al-Ṭāhirah* of al-Dūlābī.

3 He is the Muḥaddith, Abū Jaʿfar Muḥammad ibn Manṣūr ibn Zayd al-Murādī al-Kūfī, one of the special Zaydī students of Imām al-Qāsim ibn Ibrāhīm. He was born in Kūfah and grew up there. He accompanied Imām al-Qāsim for 25 years. He performed Ḥajj more than 20 times with Imām Aḥmad ibn ʿĪsā. He passed away in the year 290 AH. (*ʿĀlām al-Muʾallifīn al-Zaydiyyah*, pg. 1000.)

4 *Al-Jāmiʿ al-Kāfī fī Fiqh al-Zaydī*, 2/423.

5 He is Imām Yaḥyā ibn al-Ḥusayn ibn al-Qāsim ibn Ibrāhīm ibn Ismāʿīl ibn Ibrāhīm ibn al-Ḥasan ibn al-Ḥasan ibn ʿAlī ibn Abī Ṭālib رضي الله عنه, nicknamed *al-Hādī ilā al-Ḥaqq* (guide to the truth).

continued ...

حدثني أبي عن أبيه أنه سئل عن نكاح المتعة فقال لا يحل نكاح المتعة لأن المتعة إنما كانت في سفر سافره النبي صلى الله عليه وعلي آله وسلم ثم حرم الله ذلك علي لسان رسول الله صل الله عليه وعلي آله وسلم وقد روي لنا عن أمير المؤمنين علي بن أبي طالب بما قد صح أن رسول الله صلى الله عليه وعلي آله وسلم نهى عنه واما من احتج بهذه الآية ممن استحل الفاحشة من الفرقة المارقة في قول الله تعالى فَمَا اسْتَمْتَعْتُمْ بِهِ مِنْهُنَّ فَآتُوهُنَّ أُجُورَهُنَّ فَرِيضَةً فَإِلِيسْتِمَاعٍ هُوَ الدخول بهن على وجه النكاح الصحيح وإيتاؤهن أجورهن فهو إعطاؤهن مهورهن إلا ما وهبن بطيب من أنفسهن والتراضي فهو التعاطي هذا الذي ذكرنا وذكر جدي رحمة الله عليه في المتعة هو الحق لا ما يأتون به ويقولون به في المتعة من شروطهم زعموا واشتراطهم مما هو خلاف الكتاب والسنة وإحلال ما حرم الرحمن وإطلاق ما أُخْطِرَ في منزل الفرقان

My father narrated to me from his father that he was asked about Mut'ah marriage, to which he replied, "Mut'ah marriage is not permissible as it was only allowed when the Prophet ﷺ was travelling. Thereafter, Allah ﷻ prohibited it through the tongue of the Prophet ﷺ. It has been authentically narrated to us from Amīr al-Mu'minīn 'Alī ibn Abī Ṭālib that the Prophet ﷺ prohibited it.

As for those who make immorality permissible from amongst the rogue sects, and use the verse 'Give those you have consummated marriage with their due dowries.'² as proof, they should understand that consummation here refers to consummating through correct marriage, and giving them their dues, refers to giving their dowries, except those who give up their dowries willingly. Mutual consent is actually an engagement. This is what we and my grandfather say regarding Mut'ah and that is the truth, not what they

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He is the founder of the Zaydī School in Yemen and is regarded as the second highest authority in the school after Zayd ibn 'Alī. He was born and grew up in al-Rass, then relocated to Yemen and fought against the Qarmatians. He passed away in Ṣa'dah. Refer to *Sīrat al-Hādī ilā al-Ḥaqq*, 'Alī ibn Muḥammad al-'Alawī's narration with the research of Suhayl al-Zakkār; *A'lām al-Mu'allifīn al-Zaydiyyah*, pg. 1103; Article titled *Yaḥyā al-Rassī — lā 'Alāqah lahū bi al-Rass—al-Qasīmiyyah* by Ḥusayn ibn 'Abd al-Raḥmān al-'Adhl, al-Riyāḍ newspaper, Friday 22 Muḥarram 1431 AH, 8 January 2010 CE, no. 15173.

2 Sūrah al-Nisā': 24.

come up with and claim regarding the conditions for Mut‘ah, not their stipulation of what is contrary to the Qur‘ān and Sunnah, permitting what Allah ﷻ has forbidden and liberating what was forbidden in the Qur‘ān.¹

‘Allāmah Sharf al-Dīn al-Sayyāghī (1221 AH)² has quoted, in his book *al-Rawḍ al-Naḍīr*, consensus of the Ahl al-Bayt on the prohibition of Mut‘ah, refuting the claim attributed to al-Bāqir and al-Ṣādiq that they permitted it. He states:

وأما الباقر وولده الصادق فنقل في الجامع الكافي عن الحسن بن يحيى بن زيد فقيه العراق انه قال أجمع آل رسول الله صلى الله عليه وسلم علي كراهية المتعة والنهي عنها وقال أيضا أجمع آل رسول الله صلى الله عليه وسلم على أنه لا نكاح إلا بولي وشاهدين وصادق بلا شرط في النكاح وقال محمد يعني ابن منصور سمعنا عن النبي صلى الله عليه وسلم وعن علي وابن عباس وأبي جعفر يعني الباقر وزيد بن علي وعبد الله بن الحسن وجعفر بن محمد أنهم قالوا لا نكاح إلا بولي وشاهدين

As for al-Bāqir and his son al-Ṣādiq, it has been quoted in *al-Jāmi‘ al-Kāfi* from al-Ḥasan ibn Yaḥyā ibn Zayd—the jurist of Iraq—that he said, “The family of the Prophet ﷺ is unanimous on the resentment and prohibition of Mut‘ah.”

He also said, “The family of the Prophet ﷺ is unanimous that there is no marriage except with a guardian, two witnesses and dowry, without any conditions in marriage.”

Muḥammad, i.e. ibn Manṣūr, states, “We heard from the Prophet ﷺ, ‘Alī, Ibn ‘Abbās, Abū Ja‘far i.e. al-Bāqir, Zayd ibn ‘Alī, ‘Abd Allāh ibn al-Ḥasan, and Ja‘far ibn Muḥammad that they said that there is no marriage except with a guardian and two witnesses.”³

Al-Sayyāghī has refuted the claim that the Prophet ﷺ did not prohibit Mut‘ah and that it was ‘Umar رَضِيَ اللهُ عَنْهُ who prohibited it, by saying:

1 *Al-Aḥkām fī al-Halāl wa al-Ḥarām*, 1/351 -353.

2 He is al-Ḥusayn ibn Aḥmad ibn al-Ḥusayn al-Sayyāghī al-Yemānī al-Ṣan‘ānī, the Muḥaddith, skilful, preserver of Ḥadīth and a Mujtahid. He was born in Ṣan‘ā and passed away there. (*Ālām al-Mu‘allifīn al-Zaydiyyah*, pg. 362.)

3 Zayd ibn ‘Alī: *al-Rawḍ al-Naḍīr Sharḥ al-Majmū‘ al-Fiqhī al-Kabīr*, 4/218.

فكان نهى عمر عن نكاح المتعة موافقا لسنة رسول الله فاخذنا به وبيين أن عمر إنما نهى عن نكاح المتعة لأنه علم نهى النبي صلى الله عليه وسلم عنه ما روي من طريق سالم بن عبد الله عن أبيه عن عمر بن الخطاب قال صعد عمر المنبر فحمد الله وأثنى عليه ثم قال ما بال رجال ينكحون هذه المتعة وقد نهى رسول الله صلى الله عليه وسلم عنها ألا أوتى بأحد نكحها إلا رجمته... وما روي عنه في الصحيح أنه قال متعتان كانتا علي عهد رسول الله صلى الله عليه وسلم أنا أنهى عنهما

الحديث معناه أنا أؤكد النهي عنهما وأبينه للناس إذ يبعد أنه أراد التشريع بخلاف ما عليه رسول الله صلى الله عليه وسلم كما لا يخف

The prohibition by ‘Umar رضي الله عنه of Mut‘ah marriage was in conformity with the Sunnah of the Prophet صلى الله عليه وسلم, thus we attest to it, and he clarifies that ‘Umar رضي الله عنه prohibited from Mut‘ah marriage because he was aware that that the Prophet صلى الله عليه وسلم prohibited it as narrated through Sālim ibn ‘Abd Allāh from his father, from ‘Umar رضي الله عنه that he ascended the pulpit, praised Allah سبحانه وتعالى and then said, “What is the matter with some men that they practice Mut‘ah marriage, whereas the Prophet صلى الله عليه وسلم prohibited it. If anyone, who gets married in this manner, is brought to me, I will stone him.”

And as narrated in *al-Ṣaḥīḥ* that he said, “There were two types of Mut‘ah during the era of the Prophet صلى الله عليه وسلم. I prohibit them.”

The meaning of the Ḥadīth is that I emphasise its prohibition and clarify it for the people as it is farfetched that he would pass any legislation of Sharī‘ah contrary to the teachings of Prophet صلى الله عليه وسلم.¹

As for the Ismāīlīs²—they are part of the Imāmī Shī‘ah who hold the view of

1 Zayd ibn ‘Alī: *al-Rawḍ al-Naḍīr Sharḥ al-Majmū‘ al-Fiqhī al-Kabīr*, 4/219.

2 Sayyid Ḥasan al-Amīn—one of the contemporary Ithnā ‘Asharī scholars—while responding to the Encyclopaedia of contemporary religions and schools, states:

وفقه الإسماعيليين الفاطميين لم يكن في يوم من الأيام حليفه الغموض ولو قرأ المشرفون على الموسوعة كتاب دعائم الإسلام للنعمان قاضي الفاطميين وهو كتاب مطبوع في مصر نفسها عام ١٣٧٠ هـ ١٩٥١ م لعلموا أن الفقه الإسماعيلي الفاطمي من الوضوح والظهور في درجة لا يزيد عليه فيها فقه آخر

The Fatimid Ismā‘īlī fiqh was never an ally of ambiguity. If the moderators of the encyclopaedia read the book *Da‘ā‘im al-Islām* of al-Nu‘mān, the Fatimid judge—it is a book that was published in Egypt itself in 1370 AH, 1952 CE—they would have realised that the Fatimid Ismā‘īlī fiqh is so explicit and clear that no other fiqh can surpass it. (*al-Ismā‘īliyyūn wa al-Maghūl*, pg. 95.)

infallibility and Imāmah for Ja‘far al-Ṣādiq—they narrate from the Prophet صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ, Muḥammad al-Bāqir and Ja‘far al-Ṣādiq¹ that which indicates to the prohibition of Mut‘ah marriage.

Here is al-Qāḍī Abū Ḥanīfah al-Nu‘mān al-Maghribī² (d. 363 AH), for who the contemporary Shī‘ah scholar of reference, Shaykh Ja‘far al-Subḥānī bore testimony regarding his careful consideration in narrating from al-Bāqir and al-Ṣādiq,³ who states in his book *Da‘ā’im al-Islām*:

عن رسول الله صلى الله عليه و سلم أنه حرم نكاح المتعة وعن علي أنه قال لا نكاح إلا بولي وشاهدين وليس بالدرهم والدرهمين واليومين واليومين ذلك السفاح ولا شرط في النكاح وعن جعفر بن محمد أن رجلا سأله عن نكاح المتعة قال صفه لي قال يلقي الرجل المرأة فيقول أتزوجك بهذا الدرهم والدرهمين وقعة أو يوما أو يومين قال هذا زنا وما يفعل هذا إلا فاجر

He reports from the Prophet صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ that he prohibited from Mut‘ah marriage.

1 The Ismā‘īlīs claim that after Ja‘far al-Ṣādiq, Imāmah was transferred to his eldest son Ismā‘īl, then his sons and continued till today. Meanwhile the Ithnā ‘Asharīs claim that it was transferred to his son Mūsa al-Kāzīm and it was confined to 12 men of the Ahl al-Bayt, ending with Muḥammad ibn al-Ḥasan al-‘Askarī.

2 He is al-Nu‘mān ibn Muḥammad ibn Manṣūr ibn Ahmad ibn Ḥayyūn al-Tamīmī, one of the pillars of inviters to the Fatimids and their school in Egypt. He was known as al-Qāḍī al-Nu‘mān. He became popular with the name of Abū Ḥanīfah, so that the Faṭimids could emulate Imām Abū Ḥanīfah, the Sunnī jurist through him. He studied Mālikī fiqh but turned to the Ismā‘īlī School in 333 AH aspiring leadership. He wrote a book called *Ibtidā’ al-Da‘wah* and many other books for the Ismā‘īlīs, most important one being *Da‘ā’im al-Islām* in fiqh. Al-Zāhir al-Fāṭimī ordered the inviters to the Ismā‘īlīs to memorise this book and rewarded whoever memorised it. He passed away in Egypt. Thereafter his son took over the kingdom’s judiciary. (Refer to *Tārīkh al-Islām*, 8/221; *al-Siyar*, 16/150-151; *al-Zirkilī: al-A‘lām*, 8/41.)

3 He states in his book *al-Milal wa al-Niḥal*, volume 8, the Ismā‘īlī, pg. 301:

نرى في كتاب الدعائم أن قاضي القضاة حفظ السنة المروية عن طريق أئمة أهل البيت وأنه أكثر الرواية عن الصادقين أي الباقر والصادق غير أنه لم تكن له صلة بعلماء المذهب الاثني عشري ولذلك خالفهم في نفس كتاب الإرث في موارد عديدة

We see in *al-Da‘ā’im* that the chief justice has preserved the Sunnah narrated through the Imāms of the Ahl al-Bayt and that he narrates excessively from the two truthful ones, i.e. al-Bāqir and al-Ṣādiq. However, he did not have any association with the scholars of the Ithnā ‘Asharī School; as a result, he contradicted them in the actual book of the legacy in various instances.

From ‘Alī عليه السلام that he said, “There is no marriage except with (the permission of) the guardian and two witnesses. Marriage can neither take place with one or two dirhams, nor for one or two days. That is fornication. There are no conditions in marriage.”

Similarly, he reports from Ja’far ibn Muḥammad that a person asked him regarding Mut’ah marriage. He said, “Describe it to me.”

The person said, “A person meets a woman and says that I marry you in lieu of this dirham or two dirhams, or for one or two days.”

He replied, “This is adultery. Only an open sinner would do this.”¹

Then al-Nu’mān commented on it by saying:

وإبطال نكاح المتعة موجد في كتاب الله تعالى لأنه يقول سبحانه وتعالى وَالَّذِينَ هُمْ لِأَعْيُنِهِمْ حَافِظُونَ إِلَّا عَلَىٰ أَزْوَاجِهِمْ أَوْ مَا مَلَكَتْ أَيْمَانُهُمْ فَإِنَّهُمْ غَيْرُ مَلُومِينَ فَمَنْ ابْتَغَىٰ وَرَاءَ ذَلِكَ فَأُولَٰئِكَ هُمُ الْعَادُونَ (المؤمنون: ٧-٥) فلم يطلق النكاح إلا على زوجة أو ملك يمين وذكر الطلاق الذي يجب به الفرقة بين الزوجين وورث الزوجين بعضهما من بعض وأوجب العدة علي المطلقات ونكاح المتعة علي خلاف هذا إنما هو عند من أباحه أن يتفق الرجل والمرأة علي مدة معلومة فإذا انقضت المدة بانت منه بلا طلاق ولم تكن عليها عدة ولم يلحق به ولد إن كان منها ولم يجب لها عليه نفقة ولم يتوارثا وهذا هو الزنا المتعارف الذي لا شك فيه

The invalidity of Mut’ah marriage is found in the Qur’ān. Allah سُبْحَانَهُ وَتَعَالَىٰ says:

*And they who guard their private parts. Except from their wives or those their right hands possess, for indeed, they will not be blamed. But whoever seeks beyond that, then those are the transgressors.*²

Marriage was mentioned only to a wife and a slave and divorce was mentioned which necessitates separation between the spouses. The spouses inherit from each other and ‘Iddah (waiting period after divorce) is necessary for a divorced woman. However, Mut’ah marriage is contrary to this. According to those who permit it, Mut’ah is that a man and a woman

1 Da’ā’im al-Islām, 2/228-229.

2 Sūrah al-Mu’minūn: 5-7.

agree to a stipulated time. When the time expires, she is separated from him without divorce, without sitting for 'Iddah, if a child is born then that child will not be attributed to him, no spousal support is obligatory on him and they do not inherit from each other. This is undoubtedly the commonly known adultery.¹

Meanwhile, the Ja'farīs quote from al-Bāqir and al-Ṣādiq that which is completely different to what has just been mentioned. They do not suffice on merely permitting Mut'ah with women; in fact, they recommend it and claim strange and exaggerated rewards for practicing it.

Hence, they narrate from Abū Ja'far al-Bāqir that he said:

إن النبي صلي الله عليه وسلم لما أسري به إلي السماء قال لحقني جبرئيل فقال يا محمد إن الله تبارك وتعالى يقول إني قد غفرت للمتمتعين من أمتك من النساء

When the Prophet ﷺ was taken to the heavens, Jibrīl عَلَيْهِ السَّلَام met him and said, "O Muḥammad, indeed Allah ﷻ says that I have forgiven the women of your Ummah who practice Mut'ah."²

They narrate from Ṣāliḥ ibn 'Uqbah, who narrates from his father, from Abū Ja'far al-Bāqir wherein he states:

قلت له للمتمتع ثواب قال إن كان يريد بذلك وجه الله تعالى وخلافا علي من أنكرها لم يكلمها كلمة إلا كتب الله تعالى له بها حسنة ولم يمد يده إليها إلا كتب الله له حسنة فإذا دنا منها غفر الله تعالى له بذلك ذنبا فإذا اغتسل غفر الله له بقدر ما مر من الماء على شعره قلت بعدد الشعر قال نعم بعدد الشعر

I said to him (Abu Ja'far al-Bāqir), "Is there reward for a person practicing Mut'ah?"

He replied, "If he intended the pleasure of Allah ﷻ through it (then he will be rewarded), contrary to the one who rejects it. He does not speak a word with that woman except that Allah ﷻ writes a good deed for him. When he stretches his hand towards her, Allah ﷻ writes a good deed for him. When he goes close to her, Allah ﷻ forgives one of his sins

1 *Da'ā'im al-Islām*, 2/228-229.

2 *Man lā Yaḥḍurhū al-Faqīh*, 3/463; *Wasā'il al-Shī'ah*, 21/13, Ḥadīth: 26391.

because of it. When he takes a bath, Allah سُبْحَانَهُ وَتَعَالَى forgives him to the extent of water that passes over his hair.”

I asked, “According to the number of hairs?”

He replied, “Yes, according to the number of hairs.”¹

They narrate from Bakr ibn Muḥammad, who narrates from Ja‘far al-Ṣādiq, this statement:

سألته عن المتعة فقال إني لأكره للرجل المسلم أن يخرج من الدنيا وقد بقيت عليه خلة من خلال رسول الله صلي الله عليه وسلم لم ياتها فقلت فهل تمتع رسول الله صلي الله عليه وسلم قال نعم وقرأ هذه الآية وَإِذْ أَسْرَ النَّبِيُّ إِلَىٰ بَعْضِ أَزْوَاجِهِ حَدِيثًا إِلَىٰ قَوْلِهِ نِيَّاتٍ وَأَبْكَارًا

I asked him (Ja‘far al-Ṣādiq) about Mut‘ah. He replied, “I dislike that a Muslim man leaves this world and without fulfilling one of the traits of the Prophet صَلَّىٰ اللَّهُ عَلَيْهِ وَسَلَّمَ.”

I asked, “Did the Prophet صَلَّىٰ اللَّهُ عَلَيْهِ وَسَلَّمَ practice Mut‘ah?”

He replied, “Yes.”

Thereafter he recited the verses of the Qur‘ān:

Remember when the Prophet had once confided something to one of his wives ... till previously married or virgins.^{2,3}

Similarly, they narrate from Ja‘far al-Ṣādiq this statement:

ليس منا من لم يؤمن بكرتنا ويستحل متعتنا

He is not of us, who does not believe in our return and does not consider our Mut‘ah permissible.⁴

Commenting on this, Shaykh al-Mufīd (d. 413 AH) states:

1 *Man lā Yaḥḍuruhū al-Faqīh*, 3/463; *Wasā’il al-Shī‘ah*, 21/13, Ḥadīth: 26390; *Mustadrak al-Wasā’il*, 14/452.

2 *Sūrah al-Taḥrīm*: 2-5.

3 *Wasā’il al-Shī‘ah*, 21/13; *Man lā Yaḥḍuruhū al-Faqīh*, 3/463, summarised.

4 *Man lā Yaḥḍuruhū al-Faqīh*, 3/458.

واختص بإباحتها جماعة أئمة الهدى من آل محمد فلذلك أضافها الصادق إلي نفسه
بقوله متعتنا

The guided Imāms of the Ahl al-Bayt have specifically permitted it, which is the reason al-Ṣādiq attributed it to himself by saying ‘our Mut‘ah’.¹

From this it becomes clear that the two sects² believe in the infallibility and Imāmah of al-Bāqir and Ja‘far al-Ṣādiq and share the narrators from them, but differ in transmitting from them in such an apparent manner that it is not possible to reconcile or interpret them except acknowledging the fact that there are abundant forgeries in the legacy which is transmitted from the two Imāms, al-Bāqir and al-Ṣādiq.

How would this be possible if one includes the contradictory narrations from Ja‘far al-Ṣādiq in the Ja‘farī Schools itself, which indicate towards the prohibition of Mut‘ah with women in such a distinct and clear manner that it cannot be interpreted otherwise? Like the narration reported by Aḥmad ibn ‘Isā al-Ash‘arī in *Nawādir* and al-Ḥurr al-‘Āmilī in *Wasā’il al-Shī‘ah* from Hishām ibn al-Ḥakam who narrates from Ja‘far al-Ṣādiq that he said regarding Mut‘ah:

ما تفعلها عندنا إلا الفواجر

According to us, only open sinners practice on it.³

That which Shaykh al-Ṭā’ifah al-Ṭūsī reported in *Tahdhīb al-Aḥkām* and *al-Istibṣār*, and al-Ḥurr al-‘Āmilī in *Wasā’il al-Shī‘ah* from Zayd ibn ‘Alī, who narrates from his forefathers, who narrates from ‘Alī رضي الله عنه that he said:

حرم رسول الله صلى الله عليه وآله لحوم الحمر الأهلية ونكاح المتعة

The Prophet صلى الله عليه وآله prohibited the meat of domestic donkeys and Mut‘ah marriage.⁴

Al-Ṭūsī felt embarrassed in front of these explicit narrations regarding the prohibition of Mut‘ah.

1 *Al-Masā’il al-Sarawiyah*, pg. 32.

2 That is the Ithnā ‘Asharī (Imāmiyyah) and the Ismā‘īlī.

3 *Al-Nawādir*, pg. 87; *Wasā’il al-Shī‘ah*, 21/30, Ḥadīth: 26441.

4 *Tahdhīb al-Aḥkām*, 7/251; *al-Istibṣār*, 3/142; *Wasā’il al-Shī‘ah*, 21/12.

Hence, he contented himself with commenting on these narrations by saying:

فإن هذه الرواية وردت مورد التقية وعلي ما يذهب إليه مخالفاً الشيعة والعلم حاصل لكل من سمع الأخبار أن من دين أئمتنا إباحة المتعة فلا يحتاج إلى الإطناب فيه

These narrations were mentioned as *Taqiyyah* and according to the view of the opposition of the Shī'ah. Anyone who has heard the transmissions is well aware that the view of our Imāms is permissibility of Mut'ah. Therefore, there is no need for exaggeration in it.¹

Where did all these differences come from? How is it possible to differentiate the authentic transmissions from al-Bāqir and al-Ṣādiq amongst the contradictory narrative legacy, which attracts all the sects to raise the banner of Shi'ism for the Ahl al-Bayt and claim to care for al-Bāqir and al-Ṣādiq's legacy and transmit it from whom they consider trustworthy?

Another issue is that of Khums. Narrations from the Ahl al-Bayt have differed amongst the Shī'ah groups, let alone others.

Here is Sharīf al-Murtaḍā, who clearly states in his book *al-Intiṣār* about his Imāmī group's isolation from the rest of the Islamic sects in stipulating *Khums* (one fifth) in a person's earnings in general, during war and in peace, from businesses, agriculture, industries etc. He states:

ومما انفردت به الإمامية القول بأن الخمس واجب في جميع المغنم والمكاسب ومما استخرج من المعادن والغوص والكنوز ومما فضل من أرباح التجارات والزراعات والصناعات بعد المؤنة والكفاية في طول السنة على اقتصاد

From amongst the isolated views of the Imāmiyyah is the view that *Khums* (one fifth) is obligatory on all spoils of war, earnings, that which is extracted from mines, though diving, in treasures and in the surplus profits of trade, agriculture and industries, over and above expenses and moderate sufficient supplies for the duration of one year.²

Meanwhile, *Khums* according to the Zaydīs is obligatory in spoils of war attained from the people of war or rebels, wealth collected from land tax, levies from

1 *Tahdhīb al-Aḥkām*, 7/251.

2 *Al-Intiṣār*, pg. 225.

land that was taken in peace, everything that comes from the sea like pearl and sapphire, everything that is extracted from mines and all that is hunted.¹

Thus, according to them, Khums is not obligatory on the surplus of a person's earnings such as profits of business, agriculture, industries, rentals and other landholdings, as is the case according to the Ithnā 'Ashariyyah.²

Moreover, the Zaydīs narrate from Zayd ibn 'Alī ibn al-Ḥusayn that when he was asked about Khums, he replied by saying:

هو لنا ما احتجنا إليه فإذا استغنينا فلا حق لنا فيه ألم تر أن الله قرننا مع اليتامي
والمساكين وابن السبيل فإذا بلغ اليتيم واستغنى المسكين وأمن ابن السبيل فلا حق
لهم وكذلك نحن إذا استغنينا فلا حق لنا

We only have right to it as long as we have a need for it. When we become self-sufficient, we have no right in it. Have you not seen that Allah سُبْحَانَهُ وَتَعَالَى has joined us with the orphans, poor, and the travellers? When an orphan matures, a poor becomes self-sufficient, and a traveller becomes secure, then they have no rights. Similarly, when we become self-sufficient then there is no right for us.³

Moreover, some Imāmī narrations indicate that Khums is obligatory in spoils of war specifically. Thus, it is reported in the Ṣāḥih⁴ of 'Abd Allāh ibn Sinān that he said:

ليس الخمس إلا في الغنائم خاصة

Khums is in spoils of war specifically.⁵

1 *Al-Tajrīd fī Fiqh al-Imāmayn al-A'zamayn*, pg. 98, book regarding Khums.

2 Refer to al-Marja' al-Rūḥānī: *Minhāj al-Ṣāliḥīn*, 1/352; al-Marja' Muḥammad Sa'īs al-Ḥakīm: *Minhāj al-Ṣāliḥīn*, 1/406; al-Marja' Muḥammad Ishāq al-Fayāḍ: *Minhāj al-Ṣāliḥīn*, 2/58.

3 *Musnad Zayd ibn 'Alī*, pg. 356.

4 The following scholars regard this Ḥadīth as authentic: The late Shī'ī scholar of reference Abū al-Qāsim al-Khū'ī in *Mustanad al-'Urwah*, book regarding Khums, pg. 35; the contemporary Shī'ī scholar of reference Muḥammad Ishāq al-Fayāḍ in *al-Arāḍī*, pg. 218; the late Shī'ah scholar of reference Muntazirī in *Nizām al-Hukm fī al-Islām*, pg. 458. Shaykh al-Ḥasan ibn Zain al-Dīn, regarded it as authentic or correct in *Muntaqā al-Jumān*, 2/436

5 *Man lā Yaḥḍuruhū al-Faqīh*, 2/40, Ḥadīth: 1646; *Tahdhīb al-Aḥkām*, 4/123; *Wasā'il al-Shī'ah*, 9/485.

Al-Hurr al-‘Āmilī commented on this narration by saying:

المراد ليس الخمس الواجب بظاهر القرآن إلا في الغنائم فإن وجوبه فيما سواها إنما
ثبت بالسنة

The meaning of this narration is that the obligatory Khums, which is established through the apparent meaning of the Qur’ān, is only in spoils of war. As for its obligation in other things, this is established through Sunnah.^{1,2}

This is acknowledgement that the verse pertaining to Khums in the Qur’ān:

وَاعْلَمُوا أَنَّمَا غَنِمْتُمْ مِّن شَيْءٍ فَإِنَّ لِلَّهِ خُمُسَهُ وَلِلرَّسُولِ وَلِذِي الْقُرْبَىٰ
وَالْيَتَامَىٰ وَالْمَسَاكِينِ وَأَبْنِ السَّبِيلِ إِن كُنتُمْ أُمْتُمْ بِاللَّهِ وَمَا أُنزَلْنَا عَلَىٰ عَبْدِنَا
يَوْمَ الْفُرْقَانِ يَوْمَ التَّقَىٰ الْجَمْعَانِ وَاللَّهُ عَلَىٰ كُلِّ شَيْءٍ قَدِيرٌ

*Know that whatever spoils you take, one-fifth is for Allah and the Messenger, his close relatives, orphans, the poor, and needy travellers, if you truly believe in Allah and what We revealed to Our servant on that decisive day when the two armies met at Badr. And Allah is Most Capable of everything.*³

does not denote in any way, close or far, to the Imāmī Ithnā ‘Ashariyyah’s view regarding Khums.

Āyat Allāh Muḥammad Āṣif Muḥsinī acknowledged the ambiguity surrounding Khums according to the Imāmiyyah, as he states:

واعلم أن وجوب الخمس في الفوائد وأرباح المكاسب كما هو المشهور في
أعصارنا لا يخلو من غموض وإيراد ومن المطمئن به أن أخذه شرع من زمان الهادي
والعسكري في الجملة وأما الجواد فهو وإن أخذ بعضه لكن في إثبات كونه من
الخمس المصطلح نظر ثم على فرض وجوبه- بعيدا- في تقسيمه إلى سهم الإمام
والسادة أيضا نظر بل منع بل هو كله حق الإمام وتحقيقه في محله

1 Refers to the Sunnah which this sect narrates from their Imāms.

2 Wasā’il al-Shī’ah, 9/485

3 Sūrah al-Anfāl: 41.

Know well that the obligation of Khums in surplus and profits of earnings, which is well known in our times, is not devoid of ambiguity and complications. What is assured is that collecting Khums started during the era of al-Hādī and al-‘Askarī in brief. As for al-Jawād, even though he collected some; however, proving it to be the conventional Khums is problematic. Then, assuming it to be obligatory, which is farfetched, distributing it by allocating shares for the Imām and the elite is also problematic, rather prohibited. In fact, it is all the right of the Imām. Its research is in its place.¹

Is it possible to say that the Imāmī view regarding the obligation of paying Khums from the profits of earnings is the school of the Ahl al-Bayt or school of Ja‘far al-Ṣādiq?

If I have to enumerate the various aspects of differences and contradictory transmissions which these groups transmit from the Ahl al-Bayt, in all issues (beliefs and Fiqh), the discussion would become too lengthy and that would fill up tens, in fact hundreds of pages.

From amongst these topics, the most heated one is the topic of distortion taking place in the Qur’ān, which has been the catalyst for much religious debate. Hence, books were written about it and lengthy discussions took place wherein some reject it while others acknowledge it.

Although we overlooked the contents of these records, we stop at the most important aspect of this research, which is the acknowledgement by a group of Imāmī scholars of consecutive narrations of distortion and that they are definite in proof and in indication.² Then we see those scholars who refute the occurrence of distortion in the Qur’ān, proceed to falsify these consecutively narrated transmissions, without feeling embarrassed. In fact, they regard the view of distortion in the Qur’ān as some kind of a myth, as expressed by the Shī‘ī scholar of reference Sayyid Abū al-Qāsim al-Khu‘ī (d. 1413 AH), in his book *al-Bayān*:

1 *Mashra‘ah Biḥār al-Anwār*, 2/456.

2 Ni‘mat Allāh al-Jazā‘irī in *al-Anwār al-Nu‘māniyyah*, 2/357; Muḥammad Bāqir al-Majlisī in *Mir‘āt al-‘Uqūl*, 12/525 and Adnān al-Baḥrānī in *Mashāriq al-Shumūs al-Durriyyah*, pg. 126.

ومما ذكرناه قد تبين للقاري أن حديث تحريف القرآن حديث خرافة وخيال لا يقول به إلا من ضعف عقله أو من لم يتأمل في أطرافه حق التأمل أو من ألجأه إليه يحب القول به والحب يعمي ويصم وأما العاقل المنصف المتدبر فلا يشك في بطلانه وخرافته

And from what we have mentioned, it becomes clear that the Ḥadīth about distortion in Qur'ān is a myth and fiction. Only a person with weak intellect¹ will accept it, or one who did not ponder on the various aspects of the Ḥadīth as he ought to, or one who is compelled to it because of his love for that view, and love blinds and deafens a person. As for a sane, just, and prudent person; he will have no doubt in its invalidity and superstition.²

This is despite al-Khūṭ's admission that some of the narrations about the distortion of the Qur'ān are reliable according to him, as he states while criticising those narrations:

إن كثيرا من الروايات وإن كانت ضعيفة السند فإن جملة منها نقلت من كتاب أحمد بن محمد السيارى الذي اتفق علماء الرجال على فساد مذهبه وأنه يقول بالتناسخ ومن علي بن أحمد الكوفي الذي ذكر علماء الرجال أنه كذاب وأنه فاسد المذهب إلا أن كثرة الروايات تورث القطع بصدور بعضها عن المعصومين ولا أقل من الاطمئنان بذلك وفيها ما روي بطريق معتبر فلا حاجة بنا إلى التكلم في سند كل رواية بخصوصها

Indeed, many of the narrations, although their chains are weak, a number of them are transmitted from the book of Aḥmad ibn Muḥammad al-Sayyārī, concerning who, the scholars of narrators are unanimous about the corruption of his beliefs and that he believes in reincarnation. Some are transmitted from 'Alī ibn Aḥmad al-Kūfī. The scholars of narrators mention that he is a liar and his beliefs are corrupt. However, the large number of narrations creates conviction that some of them might emanate from the infallible Imāms and that is nothing less than reassuring. Some of these narrations are transmitted through reliable sources; therefore, there is no need to discuss the chain of each narration specifically.³

1 He is in reality criticising the intellect of some of the geniuses and theorists of the school obliviously.

2 *Al-Bayān fī Tafsīr al-Qur'ān*, pg. 256.

3 *Al-Bayān fī Tafsīr al-Qur'ān*, pg. 2623.

From this, we can sense the extent of embarrassment the schools' scholars fell into on account of these converging and consecutively narrated transmissions, which eventually compelled them to falsify them to protect the Book of Allah ﷻ from being adulterated or to protect the water of their faces from drying.

It is religiously and morally obligatory to discard these false narrations, to protect the status of the Book of Allah ﷻ being affected and receive such heinous accusations; however, the intention of presenting this example is to indicate the excessive lies attributed to the Imāms of the Ahl al-Bayt, as well as various fundamental and subsidiary topics; in such subsidiary rulings that are regarded to be from the characteristics of the Ja'farī School, as previously mentioned regarding Mut'ah and Khums. In fact, in fundamentals of dīn too, to such an extent that it reached the most fundamental and basis of dīn, which is the Qur'ān, where the false narrations regarding distortion in the Qur'ān reached this huge number and to such a degree that the leader of *al-Ḥawzah al-'Ilmiyyah* (scientific seminary), in Najaf at that time—who happens to be the one who wrote the encyclopaedia *Mu'jam Rijāl al-Ḥadīth* (dictionary of narrators of Ḥadīth) in the field of narrators of Ḥadīth—stood perplexed in front of them. He was unable, despite making all the effort, to weaken most of them except by acknowledging that some of them are reliable according to the chain of narrators.

Meanwhile al-Majlisī declares that discarding the consecutively narrated transmissions about distortion in the Qur'ān will necessitate discarding all the Shī'ī narrations, primarily the narrations of the texts regarding the Imāms.

Al-Majlisī states:

ولا يخفي أن هذا الخبر وكثير من الأخبار الصحيحة صريحة في نقص القرآن
وتغييره وعندني أن الأخبار في هذا الباب متواترة معني وطرح جميعها يوجب رفع
الاعتماد عن الأخبار رأسا بل ظني أن الأخبار في هذا الباب لا يقصر عن أخبار
الإمامة فكيف يثبتونها بالخبر

It is no secret that this transmission and other authentic transmissions are explicit regarding omission and distortion in the Qur'ān. According to me, the transmissions in this chapter are consecutive in meaning and

discarding all of them would necessitate removing confidence from these transmissions completely. In fact, I think that the transmissions in this chapter are not less than the transmissions regarding Imāmah, then how will they establish it through transmissions.¹

The late Shīī scholar of reference Abū al-Qāsim al-Khūī (d. 1413 AH) paid attention to this in *Muʿjam Rijāl al-Ḥadīth*, wherein he states:

إن أصحاب الأئمة وإن بذلوا غاية جهدهم واهتمامهم في أمر الحديث وحفظه من الضياع والاندراس حسبما أمرهم به الأئمة إلا أنهم عاشوا في دور التقية ولم يتمكنوا من نشر الأحاديث علنا فكيف بلغت هذه الأحاديث حد التواتر أو قريبا منه

Although, the companions of the Imāms exerted all their efforts and care in the matter of Ḥadīth and its preservation from destruction and extinction as instructed by the Imāms; however, they lived in the era of Taqiyyah; as a result, they were unable to spread the aḥādīth openly. Then how did these narrations reach the level of *Tawātur* (consecutively narrated) or close to it?²

Much falsehood has been attributed to Jaʿfar al-Ṣādiq, owing to which the trusted scholars avoided narrating a large number of Aaḥādīth from him; as a result, his fiqh was lost.

What is found presently amongst us, which can be trusted from Jaʿfar, are various snippets that cannot constitute a school. Other than that, are many lies attributed to him, that is avoided by reliable books.

The differences of majority of the Muslims with the leaders of the Jaʿfarī School in this issue is not confined to excessive lies on Jaʿfar al-Ṣādiq only, but also on the views of the school’s scholars about lies and giving it a status of Sharīah, if this expression is correct.

How amazed I was with Abū al-Qāsim al-Khūī, who, while writing the biography of the narrator, ‘Abd Allāh ibn Bukayr in his encyclopaedia of narrators (*Muʿjam Rijāl al-Ḥadīth*) stated the following:

وأما ما ذكره الشيخ في الاستبصار فلا ينافي الحكم بوثاقته غايته أن الشيخ احتمل

1 *Mir’āt al-‘Uqūl*, 12/525.

2 *Muʿjam Rijāl al-Ḥadīth*, 1/22 (narrations from the four books are not definite sources).

كذب عبد الله بن بكير في هذه الرواية بخصوصها نصرة لرأيه ومن المعلوم أن احتمال الكذب لخصوصية في مورد خاص لا ينافي وثاقة الراوي في نفسه

As for what the Shaykh mentioned in *al-Istibṣār*, this does not contradict the verdict of his trustworthiness. The point is that the Shaykh tolerated the lies of ‘Abd Allāh ibn Bukayr in this narration specifically to support his opinion. It is well known that tolerating lies for a specific reason in a specific occasion does not contradict the trustworthiness of the narrator himself.¹

My amazement increased when I saw al-Khū’ī state the following in the biography of Aḥmad ibn Ḥammād al-Marwazī:

إن ظهور الكذب أحيانا لا ينافي حسن الرجل فإن الجواد قد يكبو

The appearance of lies sometimes is not contrary to a person’s goodness as a good horse can also stumble.²

If lying is a stumble which could be overlooked then what is left for us to discuss?

If lying is not a valid reason for passing a verdict of weakness for narrator, then to combine the interest of the school with lies to the opposition is something that should not be doubted or desisted from, according to al-Khū’ī.

Abū al-Qāsim al-Khū’ī was asked:

هل يجوز الكذب على المبتدع أو مروج الضلال في مقام الاحتجاج عليه إذا كان الكذب يدحض حجته ويبطل دعاويه الباطلة
فأجاب إذا توقف رد باطله عليه جاز

Is it permissible to lie to an innovator or a promoter of deviation when raising objection against him, if this lying refutes his argument and invalidates his false claims?

He replied, “If he anticipates refuting his false claims against him then it is permissible.”³

1 *Muḥjam Rijāl al-Ḥadīth*, 11/132.

2 *Ibid.*, 2/113.

3 *Ṣirāṭ al-Najāh*, 1/447, ruling: 1245.

2. Taqiyyah and its impact on the extinction of the Ja‘farī School

Muslims are unanimous that a person is permitted to (outwardly)¹ utter contrary to his beliefs at the time of coercion and harm from disbelievers or polytheists² because Allah سُبْحَانَهُ وَتَعَالَى says in the Qur’ān:

لَا يَتَّخِذِ الْمُؤْمِنُونَ الْكَافِرِينَ أَوْلِيَاءَ مِنْ دُونِ الْمُؤْمِنِينَ وَمَنْ يَفْعَلْ ذَلِكَ
فَلَيْسَ مِنَ اللَّهِ فِي شَيْءٍ إِلَّا أَنْ تَتَّقُوا مِنْهُمْ تُقَاةً

*Believers should not take disbelievers as guardians instead of the believers—and whoever does so will have nothing to hope for from Allah—unless it is a precaution against their tyranny.*³

Taqiyyah is a temporary exception to a general absolute principle, due to special circumstance which a Muslim individual or group experiences. Therefore, its Shar‘ī classification is that it is a concession permitted at the time of necessity, which is resorted to due to coercion or harm. Practicing on it stops as soon as the cause which necessitated it, such as coercion etc., is removed.

As for the Imāmiyyah, the concept of Taqiyyah is much broader. It is not dependant on coercion or perception of harm and not from a disbeliever; rather it is from a Muslim opposition in most cases. It is not during specific circumstance or

1 ‘Abd Allāh ibn ‘Abbās states:

التقاة التكلم باللسان والقلب مطمئن بالإيمان ولا يبسط يده فيقتل ولا إلي إثم فإنه لا عذر له

Al-Tuqāh refers to utter with the tongue whereas the heart is reassured with belief. One does not stretch his hand toward fighting, nor towards sin, as there is no excuse for this.

Al-Ḍaḥḥāk states:

التقية باللسان من حمل على أمر يتكلم به وهو لله معصية فتكلم مخافة على نفسه وقلبه مطمئن بالإيمان فلا إثم عليه إنما التقية باللسان

Taqiyyah is with the tongue when a person is compelled to utter something which is disobedience of Allah سُبْحَانَهُ وَتَعَالَى. If he utters it out of fear and his heart is reassured with belief, then there I no sin on him. Taqiyyah is only with the tongue. (*Tafsīr Ṭabarī*, 5/318.)

2 Al-Ḥasan al-Baṣrī states:

ذلك في المشركين يكرهونهم على الكفر وقلوبهم كارهة ولا يصبرون لعذابهم

That is regarding the polytheists who force the Muslims towards disbelief, their hearts dislike it, and they cannot tolerate their punishments. (*Tafsīr Ibn al-Mundhir*, 1/166.)

3 Surah Āl ‘Imrān: 28.

temporarily, but according to them it is a continuous condition and a permanent collective behaviour. Regarding this, Ibn Bābawayh al-Qummī (d. 381 AH) states:

والتقية واجبة لا يجوز تركها إلي أن يخرج القائم فمن تركها فقد دخل في نهي الله
تعالى ونهي رسوله والأئمة صلوات الله عليهم

Taqiyyah is obligatory and impermissible to leave out till the emergence of al-Mahdī. Whoever discards it has disobeyed Allah سُبْحَانَهُ وَتَعَالَى, His Prophet صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ and the Imāms.¹

Taqiyyah has a great presence in the lives of the Imāmīs, as is the condition of an Imāmī person's actual life. It may be continuously on their tongues and in their behaviour, even when there is no justification for it. Transmissions encourage the Imāmīs to practice Taqiyyah with those who they trust so that it becomes their natural temperament which would enable them to use it against those who they fear without any pretence or simulation.

Thus, the Imāmiyyah narrate from Ja'far al-Ṣādiq that he said:

عليكم بالتقية فإنه ليس منا من لم جعلها شعاره ودثاره مع من يأمنه لتكون سجيته
مع من يحذر

Hold on to Taqiyyah. He is not of us who does not make Taqiyyah his motto and mantle with those who he trusts so that it can be his temperament with those who he fears.²

To such a degree, that their motto, which they are proud of, became the statement which is attributed to Ja'far al-Ṣādiq:

التقية ديني ودين آبائي ولا دين لمن لا تقية له

Taqiyyah is my dīn and the dīn of my forefathers. There is no dīn for the one who does not practice Taqiyyah.³

It has been narrated from him thus:

1 *Al-Hidāyah*, pg. 53.

2 *Al-Ṭūsī: al-Amālī*, pg. 293; *Wasā'il al-Shī'ah*, 16/212; *Biḥār al-Anwār*, 72/395.

3 *Al-Barqī: al-Maḥāsin*, 1/255; *Wasā'il al-Shī'ah*, 16/210; *Biḥār al-Anwār*, 2/74.

إن تسعة أعشار الدين في التقية ولا دين لمن لا تقية له والتقية في كل شيء إلا في شرب النبيذ والمسح علي الخقين وفي بعضها ومنتعة الحج

Nine-tenth of dīn is Taqiyyah. There is no dīn for the one who does not practice Taqiyyah. Taqiyyah is in everything except drinking *Nabīdh*¹ and wiping the *Khuff* (leather socks). Some narrations mention *Tamattu' Hajj*² also.³

They also narrate his statement to Ḥabīb ibn Bishr wherein he states:

لا والله ما علي وجه الأرض شيء أحب إلي من التقية يا حبيب إنه من كانت له تقية رفعه الله يا حبيب من لم تكن له تقية وضعه الله يا حبيب إن الناس إنما هم في هدنة فلو قد كان ذلك كان هذا

By Allah, there is nothing on the surface of the earth more beloved to me than Taqiyyah. O Ḥabīb, whoever practices Taqiyyah, Allah سُبْحَانَهُ وَتَعَالَى will elevate him and whoever does not practice Taqiyyah, Allah سُبْحَانَهُ وَتَعَالَى will degrade him. O Ḥabīb, people are in a truce. As long as there is this (truce), there will be Taqiyyah.⁴

According to the Imāmiyyah, Taqiyyah has two considerations or dimensions. One is at the time of necessity and coercion, as is established by Sharī'ah for all Muslims. This is called *al-Taqiyyah al-Khawfiyyah*. Second is with the intention of concealment and expressing outwardly contrary to the inner belief, without any harm or coercion. This is known as *al-Taqiyyah al-Mudārātiyyah*.

The late Shīrī scholar of reference Sayyid Abū al-Qāsim al-Khūī mentions them by saying:

وأما التقية بالمعنى الأعم فهي في الأصل محكومة بالجواز والحلية وحديث رفع ما اضطرروا إليه وما ورد من أنه ما من محرم إلا وقد أحله الله في مورد الاضطرار وغير ذلك مما دل على حلية أي عمل عند الاضطرار إليه فكل عمل صنعه المكلف اتقاء لضرره واضطرار إليه فهو محكوم بالجواز والحلية في الشريعة المقدسة وأما

1 A traditional fermented drink from Arabia made from dates soaked in water.

2 One of three types of Hajj where a person performs 'Umrah and Hajj in the same journey.

3 *Al-Kāfi*, 3/32, Ḥadīth: 2; *Tahdhīb al-Aḥkām*, 1/362.

4 *Al-Kāfi*, 2/217, Ḥadīth: 4; *Wasā'il al-Shī'ah*, 16/206.

التقية بالمعنى الأخص أعني التقية من العامة فهي في الأصل واجبة وذلك للأخبار الكثيرة الدالة على وجوبها بل دعوى تواترها الإجمالي والعلم بصدور بعضها عنهم ولا أقل من اطمئنان ذلك قريبة جدا هذا على أن في بينها روايات معتبرة كصحيحتي ابن أبي يعفور ومعمّر بن خلاد وصحيحة زرارة وغيرهما من الروايات الدالة على وجوب التقية ففي بعضها أن التقية ديني ودين آبائي ولا دين لمن لا تقية له وأي تعبير أقوى دلالة على الوجوب من هذا التعبير حيث أنه ينفي التدين رأسا عمن لا تقية له فمن ذلك يظهر أهميتها عند الشارع وأن وجوبها بمثابة قد عد تاركها ممن لا دين له وفي بعضها الآخر لا إيمان لمن لا تقية له وهو في الدلالة على الوجوب كسابقه وفي ثالث لو قلت إن تارك التقية تارك الصلاة لكنت صادقا ودلالته على الوجوب ظاهرة لأن الصلاة هي الفاصلة بين الكفر والإيمان كما في الأخبار وقد نزلت التقية منزلة الصلاة ودلت على أنها أيضا كالفاصلة بين الكفر والإيمان وفي رابع ليس منا من لم يجعل التقية شعاره ودثاره وقد عد تارك التقية في بعضها ممن أذاع سرهم وعرفهم إلى أعدائهم إلى غير ذلك من الروايات فالتقية بحسب الأصل الأولي محكومة بالوجوب

As for Taqiyyah in the most general meaning, originally, the verdict regarding it is that it is permissible and Ḥalāl. The ḥadīth about pardoning that which a person is forced to do and that everything that is Ḥarām, Allah سُبْحَانَهُ وَتَعَالَى has made it Ḥalāl in the event of coercion, indicates to its permissibility; i.e., one is permitted to practice on it at the time of coercion. Thus, every action that an obliged person does, fearing harm or out of coercion, the verdict regarding it is that of permissibility according the noble Sharī'ah. As for Taqiyyah in the specific meaning, i.e. from the masses, then this, originally, is obligatory. This is due to the large number of transmissions that indicate to its obligation. In fact, the claim of brief *Tawātur* (consecutively narrated)—whilst having the knowledge that some of it originated from the Imāms, which itself is assuring—is very possible. This is based on the fact that there are reliable narrations, like the two authentic narrations of Ibn Abī Ya'fūr and Ma'mar ibn Khallād, and the authentic narration of Zurārah and other narrations that indicate to the obligation of Taqiyyah.

Some narrations mention, “Taqiyyah is my dīn and the dīn of my forefathers. There is no dīn for the one who does not practice Taqiyyah.”

Which expression can be stronger in indicating to its obligation than this, as it negates dīn completely for those who do not practice Taqīyyah. From this, its importance in Sharī'ah becomes clear and that its obligation is such that those who abandon it are regarded as having no dīn.

Some other narrations state, “There is no faith for the one who does not practice Taqīyyah.”

This also indicates to its obligation like the previous narration.

The third narration states, “If I say that the one who abandons Taqīyyah is like the one who abandons Ṣalāh, I would be truthful.”

This narration’s indication to its obligation is very clear, as Ṣalāh is the differentiating factor between disbelief and faith, as narrated in various narrations. Taqīyyah has been equated to Ṣalāh which indicates that it is also a differentiating factor between disbelief and faith.

The fourth narration states, “He is not of us who does not make Taqīyyah his motto and mantle.”

The one who abandons Taqīyyah is regarded as the one who broadcasts secrets and exposes it to the enemies; and similar other narrations. Thus, Taqīyyah according to the original principle is ruled to be obligatory.¹

It appears that this Taqīyyah, which was supposed to be a protective shield for the Imāmiyyah, as claimed by Imāmī theorists, turned against the School for specific reasons and became a source of concern and scourge for it. The malicious hypocrites who infiltrated amongst the Muslims and the renegade extremists, promoted transmissions regarding Taqīyyah, spread it amongst the people, and published it in their books and treatises to create a condition amongst the masses which would enable them to instil false beliefs among their ranks in the name of Ja‘far al-Ṣādiq, without any reproach; and under the pretext that the denial and lack of promotion of these narrations by the people was motivated by Taqīyyah.

The Imāmiyyah narrate from Ja‘far al-Ṣādiq that he realised very early, the great negative impact Taqīyyah had on the Imāmiyyah, and that the false shelter and

1 *Al-Tanqīh fi Sharḥ al-‘Urwah al-Wuthqā*, book on cleanliness, 4/254–256.

deliberate flattening of the meaning of Taqiyyah, at that time, became a striking tool for the Bāṭinites and the hypocrites to promote their false schools in his name. Hence, he began criticising and warning them by saying:

إنما جعلت التقية ليحقرن بها الدم فإذا بلغت التقية الدم فلا تقية وإيم الله لو دعيتم
لتنصرونا لقلتم لا نفعل إنما نتقي ولكانت التقية أحب إليكم من آباتكم وأمهااتكم
ولو قد قام القائم ما احتاج إلى مساءلتكم عن ذلك ولأقام في كثير منكم من أهل
النفاق حد الله

Taqiyyah was only ordained to spare blood. If Taqiyyah reaches the blood then there is no Taqiyyah. By Allah, if you were called to assist us, you would say, “We will not do so. We were merely practicing Taqiyyah.”

Taqiyyah would be more beloved to you than your fathers and mothers. If al-Mahdī had to emerge, he would not need to question you and he would enforce the punishment of Allah ﷻ on many of you hypocrites.¹

However, what will this warning change?

Is it not possible that the people of Kūfah will regard this as Taqiyyah also?

Ponder carefully on the following narration, to understand how Taqiyyah became a tool in the hands of some narrators to easily use it to attribute a statement to Ja‘far al-Ṣādiq or adapting it to a meaning completely opposite to the apparent meaning, under the pretext that he did it as Taqiyyah.

Ibn Sammāk al-Kūfī states:

خرجت إلى مكة فلقيني زرارة بن أعين بالقادسية فقال لي إن لي إليك حاجة وارجو
أن أبلغها بك وعظمتها فقلت ما هي فقال إذا لقيت جعفر بن محمد فأقرئه مني
السلام وسله أن يخبرني من أن أهل الجنة أنا أم من أهل النار فأنكرت ذلك عليه
فقال لي إنه يعلم ذلك فلم يزل بي حتى أجبته فلما لقيت جعفر بن محمد أخبرته
بالذي كان منه فقال هو من أهل النار فوقع في نفسي شيء مما قال فقلت ومن أين
علمت ذلك فقال من ادعي علي أنني أعلم هذا فهو من أهل النار فلما رجعت لقيني
زرارة بن أعين فسألني عما عملت في حاجته فأخبرته بأنه قال لي إنه من أهل النار

1 Tahdhīb al-Aḥkām, 6/172; Wasā'il al-Shī'ah, 16/235.

فقال كال لك يا عبد الله من جراب النورة فقلت وما جراب النورة؟ قال عمل معك
بالتقية

I went to Makkah. Zurārah ibn A‘yan met me in Qādisiyyah and said, “I have a need to be fulfilled by you and I hope you will fulfil it.”

He magnified the need so I said to him, “What is the need?”

He replied, “If you meet Ja‘far ibn Muḥammad, convey my greetings to him and ask him to inform me whether I am from the people of Paradise or the people of Hell.”

I disliked this but he said that Ja‘far knows about this. He persisted until I agreed. When I met Ja‘far ibn Muḥammad, I informed him about what had transpired with him. He replied, “He is from the people of Hell.”

What he said struck me so I asked him, “How do you know that?”

He replied, “Whoever claims that I know about this, is from the people of Hell.”

When I returned, Zurārah ibn A‘yan met me and asked me as to what did I do regarding his need. I informed him that he said that you are from the people of Hell.

He said, “O servant of Allah, he measured for you from the pouch of *Nūrah*.”¹

I asked, “What is the pouch of *Nūrah*?”

He replied, “He practiced *Taqiyyah* with you.”²

1 An alkaline chemical manufactured from limestone.

2 *Al-Ḍu‘afā’ al-Kabīr*, 2/96.

Al-‘Uqaylī (d. 322 AH) states:

حدثنا أبو يحيى عبد الله بن أحمد بن أبي مسرة (٢٧٩هـ) وهو إمام محدث ثقة قال حدثني سعيد بن منصور (٢٢٧هـ) وهو إمام محدث ثقة من أوعية العلم قال حدثنا ابن السماك (١٨٣هـ) وهو صدوق فذكره

Abū Yaḥyā ‘Abd Allāh ibn Aḥmad ibn Abī Masarrāh (d. 279 AH)—he is an Imām, Muḥaddith and trustworthy—narrated to us, who says that Sa‘īd ibn Manṣūr (d. 227 AH)—he is an Imām, Muḥaddith and trustworthy, a container of Knowledge—narrated to me, who says that Ibn Sammāk (d. 183 AH) narrated to us—and he is truthful— then he mentions the narration.

Usage of the phrase 'he gave you from the pouch of Nūrah' to express practicing on Taqiyyah, is not confined to this narration only. In fact, it is a widespread expression by the Imāmiyyah, as stated by Muḥammad Bāqir al-Waḥīd al-Bahbahānī (d. 1205 AH):

قد ورد في الأخبار أن الشيعة كانوا يقولون في الحديث الذي وافق التقية أعطاك من جراب النورة قيل مرادهم تشبيه المعصوم بالعطار وكانوا يبيعون أجناس العطارين بالجربان وكان النورة أيضا يبيعونها في جرابها فإذا أعطي التقية قالوا أعطاك من جرابها أي ما لا يؤكل ولو أكل لقتل والفائدة فيه دفع القاذورات وأمثالها

It has been reported in transmissions that the Shī'ah used to say regarding those narrations which conformed to Taqiyyah that he gave you from the pouch of Nūrah. It is said that the meaning of this is, comparing the infallible Imāms to a perfume seller. They used to sell different types of perfumes in pouches and Nūrah was also sold in pouches. When Taqiyyah was used on someone, they would say 'he gave you from its pouch', i.e. something that cannot be eaten. If anyone eats it, he would die. The benefit in it is to remove dirt, etc.¹

However, the actual result of this belief and Fiqhī structure, based on the concept of Taqiyyah according the Imāmiyyah, is confusion and destruction.

Regarding this, Yusuf al-Baḥrānī states in the forward of his Fiqhī encyclopaedia, *al-Ḥadā'iq al-Nāḍirah*, discussing the condition of the Imāms:

وتزايد الأمر شدة بعد موته أي موت النبي صلوات الله عليه وما بلغ إليه حال الأئمة صلوات الله عليهم من الجلوس في زاوية التقية والإغضاء على كل محنة وبلية وحث الشيعة على استشعار شعار التقية والتدين بما عليه تلك الفرقة الغوية حتي كورت شمس الدين النيرة وخسفت كواكبه المقمرة فلم يعلم من أحكام الدين علي اليقين إلا القليل لامتزاج أخباره بأخبار التقية كما قد اعترف بذلك ثقة الاسلام وعلم الأعلام محمد بن يعقوب الكليني نور الله تعالى مرقدته في جامعه الكافي حتي إنه قدس سره تخطأ العمل بالترجيحات المروية عند تعارض الأخبار والتجأ إلي مجرد الرد والتسليم للأئمة الأبرار فصاروا صلوات الله عليهم محافظة علي أنفسهم وشيعتهم يخالفون بين الأحكام وإن لم يحضرهم أحد من أولئك الأنام فتراهم

1 *Al-Fawā'id al-Ḥā'iriyyah*, pg. 461.

يجيئون في المسألة الواحدة بأجوبة متعددة وإن لم يكن بها قائل من المخالفين كما هو ظاهر لمن تتبع قصصهم وأخبارهم وتحرى سيرهم وآثارهم

The matter became more severe after his demise—demise of the Prophet ﷺ—and the condition of the Imāms reached a stage where they sat in the corner of Taqiyyah and ignored all the adversities and calamities. The Shī'ah encouraged the awareness of the slogan of Taqiyyah and practicing on the views of the deviant group till the brilliant sun of dīn was put off and its moonlit stars were eclipsed. Thus, only a few rulings of dīn were known with certainty due to the mixture of its transmissions with the transmissions of Taqiyyah, as acknowledged by the most trustworthy person of Islam and the flag bearer of the luminaries, Muḥammad ibn Ya'qūb al-Kulaynī in his *Jāmi' al-Kāfi*, to such a degree that he also faltered by practicing on the narrated preferences when transmissions were contradictory and he resorted to mere responses and submission to the Imāms. Hence, they began to differ—protecting themselves and their sects—in the rulings, even if none of the people came to them. Thus, one would see them giving multiple answers to one ruling even though none of the opposition holds that view, as is obvious to those who research their stories and transmissions and investigate their history and traditions.¹

This is an important confession from a great Imāmī jurist which informs a person about the gross defect that afflicted the school of the Ahl al-Bayt, due to political circumstances which encompassed them, to such an extent that a person can hardly recognise their actual rulings from others.

Yūsuf al-Baḥrānī expressed it frankly, whilst other Imāmī scholars whispered it secretly or expressed it out of shame or avoided it under the banner of 'grievances that befell the Ahl al-Bayt.'²

1 *Al-Ḥadā'iq al-Nādirah*, 1/4.

2 Some of them use the method—best form of defence is attack—when presenting the causes of Taqiyyah and the grievances that befell the Ahl al-Bayt, in an emotional manner that has its own specific framework which does not match our ruling on the School attributed to the great Imām Ja'far al-Ṣādiq. Whatever the justification for Taqiyyah be, this does not concern us, like their followers, except gaining knowledge. Is the School which is presently known as the School of Ja'far al-Ṣādiq, in reality his school or someone else's? This is our concern.

It should not be said that what al-Baḥrānī has mentioned, is his specific opinion and Ijtihād, and that majority of the Imāmiyyah do not pay attention to it or that it is closely related to the Akhbārī movement and not the Uṣūlī movement, which has a Fiqhī and pioneering presence today.

Here is a statement from the leader of the Uṣūlī movement Muḥammad Bāqīr al-Waḥīd al-Bahbahānī (d. 1205 AH) which strengthens al-Baḥrānī's previous statement, wherein he states:

وورد عنهم أخبار كثيرة في أن الرشد في ما خالف العامة لا الخبر الذي وافقهم
وورد منهم الأمر بترك ما وافقهم والأخذ بما خالفهم مع أنه ورد منهم أن من أسباب
اختلاف الأخبار منهم بل وعمدتها التقية

Many transmissions have been reported from them that guidance is in contradicting the masses, not in transmissions that conform to them. It has been reported from them that they instructed abandoning that which conforms to them and holding onto that which contradicts them, despite the fact that it has been reported from them that one of the causes of differences in transmissions, rather its foundation, is Taqiyyah.¹

‘Alī ibn al-Ḥusayn ibn Bābawayh al-Qummī (d. 329 AH)² preceded them in this acknowledgement by attributing the differences in transmissions in the famous books, to the practice of Taqiyyah. He states:

فلأجل الحاجة إلى الغيبة اتسعت الأخبار ولمعاني التقية والمدافعة عن الأنفس
اختلفت الروايات وما كان الله ليضلَّ قومًا بعد إذ هداهم حتى يبين لهم ما يتقون
ولولا التقية والخوف لما حار أحد ولا اختلف اثنان ولا خرج شيء من معالم دين
الله تعالى إلا علي كلمة لا تختلف وحرف لا يشتهه ولكن الله عظمت أسماؤه عهد
إلى أئمة الهدى في حفظ الأمة وجعلهم في زمن مأذون لهم بإذاعة العلم وفي آخر
حلماء يغفروا للذين لا يرجون أيام الله ليجزي قومًا بما كانوا يكسبون

Because of the need of concealment, transmissions expanded, and because of the need of the meanings of Taqiyyah and defence, narrations differed.

1 *Al-Ḥāshiyah ‘alā Madārik al-Aḥkām*, 2/204.

2 Amongst the Imāmiyyah, he is known as al-Ṣadūq al-Awwal. He is the father of Muḥammad ibn ‘Alī ibn Bābawayh al-Qummī.

*Allah would never consider a people deviant after He has guided them, until He makes clear to them what they must avoid.*¹ Had it not been for Taqiyyah and fear; no one would get heated up, no one would differ and the salient features of the dīn of Allah سُبْحَانَ وَتَعَالَى would come out on one word, without any differences and on one letter, without any doubt. But Allah سُبْحَانَ وَتَعَالَى — may His names be exalted—entrusted the Imāms to protect the Ummah and placed them in an era where they were authorised to broadcast knowledge and amongst the last of the patient ones who *forgive those who do not fear Allah's days of torment, so that He will reward each group for what they used to commit.*^{2,3}

The Imāmī scholar's confusion is not confined to this ruling only. In fact, they are confused about the concept of Taqiyyah itself.

Hence, a group of Imāmī scholars hold the view that Ja'far al-Ṣādiq used to differ in his rulings when there was a view of Sunnī scholars in a particular ruling, which did not conform to his view. The researcher, al-Baḥrānī and at times other Imāmīs also, hold the view that Ja'far al-Ṣādiq and other Imāms would deliberately differ and intentionally issue contradictory rulings in one council, without the presence of any opposition of the Shī'ah in the gathering, and they would substantiate it through evidence from Shī'ī narrations itself.

Regarding this, al-Baḥrānī continues by saying:

وحيث أن أصحابنا رضوان الله عليهم خصوا الحمل على التقية بوجود قائل من العامة وهو خلاف ما أدى إليه الفهم الكليل والفكر العليل من أخبارهم صلوات الله عليهم رأينا أن نسط الكلام بنقل جملة من الأخبار الدالة على ذلك لئلا يحملنا الناظر على مخالفة الأصحاب من غير دليل وينسبنا إلى الضلال والتضليل
فمن ذلك ما رواه في الكافي في الموثق عن زرارة عن أبي جعفر الباقر قال سألته عن مسألة فاجابني ثم جاءه رجل فسأله عنها فأجابه بخلاف ما أجابني ثم جاء رجل آخر فأجابه بخلاف ما أجابني وأجاب صاحبي فلما خرج الرجلان قلت يا ابن رسول الله رجلان من أهل العراق من شيعتكم قدما يسألان فأجبت كل واحد منهما بغير

1 Sūrah al-Tawbah: 115.

2 Sūrah al-Jāthiyah: 14.

3 *Al-Imāmah wa al-Tabṣīrah min al-Ḥayrah* (forward), pg. 9 – 10.

ما أجتبت به صاحبه؟ فقال يا زرارة إن هذا خير لنا وأبقى لكم ولو اجتمعتم على أمر واحد لصدقكم الناس علينا ولكان أقل لبقائنا وبقائكم قال ثم قلت لأبي عبد الله شيعتكم لو حملتموهم على الأسنة أو على النار لمضوا وهم يخرجون من عندكم مختلفين قال فأجابني بمثل جواب أبيه

فانظر إلي صراحة هذا الخبر في اختلاف أجوبته في مسألة واحدة في مجلس واحد وتعجب زرارة ولو كان الاختلاف إنما وقع لموافقة العامة لكفي جواب واحد بما هم عليه ولما تعجب زرارة من ذلك لعلمه بفتواهم أحيانا بما يوافق العامة تقية ولعل السر في ذلك أن الشيعة إذا خرجوا عنهم مختلفين كل ينقل عن إمامه خلاف ما ينقله الآخر سخف مذهبهم في نظر العامة وكذبوهم في نقلهم ونسبوهم إلى الجهل وعدم الدين وهانوا في نظرهم بخلاف ما إذا اتفقت كلمتهم وتعاضدت مقاتلهم فإنهم يصدقونهم ويشند بغضهم لهم ولإمامهم ومذهبهم ويصير ذلك سببا لثوران العداوة وإلي ذلك يشير قوله ولو اجتمعتم على أمر واحد لصدقكم الناس علينا

ومن ذلك أيضا ما رواه الشيخ في التهذيب في الصحيح على الظاهر عن سالم أبي خديجة عن جعفر الصادق قال سأله إنسان وأنا حاضر فقال ربما دخلت المسجد وبعض أصحابنا يصلي العصر وبعضهم يصلي الظهر فقال أنا أمرتهم بهذا لو صلوا علي وقت واحد عرفوا فأخذ برقابهم وهو أيضا صريح في المطلوب إذ لا يخفى أنه لا تطرق للحمل هنا على موافقة العامة لاتفاقهم على التفريق بين وقتي الظهر والعصر ومواظبتهم على ذلك إلي أن قال ولعلك بمعونة ذلك تعلم أن الترجيح بين الأخبار بالتقية بعد العرض على الكتاب العزيز أقوى المرجحات فإن جل الاختلاف الواقع في أخبارنا بل كله عند التأمل والتحقيق إنما نشأ من التقية

Since some of our companions have singled out that Taqiyyah was possibly carried out due to one of the masses (Sunnī) being present who advocated it, which is contrary to what the transmissions of the Imāms led the blunt thoughts and dull understandings to, we intend simplifying the speech by quoting from some of the transmissions that indicate to that, so that an observer does not consider us to be differing with our companions, without any proof and associate us with deviation and misguidance.

From amongst them is the *Muwaththaq*¹ narration in *al-Kāfī* from Zurārah, who narrates from Abū Ja'far al-Bāqir saying, "I asked him about a ruling

1 Those narrations wherein al-Kulaynī quotes texts of the companions of the Imāms.

and he answered me. Then another person came and asked the same question. He gave him an answer contrary to what he answered me. Then another person came (and posed the same question) and he gave him an answer contrary to what he answered me and my companion. When the two men left, I asked, “O son of the Prophet ﷺ, two men from Iraq, from your sect, came and asked you a question. You answered each one of them differently from the other?”

He replied, “O Zurārah, this is better for us and longer lasting for you. If you agree on one matter, then the people will believe you against us and this would be detrimental for our survival and yours.”

He states that thereafter he said to Abū ‘Abd Allāh, “They are from your sect. If you incite them to take spearheads or fire, they would have done it, yet they leave from you differing.”

He gave me the same answer as his father.

Look at the clarity of this narration regarding the differences in their answers in one ruling in the same gathering, as well as Zurārah’s astonishment. If the difference occurred in order to conform to the masses then one answer in conformance to them would suffice and Zurārah would not be astonished from that because of his knowledge pertaining to their ruling in conformity of the masses, practicing on Taqiyyah. Perhaps the secret to that is that if the Shī‘ah come out from the Imāms differing, each one transmitting from the Imām contrary to the other, then their school would be regarded as absurd according to the masses, they would falsify their transmission, attribute ignorance and lack of dīn towards them and they would be humiliated in their eyes. On the contrary, if their statements agreed with each other and supported each other, then the people would believe them and their hatred for them—the Imāms and the school—would intensify, which would become the means for the eruption of enmity. His statement, ‘If you agree on one matter, then the people will believe you against us’, alludes to this.

From amongst those narrations is the authentic narration—apparently—which the Shaykh reported in *al-Tahdhīb* from Sālim Abū Khadījah, from Ja‘far al-Šādiq, wherein he says that a person asked him while I was present,

“Sometimes I enter the masjid and find that some of our companions are performing *Ẓuhr ṣalāh* while others are performing ‘*Aṣr*.”

He replied, “I instructed them to do so. If they all perform at the same time, they would be recognised and seized by their necks.”

This is also explicit about what is desired, as it is obvious that there is no question about considering this to be in conformity with the masses because they all agree on the difference between the times of *Ẓuhr* and ‘*Aṣr* and their adherence to it... till he says, “And perhaps through this you will realise that giving preference amongst the transmissions through *Taqiyyah*—after referring to the *Qur’ān*—is the strongest way, as majority of the differences that occur in our transmissions, in fact all of them, after pondering and researching, arose from *Taqiyyah*.¹

What *al-Baḥrānī* and others mention that the *Imām* would frequently differ in his views and this is the ultimate reason for the differences in their views, not the requirement of them to contradict the masses. In the sense that there should be a view which contradicts the masses, let alone the presence of one of the prominent people from the masses in the gathering, is very strange. It is unthinkable that an *Imām* would sow discord amongst his companions for the slightest reason and call to ignorant mysticism over multiple meanings of speech, which would lead to the destruction of the reality of *dīn* and confusing truth with falsehood. This is actually what occurred due to excessive contradictions in the narrations.²

Majority of the *Imāmī* scholars may not agree with *al-Baḥrānī* in restricting the causes for the differences and the contradictions amongst the narrations emanating from the *Imāms*, to one, which is *Taqiyyah*; however, everyone acknowledges that *Taqiyyah* is one of the most important causes, if not the most important one.

In this regard, *Shaykh Fāḍil al-Furātī* states:

أما حديثهم فهو أشد صعوبة وأكثر تعقيدا وتحيرا فإنه ينقسم إلى

1 *Al-Ḥadā’iq al-Nāḍirah*, 1/5-8; *al-Durar al-Najafiyah*, 2/311-312.

2 *Murtaḍā al-Anṣārī: Farā’id al-Uṣūl*, 1/325-326.

أ- أحاديث قالوها تقية والبعض لا يفقه ذلك

ب- أحاديث قالوها مجازا والبعض اعتقدها حقيقة

ج- أحاديث قالوها من باب التشبيه والتمثيل والمصداق والبعض تصوروا حقيقة كلية

د- أحاديث قالوها من باب التورية أو التعريض

ه- أحاديث فيها خاص وعام ومطلق ومقيد.

و- أحاديث قالوها بشكل متفاوت مع وحدة الموضوع لأن السائلين كانوا علي تفاوت في العقول أو المذاهب أو الإيمان

ولذا جاءت الروايات تؤكد صعوبة هذا القسم على الخصوص لأهميته فإن الأحاديث والروايات تراث أهل البيت وطريقتهم التي أودعوها إلى الناس فلا بد من فهمها ولكن فهمها ليس سهلا فالأمر يحتاج إلى قلوب سليمة وعقول حكيمة وأخلاق سامية لتعي وتفهم أولا ثم لتحمل هذا العلم وهذا الحمل لا يستقر ما لم يطبق في الحياة ولذا قال: فما ورد عليكم من حديث آل محمد فلانت له قلوبكم وعرفتموه فاقبلوه وحتى العلماء في تفاوت فظيع واختلاف رهيب في فهم حديثهم وأمرهم أرأيت قوله والله لو علم أبو ذر ما في قلب سلمان لقتله ولقد آخى رسول الله صلي الله عليه وسلم بينهما فما ظنكم بسائر الخلق لأن سلمان حمل من أمرهم ما لا يطيقه أبو ذر بل أكثر من ذلك لو طرحه سلمان أمام أبو ذر لقتل أبو ذر سلمانا أو أمر بقتله وترحم على قاتل سلمان لأنه لا يطيق سماع ما في قلب سلمان من الحكمة العالية والأسرار الغالية

Their aḥādīth are most difficult, complex and confusing. They are divided into:

- A. Those aḥādīth which they uttered as Taqīyyah and some don't understand this.
- B. Those aḥādīth which they said figuratively and some believe to be factual.
- C. Those aḥādīth which they said in a form of analogy, illustration, and corroboration and some imagine it to be completely factual.

- D. Those aḥādīth which they said as dissimulation and illusion.
- E. Those aḥādīth which contain specific, general, absolute and restricted meanings.
- F. Those aḥādīth which they said in different ways despite the subject matter being same because of the variances in the questioner’s intellect, schools and faith.

Therefore, many narrations have been transmitted which confirms the difficulty of this specific type, due to its importance. The aḥādīth and narrations are the legacy and ways of the Ahl al-Bayt which they entrusted to the people. Thus, it is necessary to understand it. However, understanding it is not easy. It requires a sound heart, wise intellect and sublime character, to firstly grasp and understand and then bear this knowledge. Bearing this knowledge cannot be achieved until it is applied in one’s life.

That is why he said, “Whatever is narrated to you from the household of the Prophet ﷺ, your hearts become soft by it and you recognise it, then accept it.”

Even the scholars are in terrible disparity and have horrendous differences in understanding their aḥādīth and matters. Have you seen his statement, “By Allah, if Abū Dharr knew what is in Salmān’s heart, he would have killed him whereas the Prophet ﷺ declared brotherhood between them. Then what do you think about the rest of the people?”

Because Salmān carried about them which Abū Dharr was unable to; in fact, more than that. If Salmān had to expose it before Abu Dharr, he would have killed Salmān or ordered him to be killed and show mercy on his killer. This is because he is unable to listen to the lofty wisdom and valuable secrets that Salmān’s heart contained.¹

Shaykh Ḥaydar Ḥubb Allāh reflects on the cognitive instability that afflicted the school, caused through the expansion—by the Imāmī scholars or most of them—of the circle of Taqīyyah to an extent that any hope of reaching the reality of dīn, without any doubt or confusion, was lost. He states:

¹ *Hādhihī hiya al-Ḥaqīqah fī Shu’ūn Wilāyat Āl Muḥammad*, pg. 80 - 82.

لا ينبغي الاستهانة بحجم التأثيرات التي تتركها نظرية التقية عند الإمامية في موضوع نقد المتن إذ يذهب الكثير جدا من الشيعة إلى أن أئمة أهل البيت النبوي عاشوا ظروفًا صعبة في العصرين الأموي والعباسي وأن هذه الظروف فرضت عليهم ممارسة التقية لكن هذه التقية امتدت في التصور الإمامي إلى أن يصدر أهل البيت في كثير من الأحيان تشريعات أو يبينوا أحكام الدين بطريقة غير صحيحة ولا مطابقة للواقع وذلك بهدف رفع التهمة عنهم أو حماية أنفسهم وجماعاتهم

وهذا معناه أنه قد يصدر عن أهل البيت ما هو على خلاف الواقع مع علمهم بأنه علي خلاف الواقع لمصالح زمنية يرونها وهذا يعني أن مجرد مخالفة الحديث للواقع أو العقل أو غير ذلك لا يسمح بتكذيب الراوي لاحتمال صدور الخبر تقية

الأمر الذي يدفعنا إلى تصحيح صدور الخبر وفي نفس الوقت عدم العمل بمضمونه وهو ما يعيق في بعض الأحيان عند الإمامية بالخصوص ادعاء وضع الحديث لأن الراوي هنا لم يضع الحديث بل الإمام قاله حقا غير أنه لم يكن يريد مضمونه بل اضطر إليه تقية

وربما لهذا لم يكتب الإمامية في الموضوعات كما فعل أهل السنة وكان من الصعب عليهم ادعاء الوضع رغم أنهم قد يردون الرواية بأنها صدرت بنحو التقية والتي أي التقية لا تقف بالمناسبة عند الإمامية على التقية من السلطان بل تشمل التقية من الرأي العام أيضا ولهذا لا يجد الإمامية في اختلاف الحديث عندهم ضرورة لتكذيب الرواة وتضعيف النصوص وأسانيدها لأن كثيرا من أسباب هذا الاختلاف عندهم لا يعود لوضع الحديث بل لظروف صدور الحديث هذا ولي شخصا موقف متحفظ من بعض امتدادات هذه النظرية التي اختارها جمهور الإمامية

ويترك هذا الأمر تأثيره علي موضوع آخر يرتبط بعلم الجرح والتعديل وذلك أن تبرئة الراوي للحديث من تهمة الكذب عبر إقحام احتمال التقية معناه أنه لم يعد يمكن دائما اكتشاف وضع الرواة من خلال مراجعة رواياتهم ومقارنتها بروايات الثقات الأثبات أو من خلال تحليل مضمونها ووزانته وصدقته في نفسه فكتب الرجال عند أهل السنة تحكم علي الراوي بالكذب مثلا نتيجة تتبع مروياته ومقارنتها بروايات الثقات وبنصوص الكتاب والسنة المعلومة ونحو ذلك كما نجد ذلك في الكتب المطولة في علم الرجال ككتب المزني والحافظ ابن حجر والذهبي وغيرهم وهذا الأمر سيصبح أقل نسبيًا إذا أخذنا مثل مفهوم التقية

كما أن حالات الاختلاف بين الأحاديث والتي قد تمنحنا مؤشرات معينة عن حال الرواة أو حال الأحاديث المتعارضة سوف يمكن تفسيرها حينئذ بأنها من النصوص المختلفة التي صدرت حقا عن أهل البيت إما نتيجة الخوف من الغير أو إرادة من أهل البيت لإيقاع الفرقة بين الشيعة كي لا يطمع بهم الآخرون كما كان يذهب إلى هذه المقولة المحدث الشيخ يوسف البحراني (١١٨٦هـ)

إن تطبيق نظرية التقية في هذا الإطار التبليغي للدين سيعكس آثاره المتعددة على فهم الحديث ودرجات تقييمه وطبيعة تعاطينا مع الرواة وكذلك على مستوى نقد متنه من وجهة نظري الشخصية لا أو من في الحد الأدنى بان أهل البيت قد استخدموا التقية في بيان الدين إلى هذا الحد الذي يذهب إليه الكثير من علماء الإمامية فهناك فرق بين أن يسكت الداعية الذي تحوطه ظروف قاهرة عن بيان الدين وأحكامه وبين أن يلقي مئات وربما آلاف الأحاديث التي تخبر عن الدين إخبارا غير صحيح

One cannot underestimate the magnitude of the effects left by the Imāmī concept of Taqiyyah in the field of scrutinizing texts, as many of the Shī'ah believe that the Imāms of the Ahl al-Bayt lived through difficult circumstances during the era of the Umayyads and the Abbāsids, and these circumstances compelled them to pursue Taqiyyah. However, this Taqiyyah expanded in the Imāmī's perception to a point that that the Ahl al-Bayt began issuing legislations or explaining the rulings of dīn in an incorrect manner, contrary to reality. This was done with the aim of eradicating accusations against them or protecting themselves and their group.

This means that sometimes the Ahl al-Bayt issue that which is contrary to reality—despite knowing that it is contrary to reality—for some temporary reasons which they experience. This means that mere contradiction of a Ḥadīth to reality, intellect, etc., does not necessitate falsifying the narrator because of the possibility of the transmission being issued in a form of Taqiyyah. This is the matter that compels us to accept the issuance of the transmissions but at the same time abstain from practicing on its subject matter and this is what hinders sometimes, according to Imāmiyyah in particular, the claim of fabrication of aḥādīth because the narrator does not fabricate the ḥadīth. In fact, the Imām says it in reality; however, he does not intend its subject matter. He is forced to it through Taqiyyah.

Perhaps this is the reason the Imāmiyyah did not write any books on *Mawḍū‘āt* (fabricated ḥādīth) as the Ahl al-Sunnah did.¹ It was difficult for them to claim fabrication despite the fact that they would reject some narrations as they were issued in a form of Taqiyyah, which, by the way, is not confined to Taqiyyah in front of a ruler only according to the Imāmiyyah, rather, it includes Taqiyyah from public opinion also. Hence, regarding the differences of ḥādīth, the Imāmiyyah do not see the need to falsify any narrator or declare any text or chain as weak because many of the reasons of these differences, according to them, are not due to fabricating ḥādīth but due to circumstances during the issuance of these ḥādīth. This is my personal conservative stance regarding some of the extensions of this concept that majority of the Imāmiyyah have chosen.

1 Ḥaydar Ḥubb Allāh states in *Nazriyyat al-Sunnah fī al-Fikr al-Imāmī al-Shī‘ī*, pg. 577:

يبدو من المؤكد تقريباً أن الشيعة لم يعرفوا تصنيفاً أو علماً أو اهتماماً خاصاً بظاهرة الموضوعات في الأحاديث لهذا لم نعتز بعد تفتيشنا على مصنفاتهم وكتبهم علي تصنيف لهم بهذا العنوان أو ما يشبهه وفق ما تتبعناه وذلك على خلاف الحال مع أهل السنة حيث وجدنا هذا الموضوع مفرداً عندهم بالدرس والتنقيب والبحث والتصنيف فالكتب السننية في هذا المجال عديدة تبدأ من القرون الهجرية الأولى وحتى الفترات الأخيرة فقد صنفوا كتباً عديدة تحت هذا العنوان كان منها الموضوعات للمقدسي (٥٠٧هـ) والموضوعات لابن الجوزي (٥٩٧هـ) والدر الملتقط في تبيين الغلط للصاغاني (٦٥٠هـ)، والمنار المنيف لابن قيم الجوزية (٧٥١هـ) واللاللي المصنوعة في الأحاديث الموضوعية لجلال الدين السيوطي (٩١١هـ) وتنزيه الشريعة لابن عراق (٩٦٣هـ) والموضوعات الكبير للملا علي قاري (١٠١٤هـ) والمصنوع في معرفة الحديث الموضوع للمؤلف نفسه والفوائد المجموعة للشوكاني (١٢٥٥هـ)

It almost certainly seems that the Shī‘ah do not know of any book, possess knowledge or pay attention to the phenomenon of *Mawḍū‘āt* in Ḥādīth. Hence, we have not come across—after researching their literature and books—any literature on this or similar topic, according to our research. Contrary to the Ahl al-Sunnah, where we see this topic being taught, explored, researched and written about exclusively. Thus, literatures in this field are plenty which begin from the first century after Hijrah until recent times. They wrote many books on this topic. Some of them are:

Al-Mawḍū‘āt of al-Maqdisī (d. 507 AH).

Al-Mawḍū‘āt of Ibn al-Jawzī (d. 597 AH).

Al-Durr al-Multaḥiḥ fī Tabyīn al-Ghalaṭ of al-Ṣāghānī (d. 650 AH).

Al-Manār al-Munif of Ibn al-Qayyim al-Jawziyyah (d. 751 AH).

Al-La‘ālī al-Maṣnū‘ah fī al-Ḥādīth al-Mawḍū‘ah of Jalāl al-Dīn al-Suyūṭī (d. 911 AH).

Tanzīh al-Sharī‘ah of Ibn ‘Irāq (d. 963 AH).

Al-Mawḍū‘āt al-Kabīr of Mullā ‘Alī Qārī (d. 1014 AH).

Al-Maṣnū‘ fī Ma‘rifat al-Ḥādīth al-Mawḍū‘ah of Mulla ‘Alī Qārī.

Al-Fawā'id al-Majmū‘ah of al-Shawkānī (d. 1255 AH).

This matter leaves its effect on another topic related to *al-Jarḥ wa al-Ta'dīl* (disapproval and approval of narrators), and that in the acquittal of the narrator of ḥadīth from accusation of lies through inserting the possibility of Taqiyyah. This means that it is not always possible to discover the fabrication of narrators through reviewing their narrations and comparing them with the narrations of trustworthy reliable narrators or by analyzing its contents and the narrator's conformity and credibility. The books on narrators by the Ahl al-Sunnah pass the verdict of lies against a narrator, for example, based on his narrations and comparing them with narrations of reliable narrators, and the Qur'ān and the known Sunnah etc., as we see in the lengthy books in the field of narrators like the books of al-Mizzī, al-Ḥāfiẓ Ibn Ḥajar, al-Dhahabī etc. This will become relatively less if we take the concept of Taqiyyah into consideration.

Similarly, the cases of differences among the aḥādīth, which may give us specific indications to the condition of the narrators and the contradictory narrations, will make it possible to explain that these different texts were truly issued by the Ahl al-Bayt, either out of fear from others or with the intention of the Ahl al-Bayt to create division among the Shī'ah so that others do not covet them, as the statement of the Muḥaddith Shaykh Yūsuf al-Baḥrānī (d. 1186 AH) alludes to it.

The application of the concept Taqiyyah in the framework of propagating dīn will reverse its multiple effects in understanding Ḥadīth, its ratings and the nature of our dealings with the narrators, and similarly on the level of scrutinizing its texts. From my personal viewpoint, I do not believe in the least bit that the Ahl al-Bayt used Taqiyyah to explain dīn to the extent many of the Imāmī scholars claim. There is a difference between a preacher who is surrounded by compelling circumstances, remaining silent about explaining dīn and its rulings and between producing hundreds and perhaps thousands of aḥādīth which give wrong information about dīn.¹

However, he answers a question posed to him regarding Taqiyyah, in a much more emotional language. He states:

1 Abridged from his article called *Naqd al-Matan fī al-Tajrabah al-Imāmiyyah*, published in the 23rd edition of the magazine *al-Ijtihād wa al-Tajdīd*, summer of 2012 CE.

إن بعضنا اليوم عندما يواجهون إحراجا أو مشكلة فكرية في مكان ما يقولون هذا صدر تقية وهذا ضاع تقية وخوفا وهذا سكت عنه تقية وهذا قيل تقية وهذا فعل تقية دون أن يقوموا دليلا موضوعيا على التقية ووقوعها هنا أو هناك وهذا أكبر دليل لغير الإمامية لكي يقولوا قولهم المشهور إن علماء وأبناء هذه الطائفة لا يمكن الاعتماد عليهم في شيء لأن تصرفاتهم قائمة على المراوغة والتقية ولا يمكن اكتشاف رأيهم الحقيقية وسط فوضي الكلام المتداخل والملتبس الذي يقومونه بل بعضنا اليوم صور الأئمة أيضا بأن آفا من رواياتهم صدرت تقية حتي في التفاصيل الجزئية البسيطة في الفقه والآداب والأخلاق والتي غالبها مما اختلف فيه سائر علماء المسلمين أشد الاختلاف بحيث قدمنا تجربتهم لبيان الدين على أنها أسلوب مبهم مراوغ مشوش لأذهان العلماء والرواة والفقهاء بعدهم فكيف كانوا مبيني الدين وبعضنا اليوم يقدمهم بهذه الطريقة وكلما وصلنا إلى نقطة محرجة لقناعتانا الشخصية قلنا بأن الإمام قال هذا تقية حتى نفر من حديث صحيح السند هنا أو رواية معتبرة هناك دون أن نقدم أي دليل على ذلك أي بيان هذا أن نقدمهم في آلاف النصوص يقولون غير الحق فقط لأسباب منها تبرئة الرواة من الوضع والدس ومنها عدم وجود فهم تاريخي وزمني لبعض نصوص الأئمة فلكي تبرئ ساحة بعض الرواة حول بعضنا دون أن يشعر الأئمة إلى أشخاص يقولون كل يوم قولا

وراجعوا كتب بعض الناس في تعاملهم مع الحديث وكيف أفرطوا في استخدام التقية بحيث حولوا وهم لا يشعرون أهل البيت إلى أشخاص لو دخلت عليهم اليوم لقالوا لك شيئا ولو دخلت أنت بنفسك غدا عليهم لقالوا شيئا آخر فهل هذه طريقة مبتكرة حقا في بيان الدين أم طريقة مبهمة ملتبسة ابتكرت للحفاظ على بعض النصوص والرواة والقناعات حتي أن بعض الروايات المتعارضة التي حمل بعضها على التقية يمكن أن يكون راويها شخصا واحدا كمحمد بن مسلم وهذا مثال واقعي فكيف اتقى منه الإمام في مكان دون مكان هذا يحتاج لتفسير تاريخي ولو كان هناك حضور آخرون غير محمد بن مسلم في إحدى المناسبتين فلماذا لم يشر لنا إلى ذلك محمد بن مسلم نفسه وهو الذي يفترض أن يعرف أكثر منا طريقة الأئمة هذه ويعيشها معها إن استخدام فكرة التقية بهذه الطريقة المفرطة للفرار من أي حقيقة تاريخية هو في وجهة نظر ليس سوى مراوغة

When some of us are confronted with any embarrassment or intellectual problem today, we say, "This was issued as Taqiyyah, this was destroyed

because of Taqiyyah or out of fear, this was kept silent because of Taqiyyah, this was said as Taqiyyah or this was done as Taqiyyah,” without producing any objective evidence for Taqiyyah or its occurrence here or there. This is the greatest proof for the non Imāmiyyah to express their famous saying that the scholars and followers of this group cannot be relied upon in anything because their actions are based on evasiveness and Taqiyyah, and it is not possible to discover their true opinion amongst the chaos of slurred and ambiguous speech which they present. In fact, some of us today, portray the Imāms as issuing thousands of their narrations as Taqiyyah, even in the details of simple subsidiary rulings of Fiqh, etiquettes and morals, majority of which, all the Muslim scholars differ upon intensely, in such a way that we presented their experiences to explain dīn, that it is a vague, in an evasive way that confuses the minds of scholars, narrators, and jurists that come after them. How were they explaining the dīn that some of us, presently, present them in this manner?¹ Whenever we reach a point that embarrasses our personal conviction, we say that the Imām said it as Taqiyyah until we flee from an authentic ḥadīth here and reliable narrations there, without providing any evidence for it.² What explanation is this that we present them in thousands of texts, saying something other than the truth due to some reasons? Amongst them being the acquittal of narrators from fabrication and insinuation, and lack of historical and temporal understanding of some of the Imām’s texts. To exonerate the field of some of the narrators, some of us turned—without realising—the Imāms into people who have a different view every day.

1 The issue is not about a distorted presentation of a correct and beautiful reality; rather what the Imāmī scholars narrate is a presentation of tangible reality of the narrative legacy filled with contradictions, differences, and claims of Taqiyyah. Any proposal besides this, which is not based on disclosing and presenting the reality of things, not beautifying them, can never be truthful or intellectual.

2 This refers to what Shaykh al-Ṭā’ifah al-Ṭūsī did in his book *Taahdhīb al-Aḥkām* and *al-Istibṣār* by basing those narrations that conform with Sunnī Fiqh on Taqiyyah, despite it being reported from al-Bāqir and al-Ṣādiq though authentic chains such as basing the narrations regarding the fast of ‘Āshūrā’, or the forbiddance of Mut’ah in the year of the battle of Khaybar, or confining Khums to spoils of war etc., on Taqiyyah.

Refer to the books of some people¹ regarding their mannerism with ḥadīth, how they exaggerate in using Taqiyyah to such an extent that they turned the Ahl al-Bayt—without realizing it—into such people that if you go to them today, they will tell you one thing and if you go to them again the next day, they would say something else. Is this an innovative way to explain dīn or is it an ambiguous and dubious way, invented to protect some texts, narrators, and convictions? Some of the contradictory narrations which were deemed to be issued as Taqiyyah were possibly narrated by one person like Muḥammad ibn Muslim. This is a realistic example. How did the Imām practice Taqiyyah from him in one place and not in another place? This requires a historical explanation. If there were other people present in one of these two occasions, besides Muḥammad ibn Muslim, then why did he not indicate to that himself? Presumably, he is supposed to know the ways of the Imāms more than us as he lived with them. Using the concept of Taqiyyah in this extreme manner, to flee from any historical reality—in one point of view—is nothing but evasion.

He then extends an invitation to reconsider the sources of Taqiyyah and its dimensions narrated from the Ithnā ‘Asharī Imāms. He states:

أنا أدعو وأشرت لذلك في بحثي حول نقد المتن الحديثي إلى إعادة النظر في الصورة النمطية التي قدمها بعضنا للأئمة على أنهم يقولون كل يوم قولاً متناقضاً ويقدمون للشيعة أكثر من دين ويوقعون بينهم التيه والضياح فبدل هذا الأمر فلنتهم الرواة الذين كانوا السبب قاصدين أم غير قاصدين في اضطراب الروايات وتعارضها

I invite—and I alluded to it during my discussion around criticism of the text of ḥadīth—to reconsider the stereotyping some of us present to the Imāms that they give a contradictory view every day, they present more than one dīn to the Shī‘ah and cause haughtiness and destruction amongst them. Instead of this, we should accuse the narrators who were the cause—intentionally or unintentionally—of upheaval and contradictions in the narrations.

1 By saying ‘some people’ he is referring to these senior scholars of the Imāmiyyah: Ibn Bābawayh al-Qummī, Shaykh al-Ṭā‘ifah al-Ṭūsī, Muḥaqqiq al-Ḥillī, Muḥaddith Yusuf al-Baḥrānī, Muḥaddith al-Astarābādī, the two late Shī‘ī scholars of reference Sayyid Muḥammad Bāqir al-Ṣadr and Sayyid Abū al-Qāsim al-Khū‘ī, and his student Āyat Allāh Muḥammad Āṣif Muḥsinī, etc. These are not lightweight personalities or normal narrators or followers that he addresses them as ‘some people’.

Then Ḥubb Allāh poses a question:

هل كان الأئمة ملزمين بالإجابة عن كل سؤال وهم الذين روي عنهم أنهم قالوا لأصحابهم عليكم السؤال وليس علينا الإجابة؟ فلماذا لا يسكتون بدل أن يقولوا ما يعرفون أنه غير الحق في الدين؟ ولنفرض أنهم سيبرزون رأيا مخالفا لمالك أو أبي حنيفة هل سيؤدي ذلك إلى جرهم للسجن وأبو حنيفة كان بنفسه مضطهدا في الدولة العباسية الأولى ألا يحق لنا المطالبة بإعادة النظر بهذه الصورة التي قدمها بعضنا لأهل البيت وربما يكون أصلها الرواة أو بعض الغلاة الذين كانوا يريدون أن يقولوا للناس بأن لدينا أسراراً وإذا رأيتم روايات تخالف ما نقوله لكم عن أهل البيت من أسرار فلا تكذبونا فإن أهل البيت يقولون كلاما مختلفا تقية وتكتيكا وغير ذلك أليس هذا الاحتمال ينبغي وضعه علميا علي طاولة البحث لدراسة المشهد وفق أكثر من افتراض تاريخي كيف كان الإمام الصادق وهو الذي روينا عنه أن عنده آلاف التلامذة أي لديه جمهور علمي كبير في المحافل العلمية وكان رجلا مقورا محترما جدا في أوساط أهل العلم والزهد عند المسلمين كيف يمكن له أن يمارس التقية بهذه الطريقة المفرطة ليس في أن يتكتف هو في الصلاة بل في أن يبين الدين بغير واقعه الصحيح فيقول مثلا تكتفوا في الصلاة علما أن مالك ومذهبه لم يكن يرى التكتف مثلا واجبا ولا حتى مخالفته مشكلة هل حقا يوجد معطي تاريخي يؤكد أن المخاطر كانت تطال حتى هذه التفاصيل الجزئية التي وقعت خلافات كبيرة و تفصيلية بين أهل السنة أنفسهم فيها لاسيما والجميع يعرف أن الدولة العباسية لم تشهد إعلان مذهب فقهي على أنه المذهب الرسمي إلى ما بعد على الأقل الإمام الكاظم فإسقاطك فكرة المذهب الرسمي علي تلك الأزمنة هو أيضا يحتاج لدراسة معمقة فقد يكون كلاما غير دقيق أبدا وإنما صورة نمطية غير مبرهنة وقد تكون جاءت تبريرا نتيجة الخوف من أن التخلي عنها يوجب هدر النصوص أو الوقوع في مشاكل في الأسانيد والرواة

Were the Imāms compelled to answer every question, whereas it reported from them that they said to their followers, “You have to ask questions but it is not necessary for us to answer.”

Why do they not remain silent instead of saying something which they know is not the truth? Should we assume that if they express any view contrary to Mālik or Abū Ḥanīfah, they would be dragged into prison? Abu Ḥanīfah, himself, was persecuted during the first Abbāsīd rule. Do we not have the

right to request a reconsideration of this image that some of us created about the Ahl al-Bayt, the origin of which, perhaps, are the narrators or extremists who intend telling the people that we possess secrets.¹ If you see narrations from the Ahl al-Bayt that contradict what we say, then do not falsify us because the Ahl al-Bayt make contradictory statements as a form of Taqiyyah, tactically, etc. Should this possibility not be addressed scholarly on the research table to study the scene according to more than one historical assumption? How is it possible that Ja'far al-Ṣādiq, regarding who we report that he has thousands of students, i.e. he had a large scholarly audience in scholarly forums and he was revered and much respected by the people of knowledge and asceticism amongst the Muslims, practiced Taqiyyah in such an excessive way, not only (for example) regarding folding the hands in Ṣalāh, but in explaining dīn contrary to its correct reality. Hence, he would order to fold the hand, knowing that Imām Mālik and his Madhhab do not regard it to be obligatory and they do not have any problem with those who oppose it. Is there really any historical data confirming that these dangers were affecting the details of such subsidiary rulings wherein great detailed differences has occurred amongst the Ahl al-Sunnah themselves, particularly when everyone is aware that the

1 Take note that this criticism is attached with 'perhaps' denoting that Professor Ḥaydar does not have a decisive answer to the issue even though he criticised it so severely and demanded reconsideration of it. How can he have a decisive answer when the senior scholars of the school, generation after generation, till today, do not possess a satisfactory decisive answer that will absolve us of research and discussion about it? Neither the narrative legacy serves them, nor the principles and legislations on which the school is based on, assists them. Yes, I agree with Professor Ḥaydar regarding his question, "Why can it not be that everything in this well-known stereotype of the school, from the minor disappearance till today, is the work of extremist and lying narrators?" However, treating the problem that this school suffers from, with these kinds of assumptions—which Professor Ḥaydar himself dared to be certain of—only leads to condemning the school and creating doubt in its fundamental and subsidiary rulings, not restoring confidence in it. Soon it will expose the extent of fabrication by the extremists and liars in the belief and Fiqhī structure of the school. Similarly, it will expose the confusion of the senior Imāmī scholars regarding the extent and type of this fabrication as well its limits, in addition to determining the names of these liars and extremists, and their agreement on a correct criterion for understanding the concept of extremism, on which the former do not differ with the latter ones and it does not pass under the pretext of 'our Aḥādīth are difficult and complex' in any way. Likewise, reconsidering those narrators whose reliability is agreed upon, despite various reports being narrated from the Imāms criticising them. It is said that this criticism was done as Taqiyyah also.

Abbāsīd state did not witness the declaration of any Madhhab as an official Madhhab till—at least—after Mūsā al-Kāẓim. Thus, projecting the idea of an official Madhhab in those times will also require in-depth research. This could be a completely inaccurate statement, in fact an unproven stereotype one, which may have been uttered as a justification, out of the fear that abandoning it would necessitate wasting texts and falling into problems with regards to the chain of narrations and narrators.¹

It is very far from convincing to me, as a researcher or any Sunnī, Zaydī, or Ibadite, what is attributed to Ja‘far al-Ṣādiq about criticising the Companions رَضِيَ اللَّهُ عَنْهُمْ or declaration disbelief towards the opposition, and opposing the majority of Muslims in beliefs and acts of worship. I am trying to—and I am a researcher who is trying his utmost to avoid his own personal and religious convictions before getting the results of the research—establish the Imāmiyyah’s stance about this Ja‘farī School, which they claim to be protected from misguidance and deviating from the truth, with regards to its issuance from an infallible Imām who has to be followed.

However, what I cannot overlook in this regard is the thorny complex issue of Taqiyyah, which struck the school deeply, which would lead the religious people to lose confidence in what is narrated from Ja‘far al-Ṣādiq.²

1 Website of Professor Ḥaydar Ḥubb Allāh: Answer to the question: Is it true that Shaykh al-Mufīd and others like him adopted non-Imāmī beliefs because of Taqiyyah?

2 What is strange is that the Imāmiyyah do not permit Taqiyyah for the prophets عَلَيْهِمُ السَّلَامُ because of the text of the Qur’ān:

الَّذِينَ يُبَلِّغُونَ رِسَالَاتِ اللَّهِ وَيَخْشَوْنَهُ وَلَا يَخْشَوْنَ أَحَدًا إِلَّا اللَّهَ

That is His way with those prophets who deliver the messages of Allah, and consider Him, and none but Allah. (Sūrah al-Aḥzāb: 39.)

However, they do not merely suffice of permitting the twelve Imāms—who are appointed from Allah Ta‘ālā to preserve dīn—rather they exaggerate excessively regarding it to such an extent that the late Shī‘ah scholar of reference Abū al-Qāsim al-Khū‘ī, in his book *Kitāb al-Ijtihād wa al-Taqlīd*, pg. 161, considered this alleged Taqiyyah to be gradual progression in Sharī‘ah. Hence, he states:

إن ديدن الأئمة جرى على التدرج في بيان الأحكام الشرعية وما اعتبر فيها من القيود والشروط ولم يبينوها - بقيودها وخصوصياتها - في مجلس واحد مراعاة للتقية ومحافظه على أنفسهم وتابعيهم عن القتل أو غيره من الأذى أو لغير ذلك من المصالح، ومن هنا ترى أن العام يصدر من إمام والمخصص من إمام آخر أو أن حكما يصدر من أحدهم فيصدر منه نفسه أو من إمام آخر خلافة

continued...

The Imāmiyyah followed the school of Ja‘far al-Ṣādiq believing that in following the infallible Imām, there is protection for him as an individual and his groups from misguidance and deviating from the truth. However, the surprising thing about the school which he practices and is said to be protected from misguidance, is that a person can hardly differentiate between Ja‘far al-Ṣādiq’s words which he uttered as a ruling and guidance, from that which he uttered as Taqiyyah and subterfuge.

It can be said that Taqiyyah—according to the Imāmī concept—which entered into every fundamental and subsidiary ruling, preserved the Imāmī existence and protected it from extinction, just as it protected it from attempts to correct the path that some Imāmī men confronted; however, it became a heavy burden on the shoulders of the followers and the school.

This heavy burden and confusion which Taqiyyah and the differences in determining its resources left behind, reaches to such a degree that Shaykh Ja‘far al-Shākhūrī states about it:

ويبدو أن هذا الوضع الذي تعرض له الشيعة دون غيرهم قد امتدت آثاره السلبية إلى ما بعد انتهاء مرحلة التقية لأننا نجد أن كبار علماء الشيعة يختلفون في تحديد الروايات الصادرة تقية والروايات الصادرة لبيان الحكم الواقعي وخذ مثالا علي ذلك مسألة نجاسة الخمر فيما يفتي الكثيرون بالنجاسة ومنهم الشيخ الطوسي لأنهم حملوا روايات الطهارة على التقية نجد أن هناك من الفقهاء من يفتي بالطهارة كالمقدس الأردبيلي وغيرهم لأنهم حملوا روايات النجاسة على التقية وهذا يكشف عن التخبط في استخدام التقية عند القدماء

It becomes apparent that the negative effects of this situation which the Shī‘ah suffered from, not others, extended beyond the stage of Taqiyyah,

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The practice of the Imāms was to gradually explain the rulings of Sharī‘ah and whatever restrictions and conditions were found in it, they did not explain it—with its restrictions and specialties—in one gathering in consideration of Taqiyyah and protecting themselves and the followers from death and other types of harm or for other reasons. Hence, one will notice that a general rule will be issued from one Imām and the specific from another or a ruling is issued from an Imām then he, himself or another Imām issues a ruling contrary to that.

because we see that the senior Shīī scholars differ in stipulating those narrations that were issued as Taqiyyah and those that were issued to explain a real ruling. Take the ruling of the impurity of wine for example. Many issue the ruling of it being impure, among them is Shaykh al-Ṭūsī, because they regard the narrations regarding its purity as Taqiyyah. We find that there are jurists who issue the ruling of it being pure, like al-Muqaddas al-Ardibīlī and others, as they regard the narrations of its impurity to be Taqiyyah. This reveals the confusion in the usage of Taqiyyah among the former scholars.¹

In another place he says:

لو أردنا غيره من عشرات الأمثلة لألفنا كتابا خاصا يؤكد فوضى تحديد موارد التقية التي تشبه فوضى ادعاءات الإجماع في مسائل الفقه مما أدى إلى اختلاف كثير من فتاوى العلماء تبعا لتحديد ما هي الروايات الصادرة عن التقية وغيرها

If we wanted dozens of other examples, we would be able to write a separate book which confirms the chaos in determining the resources of Taqiyyah which resembles the chaos of the claims of consensus in Fiqhī rulings that led to great differences in the rulings of the scholars, following the stipulation of which narrations were issued as Taqiyyah and which were not.²

Muḥaddith Muḥammad Amīn al-Astarābādī (d. 1033 AH) states in *al-Fawā'id al-Madaniyyah*, while commenting on al-Ṭūsī's statement in *'Uddat al-Uṣūl*:

ومحصول كلامه هناك أن اختلاف فتاوى أصحابنا المبني على اختلاف الفتاوى الواردة عنهم لا يستلزم تناقضا بين تلك الفتاوى حتي يكون الحق في واحد وذلك لأن كل واحد منهم يقول هذه الفتوى ثبت ورودها عنهم ولم يظهر عندي إلي الآن أن ورودها من باب التقية وكل ما هو كذلك يجوز لنا العمل به إلي ظهور القائم وإن كان وروده في الواقع من باب التقية وكل واحدة منهما حق إحداهما عند الاختيار والأخرى عند ضرورة التقية بخلاف اختلاف الفتاوى المبني على غير ذلك فإنه يستلزم التناقض بينها لأن كل واحد منهم يقول أولا هذا حكم الله في الواقع حال الاختيار بحسب ظني ثم يقول كل ما هو كذلك يجوز لي ولمقلدي العمل به قطعاً وبقينا

1 *Āyat Allāh al-'Uzmā al-Sayyid Muḥammad Husayn Faḍl Allāh wa Ḥarakiyyat al-'Aql al-Ijtihādī*, pg. 72.

2 *Ibid.*, pg. 72 -75.

The gist of his statement is that the differences in the rulings of our companions, which are based on the rulings that emanated from the Imāms, do not necessitate contradiction in those rulings in such a way that the truth is in one of them only. This is because each one of them say, “The issuance of this rulings is proven from them and it has not appeared to me, until now, that its issuance was as a form of Taqiyyah.” Everything that is like this, it is permissible for us to practice on it till the emergence of al-Qā'im (al-Mahdī), even though, in reality, it was issued as Taqiyyah. Each one is the truth. One, when a person has choice and the other at the time of the necessity of Taqiyyah. Contrary to rulings that were based on other than that, because this necessitates contradiction between them because each one of them would initially say, “This is the rule of Allah سُبْحَانَهُ وَتَعَالَى in reality, in the state of choice, according to my understanding.”

Then he would say that, “Everything that is like this, it is permissible for me and my followers to act upon with certainty and conviction.”¹

See, may Allah protect you, how the senior scholars of the School stumble in this issue and how Taqiyyah became a tool to destroy the truth to such a degree that the pillars (leaders) of the School became confused with narrations from Ja'far al-Ṣādiq. Do they regard it as Taqiyyah or the truth?

Perhaps Jāhīz (d. 255 AH) was astonished with what I am astonished. He states:

فمتي إذن تزول التقية ويجب إظهار الحق والنصرة للدين والمباينة للمخالفين أحين يموت الخصم ويبيد أثره ويهلك عقبه ويقبل ناصره ويزول جميع الخوف ويكون على يقين من السلامة وكيف يكون القائم حينئذ بالحق مطيعا ولله معظما فقد سقطت المحنة وزالت البلوي والمشقة وهل المعصية إلا ما مازجه الهوى والشهوة وهل الطاعة إلا ما شابه المكروه والكلفة وكيف يتكلف ما لا مؤونة فيه وكيف يحمى مالا مرزئة عليه وكيف يكون شجاعا من أقدم في الأمن وتكمن في الخوف أو ليست النار محفوفة بالشهوات أو ليست الجنة محفوفة بالمكاره وكيف صاروا في باطلهم أيام قدرتهم أقوى منا في حقنا أيام قدرتنا

Thus, when will Taqiyyah stop? And when will it be necessary to manifest the truth and assist the dīn and express difference to the opposition? When the opposition dies, his traces wiped out, his successors perish, his helpers

1 *Al-Fawā'id al-Madaniyyah*, pg. 96-97.

diminish, all fear is removed, and one is certain of safety? How will a person existing at that time be obedient to the truth and glorifying Allah when the test has been removed and the affliction and difficulty has vanished? Is disobedience only when it is mixed with passion and desire and is obedience only that which resembles the abhorred and discomfort? How can a person be obliged to something that he was not burdened of and be praised for something he was not afflicted of? How can a person be brave if he advances at times of safety and stays behind at times of fear? Is Hellfire not fraught with desires and is Paradise not fraught with adversities? How did they become stronger than us in their falsehood, in their days of power compared to us, in our truth, during our days of power?¹

Shaykh Aḥmad Āl Ṭaʿān al-Baḥrānī al-Qaṭīfī (d. 1315 AH), while reviewing the reasons for the great divide that occurred among the ranks of the Imāmī scholars, which divided them into two conflicting directions,² i.e. the Uṣūlīs and the Akhbārīs, attributes them to various matters, most important of them being the differences in the transmissions narrated from the Imāms wherein Taqīyyah is considered to be the strongest reason, according to him. He justifies that by saying:

1 *Al-Rasā'il, al-Risālah al-Sādisah*, 1/287.

2 He states in the beginning of his statement:

قد آل الحال بين مجتهدي علمائنا واخبارتهم إلى إبطال أكثر أقوالهم وفتاويهم ولازم ذلك عدم صحة صلاة مقلديهم عند التخالف بمعنى مقلدي المجتهدين إذا اتوا الأخباريين وبالعكس إنني لم أقف على تصريح فيه من احد منهم إلا إنه الظاهر من أكثر عباراتهم في التخطئة في أمهات المسائل وناهيك بهداية الأبرار من كتاب كاشف عن المعني الأستار وكذلك الفوائد المدنية وكذلك كتاب الأخبار وحدائق مولانا المشار إليه آنفا ومقدمات شرح المفاتيح و المفاتيح نفسها وما لا يأتي عليه قلم الإحصاء تصريحا تارة وتلويا اخرى علي وجه لا يقبل الجمع بوجوه من الوجوه وانتم ممن لا يخفي عليه الوجه

The situation between our Mujtahid scholars and the Akhbārīs has led to the invalidation of most of their views and rulings and this necessitates the invalidity of their follower's Ṣalāh when there are differences, meaning, when the followers of the Mujtahids go to the Akhbārīs and vice versa. I have not come across any declaration from anyone of them regarding it; however, it is apparent from most of their excerpts regarding errors in the most important issues. Not to mention *Hidāyat al-Abrār*, the book that reveals the hidden meanings. Similarly, *al-Fawā'id al-Madaniyyah*, *al-Akhbār* and *Ḥadā'iq* of the scholars mentioned previously, the forward of *Sharḥ al-Mafātīḥ* and *al-Mafātīḥ* itself and others that the pen cannot encompass, sometimes explicitly and other times by alluding to it, in a manner that cannot be reconciled in any way. You are from those on who the reason is not concealed.

لأنهم لم يزالوا في زاوية التقية والإغضاء والغض عن كل محنة وبلية فيخالفون بين الأحكام وإن لم يحضر أحد من أولئك الطغاة الطغام اللثام محافظة وخوفا على شيعتهم الكرام إذ بعدمهم يؤول الدين إلى الانهدام فيجيبون في المسألة الواحدة بأجوبة غير متحدة والأخبار في هذا المعنى أكثر من أذ تحصى وأجل من أن تستقصى

Because they were always in the angle of Taqiyyah and ignoring and turning a blind eye to every trial and affliction, thus they would differ in the rulings—even though none of those tyrants, lowly and wicked people were present—to preserve and protect their noble sect because without them the dīn would lead to extinction. Hence, they would give several answers to one question. Transmissions of this type are too many to enumerate and investigate.¹

Then he mentions examples of these transmissions. From among them is what al-Kulaynī reported in *al-Kāfī*, which is a Ḥasan (good narration) from Maṣūf ibn Ḥāzīm who says:

قلت لأبي عبد الله ما بالي أسألك عن المسألة فتجيبني فيها بالجواب ثم يجيئك آخر غيري فتجيبه فيها بجواب آخر فقال إنا نجيب الناس على الزيادة والنقصان

I said to Abū ‘Abd Allāh, “What is the matter? I ask you regarding a ruling and you give an answer. Then someone else comes and you give him another answer?”

He replied, “We answer the people according to increase and decrease.”

He mentions other transmissions like these and then he comments by saying:

ومعني قوله إنا نجيب الناس أي قدر زيادة الثقة أو نقصانها ويحتمل أن يكون مراده قدر إيمانهم أو أفهامهم أو علي الزيادة والنقصان في الجواب أو في السؤال والتعبير

The meaning of his statement ‘we answer the people’ is; according to the increase and decrease in Taqiyyah. It is possible that the meaning could be; according to the increase and decrease of their faith and understanding, or increase and decrease in the answer or question and expression.²

1 *Al-Rasā’il al-Aḥmadiyyah*, 3/127.

2 *Al-Rasā’il al-Aḥmadiyyah*, 3/131.

One can notice the confusion in his statement when interpreting the above-mentioned text, which presumably, the Imām said with the object of removing dispute and confusion from the followers. Thus, they are confused with the senior scholars of the School.

To assume that the opposition of the Ithnā ‘Asharī Shī‘ah formed a single Fiqhī school against the Ja‘farīs, is strange and has nothing to do with reality, because majority of the Muslims have many Fiqhī schools with different opinions and directions.

To consider every difference in the Imāmī narrations to be attributed to Taqiyyah, amongst them being historical and cosmic narrations which have no connection with beliefs, Fiqh, and Tafsīr, from those narrations that were issued in the context of Taqiyyah, is misplacing them.

From amongst them is what al-Majlisī reported in his *Bihār* regarding dozens of narrations that they were issued as Taqiyyah. Some examples are:

1. Some of the transmissions that discuss the matter from which Ḥawwā’ was created.¹
2. Those transmissions that discuss the place where Ādam and Ḥawwā’ عَلَيْهِمَا السَّلَامُ descended from Paradise.²
3. Transmissions regarding Hābīl and Qābīl’s marriage to their sisters.³
4. Transmissions pertaining to Ismā‘īl and Ishāq’s عَلَيْهِمَا السَّلَامُ age.⁴
5. Transmissions pertaining to the nature of kinship between Yaḥyā and ‘Īsā عَلَيْهِمَا السَّلَامُ.⁵
6. Transmissions that prove precedence of the death of Yaḥyā عَلَيْهِ السَّلَامُ upon the raising of ‘Īsā عَلَيْهِ السَّلَامُ and vice versa.⁶

1 *Bihār al-Anwār*, 11/222.

2 *Ibid.*, 11/180.

3 *Ibid.*, 11/226.

4 *Ibid.*, 12/113.

5 *Ibid.*, 14/202.

6 *Ibid.*, 14/190.

7. Transmissions that indicate that the birth 'Īsā عَلَيْهِ السَّلَامُ occurred on the day of 'Āshūrā' (10th Muḥarram) and specific transmissions about the time he was conceived and the place of his birth.¹
8. Transmissions that discuss the length of the war of Bukhtnaṣr [Nebuchadnezzar] with the Banū Isrā'īl.²
9. Transmissions that indicate that the person who Allah سُبحَانَهُ وَتَعَالَى caused to die for a hundred years is 'Uzayr عَلَيْهِ السَّلَامُ.³
10. Transmissions pertaining to the length of time Yūnus عَلَيْهِ السَّلَامُ remained in the belly of the fish,⁴ and other countless narrations.

Yaḥyā Muḥammad asks:

ما إذا كانت التقية بهذا الشكل المضحّم كما يتحدث عنها فقهاء الإمامية لكان المتوقع أن نجد ما يرد خلاف التقية من الحديث قليلا جدا وذلك بسبب الكتمان والسرية في حين أن الروايات التي تشير إلى الدلالات المنافية لها هي ذات أعداد كبيرة جدا يروى أغلبها عن الإمام الصادق فكيف ينسجم ذلك مع العمل بالتقية؟ وكيف لا يعرف المخالفون بهذه الأعداد الضخمة من الأحاديث لو صح أنها فعلا صدرت عن الإمام الصادق كتلك التي تطعن في القرآن وفي كبار الصحابة؟ فقد يكفي واحد منها لتضليله أو تكفيره وربما قتله وهو خلاف ما عرف عنه لدى علماء عصره من المذاهب الأخرى فقد كانوا يكتنون له التقدير ويعدونّه من سادات العلم والإيمان ولم يرد منهم أي طعن أو تشكيك فيه وفي أقواله

وبعبارة أخرى كيف حق لنا التسليم بالكثرة الروائية الدالة على المناكير التي ينكرها المخالفون من الارتفاع والغلو والطعن واللعن والتكفير والتحريف والعصر عصر تقية كما يقال حيث يفترض أن لا يعلم بهذه الأمور إلا أقرب المقربين

فنحن هنا بين أمرين فإما الأخذ بالتقية وإبطال ما روي من الأحاديث المنافية لها واعتبارها موضوعة من قبل المتأخرين عن زمن التقية أو الاعتراف بهذه الأحاديث من غير تقية

1 Ibid., 14/215.

2 Ibid., 14/355.

3 Ibid., 14/378.

4 *Biḥār al-Anwār*, 14/401.

ومن الواضح أن أحد هذين الافتراضين يقتضي نفي الآخر لكن التعويل علي الافتراض الأخير يفضي بدوره إلى التردد بين أمرين آخرين فيما أن تكون تلك الروايات صادرة فعلا عن الأئمة أو أنها صادرة عن رجال وأصحاب نسبوا إليهم كذباً وزوراً

If Taqiyyah was present in this exaggerated manner, as expressed by the Imāmī scholars, then we would expect to find the narrations that were issued against Taqiyyah to be very little, due to secrecy and confidentiality. Meanwhile, narrations that indicate towards connotations opposing Taqiyyah are found in very large numbers, most of which are narrated from Ja'far al-Ṣādiq. How can this be compatible with practicing Taqiyyah? How can the opposition not know about this huge amount of aḥādīth if it is true that they were actually issued by Ja'far al-Ṣādiq, like those that criticise the Qur'ān and the senior Companions رضي الله عنهم? Just one of these narrations is sufficient for his deviation, disbelief, or perhaps his killing, whereas this is contrary to what was known about him among the scholars of other Madhhabs in his era. They appreciated him and considered him to be from the leaders of knowledge and faith. There is no criticism or doubt narrated about him and his views. How is it right for us to accept the abundant narratives that indicate to evils which the opposition reject such as exaggeration, extremism, criticism, cursing, declaring disbelief and distortion, when the era was an era of Taqiyyah, as it is said, and it is assumed that only the closest of the close were aware of these matters?

Here, we are caught between two things: Either to adopt Taqiyyah and invalidate the narrations that oppose it and consider them to be fabricated by those who came after the era of Taqiyyah, or acknowledge these aḥādīth without Taqiyyah.

It is obvious that adopting one of these assumptions necessitates negating the other. However, relying on the second assumption will in turn lead to doubt in two other matters. Either those narrations were issued by the Imāms in reality or they were issued by other men and followers who falsely attribute it to them.¹

1 From an article which he published on his website titled: *Mabda' al-Taqiyyah wa Ta'āruḍ al-Riwāyāt* (Principal of Taqiyyah and contradictions of narrations.)

We always talk about the political persecution and targeting of some of the Imāms of the Ahl al-Bayt by the ruling authority at that time. Therefore, it would be apt to point out that the political pressure, during the era of al-Bāqir and al-Ṣādiq was not confined to them only, but it affected other Imāms and jurists also.

To use Taqiyyah and political circumstance prevailing at that time to justify the contradictions is neither logical or acceptable, because when circumstances compel a scholar to Taqiyyah and compliance in order to protect his life, wealth, and honour from who he fears, then it is not permissible for the people to follow him in the rulings he issues which are contrary to the truth. At that time, it is necessary for the Muslims to be cautious in their dīn and follow others who are out of the atmosphere of Taqiyyah and issue rulings according to the truth that his Ijtihād led him to, without caring for anyone.

A person can ask the question: Who is more likely to be targeted and his School be eradicated? Imām Zayd, who took up arms against the ruling authority just as his grandfather, Ḥusayn رضي الله عنه, did till he was martyred; or Ja'far al-Ṣādiq who submitted to the ruling authority and throughout his life did not pose any threat to the Umayyad and Abbāsīd kingdom?

Zayd ibn 'Alī ibn al-Ḥusayn was hanged and it is said that his noble body was left hanging on the wood for four years, then it was brought down and burnt;¹ however, his Madhhab did not die.²

1 Al-Dhahabī: *Tārīkh al-Islām*, 3/415.

2 By saying his School, I mean his beliefs more than his Fiqh, because this belief was tainted by many people. The Zaydīs are followers of Zayd ibn 'Alī ibn al-Ḥusayn ibn 'Alī ibn Abī Ṭālib, committed to his fiqh and practice on his Fiqhī Ijtihād, as is the situation with the followers of the four Sunnī Madhhabs, the Ḥanafīs, Mālikīs, Shāfi'īs, and the Ḥanbalīs, who practice upon the Fiqh of their respective Imāms. However, the issue, with regards to the Zaydīs, is clearly different, because they are not committed to practicing on the school of Zayd ibn 'Alī and adhering to it, rather they regard him as one of the oppositions in Fiqhī rulings, as mentioned by Sharīf 'Abd al-Ṣamad ibn 'Abd Allāh al-Dāmaghānī (d. After 997 AH) in his booklet, *al-Jawharah al-Khāliṣah 'an al-Shawā'ib fī al-'Aqā'id al-Nāqimah 'alā Jamī' al-Madhāhib*. He states:

ومنها أي ومن الأمور التي نتم بها علي الزيدية أنهم يخالفون زيد بن علي إمامهم في كثير من الفروع مع انتسابهم إليه ويزعمون أنهم أخذوا بفروع أتباعه كما أخذت الشافعية بفروع أصحاب الشافعي والمالكية بفروع أصحاب مالك والحنفية بفروع محمد بن الحسن الشيباني وأبي يوسف وزفر أصحاب أبي حنفة وليس بصحيح لأن أصحاب كل فقيه ممن رووا زادوا علي فروع إمامهم وفرعوها ونقحو الصحيح منها

continued...

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والزيدية لم يفعلوا ذلك في فقه زيد بن علي بل جعلوه كأحد المخالفين في مسائل الفقه وجعلوا عمدتهم في المذهب ثلاثة أئمة من أولاد الحسن اثنان أي المؤيد بالله أحمد الهاروني (٤١١هـ) وأبو طالب يحيى الهاروني (٤٢٤هـ) ومن أولاد الحسين واحد أي الناصر الأطروش (٣٠٤هـ) وكلهم من اتباع زيد في العقيدة والإمامة وفروعهم توافق الحنفية أكثر من غيرهم من الفقهاء

From among them—i.e. from amongst the issues that the Zaydīs are taken to task for—is that they contradict their Imām, Zayd ibn ‘Alī, in many subsidiary rulings despite being attributed to him. They claim to adopt the subsidiary rulings of his followers just as the Shāfi‘īs adopted the subsidiary rulings of al-Shāfi‘ī’s companions, the Mālikīs adopted the subsidiary rulings of Mālik’s companions and the Hanafīs adopted the subsidiary rulings of Muḥammad ibn al-Ḥasan al-Shaybānī, Abū Yūsuf, and Zufar, the companions of Abū Ḥanīfah. This is incorrect, because the companions of each jurist that they narrate from, added to the subsidiary rulings of their Imām, branched it, and revised the authentic from it. The Zaydīs did not do that to the fiqh of Zayd ibn ‘Alī, rather they regarded him as of the opposition in Fiqhī rulings and made three Imāms their leaders in the school. Two of them were from the progeny of al-Ḥasan رَضِيَ اللَّهُ عَنْهُ, i.e. al-Muayyad bi Allāh Aḥmad al-Hārūnī (d. 411 AH) and Abū Ṭālib Yaḥyā al-Hārūnī (d. 424 AH), and the other from the progeny of al-Ḥusayn, i.e. al-Nāṣir al-Aṭrūsh (d. 304 AH). All of them followed Zayd in beliefs and Imāmah and their subsidiary rulings conform more to the Ḥanafīs than any other jurists.

This confirms that the former Zaydī Imāms were more affected by Abū Ḥanīfah in subsidiary rulings than Zayd ibn ‘Alī.

Imām al-Mahdī li Dīn Allāh Aḥmad ibn Yaḥyā al-Murtaḍā (d. 840 AH) endorses what we previously mentioned about the Zaydīs not being committed to the fiqh of Imām Zayd. He states in *al-Munyah wa al-Amal*, pg. 96:

فالزيدية أي زيدية اليمن منسوبة إلي زيد بن علي لقولهم جميعا بإمامته وإن لم يكونوا على مذهبه في مسائل الفروع وهي تخالف الشافعية والحنفية في ذلك لأنهم إنما نسبوا إلى أبي حنيفة والشافعي لمتابعتهم لهما في الفروع

The Zaydīs—Zaydīs of Yemen—are attributed to Zayd ibn ‘Alī because they all attest to his Imāmah, even though they do not follow him in subsidiary rulings. This is in contrast to the Shāfi‘īs and the Hanafīs, as they are attributed to Shāfi‘ī and Abū Ḥanīfah because they follow them in subsidiary rulings.

Imām al-Mu‘ayyad bi Allāh Yaḥyā ibn Ḥamzah adds to that in *al-Risālah al-Wāzī‘ah*, pg. 48, by saying:

فمن كان على عقيدته أي عقيدة الإمام زيد بن علي في الديانة والمسائل الإلهية والقول بالحكمة والاعتراف بالوعد والوعي وحصر الإمامة على الثلاثة الذين هم علي ولديه (الحسين والحسين) وإن طريق الإمامة الدعوة في من عداهم فمن كان مقرا في هذه الأصول فهو زيدي (إلى أن قال) فهذه هي معتقدات الزيدية التي هي مصداق اللقب عليها من دون المسائل الاجتهادية التي لا حظ لها في هذا اللقب اي لقب زيدي ولكنه توسع في مدلول هذا اللقب فشمّل حتى الذين يخالفون زيدا في كثير من المسائل الاجتهادية والمضطربات النظرية بمن فيهم أئمة الزيدية المخالفون لزيد بن علي فإن لقب زيدي يشملهم

continued...

The Zaydī scholars—despite what transpired with the Imām of their school—are most severe in criticising the attribution of Taqīyyah to the school of the Ahl al-Bayt. Their books are replete with criticism of the Imāmiyyah for their belief of Taqīyyah regarding their Imāms,¹ despite having reasons and excuse in the form of being targeted by the ruling authority due to their Imāms situation with them. Despite of all this, their school remained established and their scholars came out openly about it without any ambiguity.

Here is Abū Ḥanīfah, whose soul reached its Creator while he was in the prison of Abū Ja‘far al-Manṣūr after he issued a ruling for supporting Muḥammad ibn ‘Abd Allāh (Dhū al-Nafs al-Zakiyyah) during his revolt against al-Manṣūr and due to his correspondence (after the martyrdom of Dhū al-Nafs al-Zakiyyah) with his brother, Ibrāhīm ibn ‘Abd Allāh who managed to gain power over vast parts of Persia and Iraq, and due to him sending the only four thousand dirhams he possessed to Ibrāhīm ibn ‘Abd Allāh. Despite this, his Madhhab remains lofty and there is no contradiction and confusion in it. Nothing of Taqīyyah is attributed to it.

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Whoever adopts his belief—belief of Zayd ibn ‘Alī—in religion, divine matters, attesting to wisdom, acknowledging the promises and awareness, confining Imāmah to three personalities, i.e. ‘Alī and his sons Ḥasan and Ḥusayn رَضِيَ اللهُ عَنْهُمَا and that the way of the Zaydīs is to invite others, then whoever acknowledges to these principles is a Zaydī... till he says, these are the Zaydī beliefs that is the criterion for the title, not Ijtihādī rulings which have no part in this title, i.e. title of Zaydī. However, this title has a broader meaning which includes even those who differed with Zayd in many Ijtihādī rulings and theoretical confusions, amongst them being the Zaydī Imāms who differed with Zayd ibn ‘Alī. This title includes them also.

1 From among that is what Imām al-Manṣūr bi Allāh ‘Abd Allāh ibn Ḥamzah (d. 613 AH) stated, as reported in *Ma‘āthir al-Abrār*, 1/233-234:

فهذا مذهبنا لم نخرجه غلط ولم نكتم سواء تقية ومن هو دوننا مكانا وقدوة يسب ويلعن ويذم ويطعن ونحن إلى الله تعالى من فعله براء وهذا ما يقضي به علم آبائنا منا إلى علي وفي هذه الجهة من برى محض الولاء سب الصحابة والبراء منهم فيتبرأ من محمد صلى الله عليه وعلى آله وسلم من حيث لا يعلم

This is our school. We did not derive it in error and we do not conceal other than that out of Taqīyyah. Those who are lower than us in position and status swear, curse, slander and criticise. We are absolved of their actions by Allah سُبْحَانَهُ وَتَعَالَى. This is the decision of our forefathers’ knowledge, from us till ‘Alī رَضِيَ اللهُ عَنْهُ. In this regard, whoever sees pure loyalty to be in slandering the Companions رَضِيَ اللهُ عَنْهُمْ and renouncing them, he is in reality renouncing the Prophet صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ inadvertently.

Here is Imām Mālik ibn Anas, being led to the governor of Madīnah, Ja‘far ibn Sulaymān—the cousin of Abū Ja‘far al-Manṣūr—and lashed till his shoulder was dislocated, due to a slander that reached the governor that he issued a ruling of permissibility to revolt with Dhū al-Nafs al-Zakiyyah against al-Manṣūr, and due to the fact that when he was told:

إن في أعناقنا بيعة للمنصور

The pledge of allegiance to al-Manṣūr rests on our necks.

He replied:

إنما بايعتم مكرهين وليس علي مكره يمين

You only pledged allegiance out of force and an oath of a forced person does not occur.

He derived this from the Ḥadīth of Thābit al-Aḥnaf regarding divorce of a forced person that it does not take place.

It has been reported that when Imām Mālik was lashed, shaved, and carried on a camel, he was told, “Call unto yourself”, He replied:

ألا من عرفني فقد عرفني ومن لم يعرفني فأنا مالك بن أنس أقول طلاق المكره ليس
بشيء

Behold, whoever recognises me, knows me. Whoever does not know me, I am Mālik ibn Anas and I say that the divorce of a forced person is nothing.

When this news reached Ja‘far ibn Sulaymān, he said, “Catch him and bring him down.”¹

Despite these hardships, Imām Mālik did not resort to Taqiyyah, neither in this situation which followed the lashing nor in any other and the scholars of his Madhhab did not use this oppression or any other as excuse. The Madhhab remained lofty in Madīnah. Then it was destined to spread to Spain and Morocco till today.

1 *Ḥilyat al-Awliyā’*, 6/316; *Siyar A‘lām al-Nubalā’*, 8/96.

Here is Aḥmad ibn Ḥanbal. He was afflicted in the calamity of *Khalq al-Qur’ān*¹ which ravaged the Ummah at that time. Afflictions continued on him, one after another, from the Abbāsīd kings, i.e. Abū al-‘Abbās al-Ma’mūn (d. 218 AH), Abū Ishāq al-Mu’taṣim (d. 227 AH), and Abū Ja’far al-Wāthiq bi Allāh (d. 232 AH).

He remained in the prisons of al-Ma’mūn and al-Mu’taṣim in Baghdād for 64 months. They tortured him and beat him so severely that his hands were dislocated. He remained patient and steadfast on his stance, debating and fighting.²

Then he was afflicted by al-Wāthiq bi Allāh who passed an order that no one is allowed to gather by Imām Aḥmad, that he should not live in a place or city in which he resides, he must be confined to house arrest and not go out for *Jumu’ah* (Friday prayers) and *Jamā’ah* (congregational prayer) or else he will be afflicted with the same conditions that he bore during the era of Abū Ishāq al-Mu’taṣim.

1 Ruling of whether the Qur’ān is created or eternal.

2 Abū al-‘Arab (d. 333 AH) reported in *al-Miḥan*, pg. 452, through his chain from Imām Aḥmad who explains what transpired in those days. He says:

ناظروني يوم المحنة ونحن بحضرته يعني أبا إسحاق المعتصم وفي رجلي ثلاثة قيود قد أثقلتني وجمعوا علي نحواً من خمسين من المناظرين فقلت لا أكلمكم إلا بما في كتاب الله أو سنة رسوله فقطعتهم فلكرني عجيف بقائم سيفه وقال أنت وحدك تريد أن تغلب هذا الخلق ولكزني إسحاق بن إبراهيم بقائم سيفه وأشار أبو عبد الله أحمد بن حنبل بيده إلى عنقه قال وأنت تقول إلا ما كان في كتاب الله أو سنة رسوله فقال أبو إسحاق المعتصم خذوه فأخذوا بضبعي فخلعوني فانا أجد ذلك في كتفي إلى الساعة وكانا جلادين وكان يضرب كل واحد منهما سوطاً ويتنحي فضرب ثلاثين سوطاً يقال إنها تعدل ثلاثمائة سوط

They debated with me on the day of the ordeal while we were in his—Abū Ishāq al-Mu’taṣim’s—presence. I had three shackles on my legs which weighed me down. They had gathered about 50 debaters. I said to them, “I do not speak to you except that which is in the Qur’ān and the Sunnah of the Prophet ﷺ,” thus, I cut them off. ‘Ajīf jabbed me with the handle of his sword and said, “You alone want to overpower this group?” Then Ishāq ibn Ibrāhīm jabbed me with the handle of his sword—Abū ‘Abd Allāh Aḥmad ibn Ḥanbal pointed with his hand to his throat—and said, “You say only that which is in the Book of Allah and the Sunnah of His Prophet?”

Thereafter Abu Ishāq al-Mu’taṣim said, “Take him.”

They caught my hands and dislocated it. I get pain in my shoulders till now. They were executioners. Each one would lash me once and move away for the other one to lash.

He was lashed 30 times. It is said that they were so severe that it was equivalent to 300 lashes.

This isolation was a year long, after which al-Wāthiq passed away. Thereafter Imām Aḥmad returned to his role in narrating Ḥadīth and teaching.¹

Imām Aḥmad's Madhhab remains till today as well as his transmissions which he wrote with his hands, without any Taqiyyah or doubt.

Here is Ibn Ḥazm (d. 456 AH)—leader of the Zāhīrīs²—who did not only differ with the four Madhhabs in subsidiary rulings, but he differed in fundamental principles also. Thus, he rejected Qiyās and adopted many isolated Fiqhī rulings due to which he was fiercely attacked by the fanatics, in addition to his fierce differences with Imāms whose nobility is agreed upon and his aggression towards them. As a result of this, his books were burnt by the king of Seville, al-Mu'taḍid ibn 'Abbād (d. 461 AH).

Ibn Ḥayyān al-Qurṭubī (d. 469 AH) says:

استهدف إلى فقهاء وقته فتألبوا علي بغضه ورد قوله وأجمعوا على تضليله وشنعوا عليه وحذروا سلاطينهم من فتنته ونهوا عوامهم عن الدنو إليه والأخذ عنه فطفق الملوك يقصونه عن قربهم ويسيرونه عن بلادهم إلى أن انتهوا به منقطع أثره بترية بلده من بادية لبلة وبها توفي غير راجع إلى ما أرادوا به يث علمه فيمن يتابه بباديته من عامة المقتبسين منه من أصاغر الطلبة الذين لا يحسون فيه الملامة بحدائثهم ويفقههم ويدرسهم ولا يدع المثابرة على العلم والمواظبة على التأليف والإكثار من التصنيف حتى كمل من مصنفاته في فنون العلم وقرعير حتى أحرق بعضها بإشبيلية وفي ذلك يقول

فإن تحرقوا القرطاس لا تحرقوا الذي تضمنه القرطاس بل هو في صدري
يسير معي حيث استقلت ركائبي وينزل إن أنزل ويدفن في قبوري

He targeted the jurists of his time, so they conspired upon his hatred, rejecting his views, agreed upon his deviation, slandered him, warned the rulers about his mischief and prevented the masses from getting close to him and adopting his views. Thus, the rulers began cutting their close

1 Ṣāliḥ ibn Aḥmad: *Sīrat al-Imām Aḥmad ibn Ḥanbal*, pg. 94.

2 There is no doubt that the founder of the Zāhīrīs is Imām Dāwūd ibn 'Alī al-Aṣbahānī; however, after him and his son, the Madhhab was close to extinction, had it not been for the revival by Imām ibn Ḥazm al-Andalūsī in the fifth century. Thus, he revived it and established its structure and pillars.

associates from him and expelled him from their territories till it led to the end of his trace in the sand of his town in the desert of Lablah. He passed away there without reverting to what they wanted from him, spreading his knowledge to whoever could grasp and amass from him, in his desert, including young students who would not perceive any blame due to their adolescences. He would teach them Fiqh and he did not stop his perseverance in knowledge and diligence in writing heaps of books to an extent that he completed a camel load of literature in the sciences of knowledge. However, some of them were burnt in Seville.

Regarding this he states:

If they burnt the pages, they cannot burn,

What is contained in those pages, in fact it is in my heart.

It travels with me wherever my mount embarks,

It descends where I descend and it will be buried in my grave.¹

Despite what happened to Imām ibn Ḥazm, his Madhhab became lofty, prominent and clear, without any Taqiyyah and obscurity. Although some of his books were burnt, others remain till today by the Will of Allah *سُبْحَانَ اللَّهِ وَتَعَالَى*.

When this was the condition of the Imāms of the Madhhabs, then other Imāms and Mujtahids also suffered great amount of difficulties, but they persevered and fulfilled their responsibilities without any form of Taqiyyah and confusion.

Perhaps it is remarkable to see, in this same context, that we find Taqī al-Dīn ibn Taymiyyah, who was transferred from one prison to another and suffered difficulty after difficulty from the ruling authority and his opposition in the form of defamation, suppression of opinion, and imprisoning him and his brothers. Despite this, his rulings, books, and voice remained aloft, without any tempering or Taqiyyah although everyone assailed him.

When he was imprisoned; his followers dispersed, his books were scattered and his followers were threatened not to expose his books, everyone took what

1 Ibn Khaṭīb: *al-Iḥāṭah fī Tārīkh Gharnāṭah*, 4/115-116, researched by Muḥammad ‘Abd Allāh ‘Inān, al-Khānjī, Cairo print, first edition 1397 AH – 1977 CE, quoting from *Tārīkh Fuqahā’ Qurṭubah* of Ibn Ḥayyān which is lost.

he possessed and concealed it and did not expose it. One would run away with what he possessed, another one would sell or present it as a gift; someone would conceal and borrow it, to such an extent that anyone's books were stolen or rejected, he would be unable to look for it and would be unable to obtain it. Without this, all the books and literature would be completely destroyed.¹

Taqī al-Dīn al-Maqrīzī (d. 845 AH) states:

أن أكثر مصنفاته مسودات لم تبض وأكثر ما يوجد منها الآن بأيدي الناس قليل من كثير فإنه أحرق منها شيء كثير ولا قوة إلا بالله

That most of his literature is in manuscripts and not published. What is found amongst the people is tip of the iceberg, because a large amount was burnt. There is no power except with Allah سُبْحَانَهُ وَتَعَالَى.²

I say this, overlooking the oppositions' opinion, because the emergence of Ibn Taymiyyah and the existence of his Madhhab is a reality, acknowledged by friends and foes, something which no just person can dispute.³

As for Ja'far al-Ṣādiq, he was a contemporary of the end of the Umayyad rule and passed away during the rule of Abū Ja'far al-Manṣūr, the second Abbāsīd khalīfah.

By investigating that period of history, we can be certain and all of us can say with confidence, that it has never been established in history that Ja'far al-Ṣādiq

1 *Al-'Uqūd l-Durriyyah*, pg. 109.

2 *Al-Muqaffā al-Kabīr*, 1/468.

3 That is why his student, Ibn Rushayyiq said, as reported in *al-'Uqūd al-Durriyyah*, pg. 109-110:

ولولا أن الله تعالى لطف وأعان ومن وانعم وخرق العادة في حفظ أعيان كتبه وتصانيفه لما أمكن أحدا أن يجمعها ولقد رأيت من خرق العادة في حفظ كتبه وجمعها وإصلاح ما فسد منها ورد ما ذهب منها لو ما و ذكرته لكان عجباً يعلم به كل منصف أن لله عناية به وبكلامه لأنه يذب عن سنة نبيه تحريف الغالين وانتحال المبطلين وتأويل الجاهلين

Had it not been for the kindness, assistance, graciousness, favour, and miracle from Allah سُبْحَانَهُ وَتَعَالَى, He would not have enabled anyone to compile it. I have seen such miracles in preserving and compiling his books, as well as rectifying what was corrupted and returning that which was deleted from it, that if I have to mention them it would be a wonder, through which every just person will realise that Allah سُبْحَانَهُ وَتَعَالَى took care of him and his speech because it is He, who defends the Sunnah of His Prophet صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ from the distortion of extremists, plagiarism of the invalids, and interpretation of the ignorant.

was either constrained by the Umayyad authority that he lived in nor under the rule of al-Saffāḥ, the first Abbāsīd ruler. He was only constrained during the rule of Abū Ja‘far al-Manṣūr, for a short while, after which Ja‘far al-Ṣādiq resumed his activities in teaching.

Testament to that is the clear acknowledgement by Shaykh ‘Abbās al-Qummī (d. 1359 AH) who states:

لما منع الصادق من القعود للناس شق ذلك على شيعته وصعب عليهم حتي ألقى الله في روع المنصور أن يسأل الصادق ليتحفه بشيء من عنده لا يكون لأحد مثله فبعث إليه بمخصرة كانت للنبي طولها ذراع ففرح بها فرحا شديدا وأمر أن تشق له أربعة أرباع وقسمها في أربعة مواضع ثم قال له ما جزاؤك عندي إلا أن أطلق لك ونفسي علمك لشيعتك ولا أتعرض لك ولا لهم فاقعد غير محتشم وأفت الناس ولا تكن في بلد أنا فيه ففشا العلم عن الصادق

When al-Ṣādiq was prevented from sitting with the people, this grieved his sect and it became difficult on them until Allah ﷻ instilled awe in al-Manṣūr that he asked al-Ṣādiq to present him with such a gift which no one else had the like there of. So, he sent a staff which belonged to the Prophet ﷺ which was a cubit’s length. He became extremely pleased with this and instructed that it should be divided into quarters and distributed to four places. Then he said to Ja‘far, “Your recompense from me is that I release you and we spread your knowledge to your sect and I will not interfere with you or them. So, sit without being shy and issued rulings to the people and do not be in the same place where I am.”

Thereafter, knowledge spread from al-Ṣādiq.¹

Shaykh Muḥammad Ḥasan al-Muzaffar states:

أما الصادق فقد عاصر الدولتين المروانية والعباسية ووجد فترة لا يخشي فيها سطوة ظالم ولا وعيد جبار وتلك الفترة امتزجت من أخريات دولة بني مروان وأوليات دولة بني العباس لأن الأمويين وأهل الشام لما أجهزوا على الوليد بن يزيد وقتلوه انتفضت عليهم أطراف البلاد وتضعضت أركان سلطانهم وكانت الدعوة لبني هاشم قد انتشرت في جهات البلاد فكانت تلك الأمور كلها صوارف

1 Al-Anwār al-Bahiyyah, pg. 170.

لبنی مروان عما علیه الصادق من الحیاة العلمیة ولما انکفأ بهم الزمن وسالم
 بنی العباس اشتغل بنو العباس بتطهیر الأرض من أمیة وبتأسیس الدولة الجدیة
 وأنت تعلم بما یحتاجه الملك الغض من الزمن لتأسیسه ورسوخه فكان انصرافهم
 لبناء الملك وإحاطته شاغلا لهم برهة من الزمن عن شأن الصادق فی بثه العلوم
 والمعارف وإن لم یتناسه السفاح ولكن لم یجد عنده ما یخشاه ولما جاء دور
 المنصور وصفا الملك له ناصب العداة للصادق فكان یضیق علیه مرة ویتغاضی
 عنه أخرى

As for al-Ṣādiq, he lived through two empires, the Marwanid and the Abbāsīd, and he found a period of time wherein he did not fear the power of any oppressor or threat from any tyrant. That period coincided with the termination of the Marwanid Empire and the emergence of the Abbasid Empire. When the Umayyads and the people of Shām destroyed and killed al-Walīd ibn Yazīd, the people of the outskirts of the city rose up against them and the pillars of their authority weakened. The call to Banū Hāshim had spread throughout the regions of the country. All these issues were distractions to Banū Marwān from al-Ṣādiq's scholarly life. When the Abbasids had sufficient time and they settled down, they began cleansing the earth from the Umayyads and establishing the new state and one knows the period of time it takes for a king to establish and consolidated a new empire. Thus, their attention in building the state and protecting it, kept them occupied, for a period of time, from the affairs of al-Ṣādiq and his spreading of knowledge and education. Although al-Saffāḥ did not forget him; however, he did not find anything that would threaten him. When the era of al-Manṣūr dawned and the state became more serene, he began displaying enmity towards al-Ṣādiq. Thus, he would constrain him at times and overlook at other times.¹

If we look at his grandson 'Alī al-Riḍā,² who the Ithnā 'Asharī Shī'ah regard to have inherited the knowledge of al-Ṣādiq from his father Mūsā al-Kāẓim and the atmosphere of Taqiyyah was not imposed on him, as he was appointed a guardian for the era of the Abbasid al-Ma'mūn. Despite this, we see that contradictory and turbulent narrations were narrated from him during his

1 *Al-Imām al-Ṣādiq*, 1/188-189.

2 i.e. 'Alī ibn Mūsā ibn Ja'far. Al-Riḍā is his agnomen.

time¹ and the activities of the extremists who attribute falsehood to him and his

1 An observer into the narrative legacy of the era that ‘Alī al-Riḍā lived in, will notice the propagation of lies and aḥādīth fabricated upon him and his forefathers, particularly al-Bāqir, al-Ṣādiq, and al-Kāẓim. Sometimes it is not possible for a student to understand the reality of the circumstances that surrounded ‘Alī al-Riḍā or his sect during that period of time; however, some narrations remain testament to what transpired and what fabrication was taking place in that time. Some of them are:

That which Ibn Bābawayh al-Qummī reported in ‘*Uyūn Akhbār al-Riḍā*, 2/197, from Abū al-Salt‘Abd al-Salām al-Harawī that he said to ‘Alī al-Riḍā:

يا ابن رسول الله صلى الله عليه وسلم ما شيء يحكيه عنكم الناس قال وما هو قلت يقولون أنكم تدعون أن الناس لكم عبيد فقال اللهم فاطر السماوات والأرض عالم الغيب والشهادة أنت شاهد بأنني لم أقل ذلك قط ولا سمعت احدا من آبائي قاله قط وانت العالم بما لنا من المظالم عند هذه الأمة وان هذه منها ثم اقبل علي فقال لي يا عبد السلام إذا كان الناس كلهم عبيدنا علي ما حكموه عنا فممن نبيعهم

O son of the Prophet of Allah, what are these things that people are narrating from you?

He asked, “What is it?”

I replied, “They said you claim that the people are your slaves.”

He said, “O Allah, Originator of the heavens and the earth, Knower of the unseen and the seen, You are witness that I have never said that and I have never heard any of my forefathers saying that. You are the Knower of what oppression we have endured from this Ummah and this is from it.”

Then he turned to me and said, “O ‘Abd al-Salām, if they were our slaves, as they narrate from us, then who do we sell them to?”

It is reported in *Rijāl al-Kashshī*, 22/489, from Yūnus ibn ‘Abd al-Raḥmān—who is from companions of al-Kāẓim and al-Riḍā—that some of the companions asked:

يا أبا محمد ما أشدك في الحديث وأكثر إنكارك لما يرويه أصحابنا فما الذي يحملك على رد الأحاديث فقال حدثني هشام بن الحكم أنه سمع أبا عبد الله جعفر الصادق يقول لا تقبلوا علينا حديثا إلا ما وافق القرآن والسنة أو تجدون معه شاهدا من أحاديثنا المتقدمة فإن المغيرة بن سعيد لعنه الله دس في كتب أصحاب أبي أحاديث لم يحدث بها أبي فاتقوا الله ولا تقبلوا علينا ما خالف قول ربنا تعالي وسنة نينا صلى الله عليه وسلم فإننا إذا حدثنا قلنا قال الله وقال رسول الله

“O Abū Muḥammad, how severe are you regarding ḥadīth and rejecting what our companions narrate. What provoked you to reject the Aḥādīth?”

He replied, “Hishām ibn al-Ḥakam narrated to me that he heard Abū ‘Abd Allāh Ja‘far al-Ṣādiq saying, “Do not accept aḥādīth from us except that which conforms to the Qur’ān and the Sunnah or you find an endorsement for it from our former aḥādīth because Mughīrah ibn Sa‘īd—may Allah curse him—inserted some aḥādīth in my father’s companions’ books, which my father did not narrate. So, fear Allah and do not take from us that which contradicts the sayings of our Lord and the Sunnah of our Prophet ﷺ. When we narrate, we say, ‘Allah said’ and ‘the Prophet of Allah said’.”

continued...

forefathers were most active.¹

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The curious thing about this is that with regards to Yūnus, who mentions this narration that he is one of the hardliners in accepting aḥādīth, out of fear of accepting aḥādīth that were fabricated and lies from the extremists, a clear and authentic—authenticated by everyone of the following: al-Waḥīd Bahbahānī, Muḥsin al-Amīn, and Abū al-Qāsim al-Khūṭī—narration has been transmitted pertaining to the prohibition of Ṣalāh behind those who adopt his views, disassociating from them, and impermissibility of paying zakāh to them.

Ibn Bābawayh al-Qummī, in *al-Amālī*, pg. 352, and al-Ḥurr al-ʿĀmilī in *Wasāʾil al-Shīʿah*, 8/312, have reported from ʿAlī ibn Mahziyār who states:

كتبت إلى أبي جعفر محمد بن علي بن موسى الرضا جعلت فداك أصلي خلف من يقول بالجسم ومن يقول بقول يونس
بن عبد الرحمن فكتب لا تصلوا خلفهم ولا تعطوهم من الزكاة وبرؤوا منهم برئ الله منهم

I wrote to Abū Jaʿfar Muḥammad ibn ʿAlī ibn Mūsā al-Riḍā, “May I be sacrificed for you, should I perform Ṣalāh behind those who are of the view that Allah ﷻ has a body and those who adopt the views of Yūnus ibn ʿAbd al-Raḥmān?”

He wrote back saying, “Do not perform Ṣalāh behind them, do not give your Zakāh to them and disassociate from them. May Allah ﷻ be free of them.”

Where are you going?

1 The Imāmiyyah narrate regarding this from Abū al-Ṣalt al-Harawī who states:

قلت للرضا يا ابن رسول الله إن في سواد الكوفة قوما يزعمون أن النبي صلى الله عليه وسلم لم يقع عليه السهو في صلاته
فقال كذبوا لعنهم الله إن الذي لا يسهو هو الله الذي لا إله إلا هو

I said to al-Riḍā, “O son of the Prophet ﷺ, there are some amongst the people of Kūfah who claim that the Prophet ﷺ did not make any mistake in Ṣalāh.”

He said, “They have lied, may Allah curse them. The only being that does not err is Allah ﷻ, besides who there is no other diety.” (Refer to *ʿUyūn Akhbār al-Riḍā* of Ibn Bābawayh al-Qummī, 2/219.)

This belief, which al-Riḍā regarded as outrageous exaggeration, and the one who believes in it deserves to be falsified and cursed, is one of the Imāmī beliefs’ requirements today, wherein al-Riḍā is considered to be protected from forgetfulness and error. Ponder!

Al-Riḍā states regarding the extremists and the Mufawwiḍah:

الغلاة كفار والمفوضة مشركون من جالسهم أو خالطهم أو أكلهم أو شاربهم أو واصلهم أو زوجهم أو تزوج منهم أو آمنهم أو
اتمنهم على أمانة أو صدق حديثهم أو أعانهم بشطر كلمة خرج من ولاية الله وولاية رسول الله وولايتنا أهل البيت

The extremists are disbelievers and the Mufawwiḍah are polytheists. Whoever sits with them, mixes with them, eats with them, drinks with them, joins ties with them, marries them, gets someone married to them, grants them security, entrusts them with a trust, verify their speech or assists them with half of a word, comes out of the guardianship of Allah ﷻ and His Prophet ﷺ as well as our, i.e. the Ahl al-Bayt’s, guardianship.

(Refer to *ʿUyūn Akhbār al-Riḍā* of Ibn Bābawayh al-Qummī, 2/218)

continued...

What do you think of that which is narrated from him after centuries?

It is strange that the Imāmiyyah, who excessively exaggerate regarding the subject of Taqiyyah by the infallible Imāms—who were appointed to preserve

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The extremists are disbelievers and the Mufawwiḍah are polytheists. Whoever sits with them, mixes with them, eats with them, drinks with them, joins ties with them, marries them, gets someone married to them, grants them security, entrusts them with a trust, verify their speech or assists them with half of a word, comes out of the guardianship of Allah ﷻ and His Prophet ﷺ as well as our, i.e. the Ahl al-Bayt's, guardianship. (Refer to 'Uyūn Akhbār al-Riḍā of Ibn Bābawayh al-Qummī, 2/218)

[Translators note: The Mufawwidah refers to an extremist Shī'ī sect who believed that Allah created Muhammad and handed the creation or the universe and its administration of the universe to him. He in turn handed the administration thereof to 'Alī and he is thus the second administrator. See: *Maqālāt al-Islamiyyīn*, 1/88; *al-Farq bayn al-Firaq*, p. 251; and from the books of the Shī'ah refer to al Mufid: *Tashīḥ al-I'tiqād*, p. 64-65; *Biḥār al-Anwār*, 25/345.]

He used to say in his supplication:

اللهم إني أبرأ إليك من الحول والقوة فلا حول ولا قوة إلا بك اللهم إني أبرأ إليك من الذين ادعوا لنا ما ليس لنا بحق اللهم إني أبرأ إليك من الذين قالوا فينا ما لم نقله في أنفسنا اللهم لك الخلق ومنك الأمر وإياك نعبد وإياك نستعين اللهم أنت خالقنا وخالق آبائنا الأولين وآبائنا الآخرين اللهم لا تليق الربوبية إلا بك ولا تصلح الإلهية إلا لك فالعن النصارى الذين صغروا عظمتك والعن المضاهين لقولهم من بريتك اللهم إنا عبيدك وبناء عبيدك لا نملك لأنفسنا ضرا ولا نفعا ولا موتا ولا حياة ولا نشورا اللهم من زعم أننا أرباب فنحن إليك منه براء ومن زعم أن إلينا الخلق وعلينا الرزق فنحن إليك منه براء كبراءة عيسى من النصارى اللهم إنا لم ندعهم إلى ما يزعمون فلا تؤاخذنا بما يقولون واغفر لنا ما يزعمون رَبِّ لَا تَذَرْ عَلَيَّ الْأَرْضِ مِنَ الْكَافِرِينَ دَيَّارًا إِنَّكَ إِن تَذَرَهُمْ يُضِلُّوا عِبَادَكَ وَلَا يَلِدُوا إِلَّا فَاجِرًا كَفَّارًا

O Allah, I absolve myself from strength and power as there is no strength and power except from you. O Allah, I absolve myself from those who claim for us what we have no right to. O Allah, I absolve myself from those who say regarding us that which we do not say about ourselves. O Allah, for You is the creation and from You is the command and You alone do we worship and You alone do we seek assistance from. O Allah, You are the creator of our former and latter forefathers. O Allah, lordship is suitable only for You and only You are worthy of divinity. Curse the Christians who minimise your greatness and curse from the people those who emulate their speech. O Allah, we are Your servants and sons of Your servants. We do not possess, for ourselves, harm, benefit, life, death and resurrection. O Allah, whoever claims that we are their lords, we are absolved of that and whoever claims that creation is for us and sustenance is from us then we are free of that just as 'Isā عَلَيْهِ السَّلَامُ was free of the Christians. O Allah, we did not call them to what they claim, so do not take us to task for what they say and forgive us for what they claim. *My Lord! Do not leave a single disbeliever on earth. For, if You spare any of them, they will certainly mislead Your servants, and give birth only to wicked sinners, staunch disbelievers.* (Sūrah Nūḥ: 26-27.)

and explain the Sharī'ah—are the ones who forbid Imāmī jurists from utilising Taqiyyah when explaining the Sharī'ah as expressed by the contemporary Shī'ī scholar of reference Ja'far al-Subḥānī in *al-'Aqīdah al-Islāmiyyah fī Ḍaw' Madrasat Ahl al-Bayt*:

ولكن لا تجوز التقية مطلقا في بيان معارف الدين وتعليم أحكام الإسلام مثل أن يكتب عالم شيعي كتابا علي أساس التقية ويذكر فيه عقائد فاسدة وأحكاما منحرفة علي أنها عقائد الشيعة وأحكامهم ولهذا فإننا نرى علماء الشيعة أظهروا في أشد الظروف والأحوال عقائدهم الحققة ولم يحدث طيلة التاريخ الشيعي ولا مرة واحدة أن أقدم علماء الشيعة علي تأليف رسالة أو كتاب علي خلاف عقائد مذهبهم بحجة التقية وبعبارة أخرى أن يقولوا شيئا في الظاهر ويقولوا في الباطن شيئا

And Taqiyyah is not permitted at all to explain knowledge of dīn and teaching the rulings of Islam. For example, a Shī'ī scholar writes a book on the basis of Taqiyyah and mentions corrupt beliefs and deviant rulings in it, claiming that these are the beliefs and rulings of the Shī'ah. Hence, we see Shī'ī scholars express their true beliefs in the severest circumstances and conditions. This did not occur, throughout the Shī'ī history, not even once that the Shī'ī scholars embarked on writing a treatise or a book contrary to the beliefs of their school under the pretext of Taqiyyah. In other words, they say one thing outwardly and something else inwardly.¹

3. Abundant infiltration and forgery in the Ja'farī School

Āyat Allāh al-Sayyid Muḥammad Bāqir al-Ḥakīm (d.1424 AH) believes, as stated in his book *'Ulūm al-Qur'ān*:

أن من أهم المشكلات التي تعرض لها حديث أئمة أهل البيت الدس والتزوير والتزوير في حديثهم وكان الأمر مبكرا منذ عهد الأئمة واستمر إلى ما بعد ذلك في العصور المتأخرة عنهم وأن ظروف الاضطهاد والمطاردة للنشطاء من أتباع الأئمة من جهة والسرية التي اتخذها هؤلاء النشطاء في العمل والحركة ساهمت بشكل مباشر في اختفاء البيانات الواقعية لحال الأئمة وأحاديثهم وفي استغلال أعداء الأئمة أو المنافقين الذين يظهرون الارتباط بهم في هذه الظروف في الدس والتزوير تحت شعار التقية

1 *Al-'Aqīdah al-Islāmiyyah fī Ḍaw' Madrasat Ahl al-Bayt*, pg. 277.

Amongst the most important problems faced by the narrations of the Imāms of the Ahl al-Bayt are infiltration, fabrication, and forgery in their narrations. This issue began early during the time of the Imāms and continued thereafter in later times. The conditions of persecution and pursuit of the activists from the followers of the Imāms on one side, and the confidentiality that these activists adopted in their work and movement, directly contributed to the disappearance of factual data about the conditions of the Imāms and their narrations and in exploitation—by the Imāms’ enemies or hypocrites who would outwardly show cohesion in these circumstances—in infiltration and forgery under the banner of Taqiyyah.¹

The process of infiltration and forgery was completed in complete confidentiality and in a malicious way that the companions of the Imāms were not aware of it. The Imām, himself was not aware of it, rather, it was the Imām after him that noticed it or was alerted to it, after the misfortune occurred and the process of infiltration was completed in the manner it was planned, books were spread out and the narrations were mixed up among the people.

The Imāmiyyah narrate from Hishām ibn al-Ḥakam that he heard Ja‘far al-Ṣādiq narrating from his father, Muḥammad al-Bāqir thus:

كان المغيرة بن سعيد يتعمد الكذب علي أبي ويأخذ كتب أصحابه وكان أصحابه المستترون بأصحاب أبي يأخذون الكتب من أصحاب أبي فيدفعونها إلى المغيرة فكان يدس فيها الكفر والزندقة ويسندها إلى أبي ثم يدفعها إلى أصحابه ويامرهم أن ييئوها في الشيعة فكلما كان في كتب أصحاب أبي من الغلو فذاك ما دسه المغيرة بن سعيد في كتبهم

Al-Mughīrah ibn Sa‘īd used to deliberately lie against my father and take his companion’s books. His companions, who were concealed with my father’s companions, used to take my father’s companions’ books and give it to al-Mughīrah. He would insert disbelief and apostasy in them and attribute them to my father. He would then give them to his companions and instruct them to spread it amongst the Shī‘ah. Whenever there is exaggeration in my father’s companions’ books, it is what al-Mughīrah ibn Sa‘īd inserted in their books.²

1 ‘Ulūm al-Qur’ān, pg. 329, 321.

2 Rijāl al-Kashshī, 2/491.

You can see that the process of infiltration took a very dangerous turn during the era of the Imāms, particularly al-Bāqir and al-Ṣādiq. The extremists used to insert false aḥādīth during the time of the Imām and in his reliable companions' books through their intrusive companions that were concealed amongst them, in such a way that Ja'far al-Ṣādiq was certain, in this narration, that a great deal of infiltration took place in the principle ḥadīth books which were narrated from his father, to such degree that he attributed all the extremism found in this book to Mughīrah ibn Sa'īd and other liars like him. However, what is the criterion of this extremism? How is it possible to differentiate between what Mughīrah ibn Sa'īd and others infiltrated and what they did not? Is Ja'far al-Ṣādiq spared from this infiltration?

‘Allāmah Abū Zayd al-‘Alawī (d. 326 AH)¹ criticised the Imāmiyyah on their differences and great confusion, towards which their twelfth Imām—since his assumed birth—did nothing. He says:

ثم لم يخل اختلافهم من أن يكون مولدا من أنفسهم أو من عند الناقلين إليهم أو من عند أئمتهم فإن كان اختلافهم من قبل أئمتهم فالإمام من جمع الكلمة لا من كان سببا للاختلاف بين الأمة لا سيما وهم أولياؤه دون أعدائه ومن لا تقية بينهم وبينه وما الفرق بين المؤتمة والأمة إذ كانوا مع أئمتهم وحجج الله عليهم في أكثر ما عابوا على الأمة التي لا إمام لها من المخالفة في الدين وإكفار بعضهم بعضا وإن يكن اختلافهم من قبل الناقلين إليهم دينهم فما يؤمنهم من أن يكون هذا سبيلهم معهم فيما ألقوا إليه من الإمامة لا سيما إذا كان المدعى له الإمامة معدوم العين غير مرئي الشخص وهو حجة عليهم فيما يدعون لإمامهم من علم الغيب إذا كان خيرته والتراجمة بينه وبين شيعته كذايين يكذبون عليه ولا علم له بهم وإن يكن اختلاف المؤتمة في دينها من قبل أنفسها دون أئمتها فما حجة المؤتمة إلى الأئمة إذ كانوا بأنفسهم مستغنين وهو بين أظهرهم ولا ينهاهم وهو الترجمان لهم من الله والحجة عليهم هذا أيضا من أدل الدليل على عدمه وما يدعي من علم الغيب له لأنه لو كان موجودا لم يسعه ترك البيان لشيعته كما قال الله تعالى وَمَا أَنْزَلْنَا عَلَيْكَ الْكِتَابَ إِلَّا لِتُبَيِّنَ لَهُمُ الَّذِي اخْتَلَفُوا فِيهِ وَهُدًى وَرَحْمَةً لِّقَوْمٍ يُؤْمِنُونَ فكما بين الرسول صلى الله عليه وسلم لأئمة وجب على الإمام مثله لشيعته

1 Ṭsā ibn Muḥammad ibn Aḥmad ibn Ṭsa ibn Yaḥyā ibn al-Ḥusayn ibn Zayd ibn ‘Alī ibn al-Ḥusayn ibn ‘Alī ibn Abī Ṭālib. He was a Zaydī Muḥaddith and theologian. He was born in Irāq, and then relocated to al-Ray, Iran where he passed away in 326 AH.

Then, their differences are either born from themselves or those who transmit to them or from the Imāms. If their differences arose from their Imāms, then an Imām is one who unites people and not become a cause of differences among the Ummah, particularly if they are his allies and not enemies and those with whom he does not need to practice Taqiyyah. What is the difference between the Imāmiyyah and the Ummah when they are with their Imāms? The evidence of Allah ﷻ is against them regarding most of their criticism of the Ummah that has no Imām, such as differences in dīn and declaring disbelief against each other. If their differences arose from those who transmitted their dīn to them then what reassures them that this would not be their modus operandi with them when transmitting about Imāmah, especially when the one for whom Imāmah is alleged is a non-existent and invisible person. This is evidence against them for their claim of knowledge of the unseen for their Imām, when his choicest people and the interpreters between him and his sect are liars who lie against him and he has no knowledge of them. If the Imāmī differences in their dīn came from themselves and not their Imāms, then what is the need for the Imāms, because they are independent whilst he is among them and he does not prevent them, whereas he is their interpreter from Allah ﷻ and evidence is against them? This is also a clear proof about his non-existence and what is claimed that he has knowledge of the unseen, because if he existed, it would not be permissible for him to omit explanation to his sect as Allah ﷻ says, “We have revealed to you the Book only to clarify for them what they differed about, and as a guide and mercy for those who believe.”¹ Thus, just as the Prophet ﷺ explained to his Ummah, similarly it is incumbent on the Imām to explain to his sect.²

Ibn Bābawayh al-Qummī responded to him in a way that confirms the confusion rather than removing it. He says:

إن اختلاف الإمامية إنما هو من قبل كذابين دلسوا أنفسهم فيهم في الوقت بعد الوقت والزمان بعد الزمان حتي عظم البلاء وكان أسلافهم قوما يرجعون إلى ورع واجتهاد وسلامة ناحية ولم يكونوا أصحاب نظر وتميز فكانوا إذا رأوا رجلا مستورا يروي

1 Sūrah al-Naḥl: 64.

2 Ibn Bābawayh al-Qummī: *Kamāl al-Dīn wa Tamām al-Ni'mah*, pg. 109, quoting from *Kitāb al-Ishhād* of Abū Zayd al-'Alawī.

خبراً أحسنوا به الظن وقبلوه فلما كثر هذا وظهر شكوا إلى أئمتهم فامرهم الأئمة بأن يأخذوا بما يجمع عليه فلم يفعلوا وجروا على عاداتهم فكانت الخيانة من قبلهم لا من قبل أئمتهم والإمام أيضاً لم يقف على كل هذه التخاليف التي رويت لأنه لا يعلم الغيب وإنما هو عبد صالح يعلم الكتاب والسنة، ويعلم من أخبار شيعته ما ينهي إليه

The Imāmī differences stemmed from the liars who infiltrated amongst them, from time to time and from era to era, until the calamity intensified. Their predecessors were inclined to piety, ijtihād, and respectful peace. They were not people of vision and distinction. When they would see a concealed person narrating any transmission, they had good opinion of him and accepted it. When this increased and became apparent, they complained to their Imāms, who instructed them to adopt only that which is agreed upon. However, they did not do that and continued on their normal habit. Therefore, the disloyalty was from the people and not the Imāms. The Imām was not even aware of these mixed up narrations that were transmitted, as he is not the knower of the unseen. He is a mere pious servant who knows the Qur'ān, Sunnah of the Prophet ﷺ, and transmissions of his sect which reach him.¹

Shaykh Muḥammad al-Bāqir al-Bahbūdī discusses the two main phases that the narrations of the Ahl al-Bayt went through. They are:

The phase of Taqiyyah and concealment; which is the first phase.

The phase of infiltration from the extremists and the apostates; which is the second phase.

Both of these phases are troublesome in the narrative legacy of transmissions which we find today. He states:

وقد كان حديث أهل البيت محفوظاً عن مكائد الغلاة ودسائسهم في دوره الأول حيث كان أصحاب الحديث وكلهم فقهاء مخلصين مستأنسين مترافقين لا يتدارسون حديثهم إلا في خفاء كامل ولا يثون مواريتهم إلا عند من يثقون به خوفاً علي دمائهم وأما في الدور الثاني فبعد ما كثر أصحاب الحديث ورواد المذهب وتوفرت الأصول والمؤلفات وتداولتها أيدي الوراقين والصحفيين تلاعبت بمواريتهم أيدي

1 Ibn Bābawayh al-Qummī: *Kamāl al-Dīn wa Tamām al-Ni'mah*, pg. 109.

الغلاة الخونة وعملاء الزنادقة فزادوا ونقصوا وغيروا وبدلوا وأحلوا حرام الله وحرّموا حلال الله عند ذلك كثر التضاد والتهافت بحيث لا يوجد في أبواب الفقه والمعارف حديث إلا وبإزائه ما يخالفه ولا يسلم حديث إلا وفي مقابله ما يناقضه ويضاده وبذلك تطرقت المضادة والاختلاف إلى العقائد والفتاوى والأحكام وكثيرا ما نرى كتب الحديث مختلفة بالزيادة والنقصان

The narrations of the Ahl al-Bayt were protected from the plots of the extremists and their conspiracies, during the first phase, where the narrators of Ḥadīth were all sincere jurists and familiar associates. They would not teach Ḥadīth except in complete secrecy and they would not pass on their legacy except to those who they trusted, out of fear for their lives.

As for the second phase; after the narrators of Ḥadīth and pioneers of the school increased, sources and literatures were freely available, and they were circulated among the scribes and reporters, the hands of the extremists manipulated their legacy. Thus, they added, deleted, changed, permitted what Allah ﷻ forbade and forbade what Allah ﷻ permitted, whereupon, inconsistency and contradictions increased to such a degree that one would not find a narration in the chapter of fiqh and knowledge except that there would be another one contradicting it and no narration would be accepted, except that there would be another that would oppose and contradict it. Through this, contradiction and differences crept into beliefs and legal rulings. Very often we see books of Ḥadīth differing with increases and decreases.¹

However, Sayyid Hāshim Ma'rūf al-Ḥasanī (d. 1403 AH) disagrees with al-Bahbūdī regarding his view on the integrity of the first phase, rejecting the Ḥadīth scholars' and the jurists' ability in preserving and documenting the Imāms' narrations away from infiltration and forgery, during this phase. He believes that authentic narrations from the Imāms confirm the existence of infiltration, fabrication, and forgery from an early stage. He states:

وكان من أخطر الدخلاء على التشيع جماعة تظاهروا بالولاء لأهل البيت واندسوا بين الرواة وأصحاب الأئمة مدة طويلة من الزمن استطاعوا خلالها أن يتقربوا من الإمامين الباقر والصادق واطمأن إليهم جمع من الرواة فوضعوا مجموعة كبيرة

¹ Ma'rifat al-Ḥadīth, pg. 72.

من الأحاديث ودسوها بين أحاديث الأئمة وفي أصول كتب الحديث كما تشير إلى ذلك بعض الروايات... وجاء عن أبي الحسن الرضا أنه قال كان بيان يكذب على علي بن الحسين فأذقه الله حر الحديد وكان المغيرة يكذب على أبي جعفر الباقر وكان محمد بن فرات يكذب على أبي الحسن موسى بن جعفر وكان أبو الخطاب يكذب على أبي عبد الله الصادق

وجاء عن يحيى بن عبد الحميد الحماني أن جعفر بن محمد كان رجلا صالحا مسلما ورعا فاكتنفه قوم جهال يدخلون عليه ويخرجون يقولون حدثنا جعفر بن محمد ويحدثون بأحاديث منكرة كلها كذب على الإمام جعفر بن محمد يستأكلون بها الناس كالمفضل بن عمر وبيان وعمر النبطي وغيرهم من الوضاعين ونسبوا إليه أنه قال إن معرفة الإمام تكفي عن الصلاة والصيام وإن عليا في السحاب يطير مع الريح وأن الله إله السماء والإمام إله الأرض إلى غير ذلك من المقالات

وتؤكد المرويات الصحيحة عن الإمام الصادق وغيره من الأئمة أن المغيرة بن سعيد وبيانا وصائدا الهندي وعمر النبطي والمفضل وغيرهم من المنحرفين عن التشيع والمندسين في صفوف الشيعة وضعوا بين المرويات عن الأئمة عددا كبيرا في مختلف المواضيع

وجاء عن المغيرة أنه قال وضعت في أخبار جعفر بن محمد اثني عشر ألف حديث وظل هو وأتباعه زما طويلا بين صفوف الشيعة يترددون معهم إلى مجلس الأئمة ولم ينكشف حالهم إلا بعد أن امتلأت أصول كتب الحديث الأولى بمروياتهم كما تشير إلى ذلك رواية يحيى بن عبد الحميد السابقة

وجاء في الكشي عن الإمام الصادق أنه قال كان المغيرة بن سعيد يتعمد الكذب على أبي يأخذ كتب أصحابه وكان أصحابه المتسترون بأصحاب أبي يأخذون كتب أصحاب أبي فيدفعونها إلى المغيرة فيدس فيها الكفر والزندقة ويسندها إلى أبي ثم يدفعها إلى أصحابه ليثوها بين الشيعة وبلاشك كان هو وأتباعه ينسبون الرواية المدسوسة إلى الموثوقين من أصحاب الأئمة حتي لا ينكشفوا على واقعهم هذا بالإضافة إلى فريق آخر من الوضاعين كانوا يضعون الأحاديث التي تنفر الناس منهم كما يرشد إلى ذلك قول الإمام الباقر لقد رووا عنا ما لم نقله ولم نفعله لبيغضونا إلى الناس

One of the most dangerous infiltrators to the Shī'ah was a group who pretended to be loyal to Ahl al-Bayt and infiltrated between the narrators and the companions of the Imāms for a long period of time during which

they managed to get close to the two Imāms, al-Bāqir and al-Ṣādiq. A group of narrators trusted them. They fabricated a large compilation of narrations and infiltrated them among the narrations of the Imāms and in the sources of the books of Ḥadīth, as some narrations indicate to that. It has been reported from Abū al-Ḥasan al-Riḍā that he said, “Bayān used to attribute lies to ‘Alī ibn al-Ḥusayn. Allah ﷻ made him taste the heat of the iron (he was executed). Mughīrah used to attribute lies to Abū Ja‘far al-Bāqir, Muḥammad ibn Furāt to Abū al-Ḥasan Mūsā ibn Ja‘far and Abū al-Khaṭṭāb to Abū ‘Abd Allāh al-Ṣādiq.”

It has been reported from Yaḥyā ibn ‘Abd al-Ḥamīd al-Ḥimmānī that Ja‘far ibn Muḥammad was a pious, peaceful, and righteous man. Some ignorant people surrounded him. They would go to him and return saying, “Ja‘far ibn Muḥammad narrated to us such and such.”

They would narrate reprehensible narrations, all of which would be lies attributed to Ja‘far al-Ṣādiq, to eat from the people; like al-Mufaḍḍal ibn ‘Umar, Bayān, ‘Umar al-Nabaṭī, and other fabricators. They attribute to Ja‘far that he said that recognition of the Imām suffices from Ṣalāh and fast, that ‘Alī ﷺ is in the sky, flying with the wind, that Allah ﷻ is the deity in the sky and the Imām is the deity on earth, and other such statements.

Authentic narrations from Ja‘far al-Ṣādiq and other Imāms confirm that al-Mughīrah ibn Sa‘īd, Bayān, Ṣā‘id al-Hindī, ‘Umar al-Nabaṭī, al-Mufaḍḍal, and others who deviated from Shi’ism and infiltrated amongst their ranks, fabricated in large numbers, amongst the narrations from the Imāms, in various topics.

It is narrated from al-Mughīrah that he said, “I fabricated twelve thousand narrations in transmissions from Ja‘far al-Ṣādiq.”

He and his followers remained in the ranks of the Shī‘ah for a long period wherein they would frequent the gatherings of the Imāms. Their condition was only exposed after the sources of the initial Ḥadīth books were filled with their narrations, as indicated by the aforementioned narration of Yaḥyā ibn ‘Abd al-Ḥamīd.

It has been reported in al-Kashshī from Ja‘far al-Ṣādiq that he said, “Al-Mughīrah would deliberately lie against my father and take his companions’

books. His followers, who were concealed with my father's companions, would take my father's companions' books and give it to al-Mughīrah, who would insert disbelief and apostasy in them and attribute it to my father. Then he would hand them over to his followers to spread them among the Shī'ah."

Undoubtedly, he and his followers used to attribute fabricated narrations to the trusted companions of the Imāms so that their reality does not become exposed. This is in addition to another group of fabricators, who used to fabricate narrations which would repel people from them, as the statement of al-Bāqir points to that. He states, "They narrated from us that which we did not say so that people hate us."¹

Therefore, the late Shī'ī scholar of reference Sayyid Muḥammad Ḥusayn Faḍl Allāh (d. 1431 AH) believes that the greatest problem in the method which the extremists and the fabricators adopted in fabricating narrations was targeting the books of the Imāms' companions whose reliability was unquestioned and were called the 'people of consensus', i.e. the Shī'ah agree upon their reliability. He states:

إن هناك فوضي أحاطت بالأحاديث الواردة عن الأئمة من وضاع الحديث الذين كانوا لا يكتفون بنقل الأحاديث الموضوعية بشكل مباشر بل كانوا يدسونها في كتب أصحاب الأئمة الموثوقين كزرارة ومحمد بن مسلم وأمثالهما ليدخل الحديث الموضوع إلى الذهنية الإسلامية العامة من خلال هؤلاء الثقة الذين لا يدخل الريب إلى ما ينقلونه عن الأئمة انطلاقا من وثافتهم

Indeed there is chaos that has surrounded the narrations transmitted from the Imāms, from the fabricators of Ḥadīth, who did not suffice on narrating the fabricated narrations directly; rather, they used to insert them in books of the Imāms' trusted companions such as Zurārah, Muḥammad ibn Muslim, and others like them; so that the fabricated narration enters the general Islamic mentality through these trusted people, regarding whom there is no doubt about what they narrate from the Imāms, based on their trustworthiness.²

1 *Al-Mawḍū'āt fi al-Āthār wa al-Akḥbār*, pg. 149-150.

2 *Majallat al-Fikr al-Jadīd*, article by Muḥammad Ḥusayn Faḍl Allāh, pg. 8.

Al-Bahbūdi explains their method of fabrication and forgery in greater detail. He states:

تارة كانوا يأخذون أصلا معروفا أو كتابا مشهورا وينتسخون منه نسخا عديدة ويدسون في خلالها أحاديث من موضوعاتهم أو يحرفون كلماتها طبقا لأهوائهم وبعد إتمام النسخة يسجلون علي ظهرها: قرئ على فلان في الشهر الفلاني بمحضر من أصحابه ثم يفرقون هذه النسخ المدسوس فيها في دور الوراقين أو يجعلونها في متناول الضعفاء من المحدثين وتارة كانوا يخلقون صحيفة كاملة فيها الغلو والأكاذيب ويكتبون علي ظهرها: أصل فلان كتاب فلان ثم يدسون هذه النسخ المفتعلة في كتب الوراقين أو يبيعونها بأيدي الصبيان والعجائز الأميين كأنها موروثه من أكابر المحدثين...

Sometimes they would take a well known source or a book, make multiple copies of it and insert some of their fabricated narrations in it or distort its wording in accordance to their whims. After completing the copy, they would write at the back that 'it was read to so and so, in such and such city, in the presence of his companions.' Then they would disperse these infiltrated copies in the cities of the scribes or make it accessible to the weak scholars of Ḥadīth. Sometimes they would fabricate a complete journal, full of exaggerations and lies, and write at the back that 'this is the original literature of so and so' or 'this is the book of so and so'. Then they would insert these fabricated copies in the books of the scribes or sell them through children and old illiterate people, as if it is inherited from senior scholars of Ḥadīth...

Then he says:

إلى أن يقول: وتنفيذا لمكائدهم وترويجا لأكاذيبهم زوروا أحاديث في جواز الأخذ عن النسخ من دون تحقيق وتبين واختلقوا روايات تجوز الرواية عن الغلاة والكذابين من دون تخرج فانخدع بهذه المكيدة - وهي أخبت المكائد - جماعة من المشايخ الساذجين والرواة المغفلين فأوردوا تلك الأكاذيب المزورة في مؤلفاتهم واجتهدوا في نشر ترهاتهم وأساطيرهم يحسبون أنهم يحسنون صنعا

To implement their schemes and promote their lies, they forged narrations about the permissibility of taking from copies without investigation and clarification. They also fabricated narrations that permit narrating from

extremists and liars without any embarrassment. As a result, some naive scholars and foolish narrators got deceived by this scheme—which the worst of schemes—and reported those fabricated lies in their books and strove in spreading their nonsense and myths, thinking that they are doing good work.¹

Then he gives examples of those methods and their infiltration into the Imāmī narrative group. He states:

وإن كان هذا الذي تلوناه عليكم ثقبلا صعبا فهلهم معي نلمسكم غناء هذه السيرة المزعوم في الكفاح بها وتدارس إحدى الروايات التي صرحوا بأنها صحيحة عالية مشيا علي أضوائها وهي صحيحة حماد بن عيسى الجهني في آداب الصلاة وكيفية كلهم زبروها في كتبهم ورسالاتهم العملية وعملوا بها واعتمدوا عليها ومنهم شيخنا وعمادنا جمال الدين أبو منصور الحسن بن زين الدين الشهيد (١٠١١هـ) في كتابه منتقى الجمان في الأحاديث الصحاح والحسان ج ١ ص ٤٥١ - باب كيفية الصلاة وبيان ما بقي من أفعالها وقد رمز لها صحي يعني أن هذا الحديث صحيح عندي فإن رواه كلهم معدلون بتعديل إمامين من أئمة الرجال خلافا للمشهور فإنهم يكتفون في تصحيح الحديث بتعديل إمام واحد من أئمة الرجال فقط ثم ذكر الرواية وعلق بقوله ولكننا إذا سبرنا سند الحديث ومنتنه عملا بالخطة التي خطتها الأقدمون من أصحابنا نجده مجعولا مزورا مختلقا يشهد علي جعله واختلاقه دلائل عديدة نذكر منها في هذا المجال الضيق بعضها وهي:

١ - قال أبو الحسين أحمد بن العباس ابن النجاشي في فهرسته ص ١٠٩ قال حماد بن عيسى سمعت من أبي عبد الله سبعين حديثا فلم أزل أدخل الشك على نفسي حتى اقتصرت على هذه العشرين وهذه العشرون حديثا هي التي نراها في كتاب قرب الإسناد ص ١٢-١٥ ط النجف رواها عبد الله بن جعفر الحميري عن محمد بن عيسى بن عبيد والحسن بن ظريف وعلي بن إسماعيل كلهم عن حماد بن عيسى الجهني وليس في هذه الرواية المذكورة عن حماد عن أبي عبد الله فإذا كانت رواياته عن أبي عبد الله محصورة في تلك العشرين حديثا وليس منها هذه الرواية المذكورة فلا بد وأنها موضوعة عليه

٢ - مات حماد بن عيسى سنة ٢٠٩هـ وله نيف وسبعون سنة نص علي ذلك شيخنا أبو عمرو الكشي ونقله عنه شيخنا أبو جعفر الطوسي في اختياره ص ٣١٧ ونص

¹ Ma'rifat al-Ḥadīth, pg. 77-79.

على ذلك شيخنا ابن داود الحلبي أيضا كما في رجاله ص ٥٥٦ فيكون مولد حماد حوالي سنة ١٣٥ هـ ولم يكن له حين وفاة الصادق السنة ١٤٨ هـ إلا ثلاث عشرة سنة أو نحوها فإذا كان لقاؤه لأبي عبد الله الصادق في صغره فكيف يقول أبو عبد الله الصادق لغلام ليس له إلا اثنتي عشرة سنة ونحوها ما أقبح بالرجل أن يأتي عليه ستون سنة أو سبعون سنة فما يقيم صلاة واحدة بحدودها تامة

٣ - حماد بن عيسى الجهني هو راوية كتاب حريز في الصلاة ولا يروي أصحابنا كتاب حريز إلا عن حماد بن عيسى الجهني هذا وبعدهما قال حماد لأبي عبد الله الصادق يا سيدي أنا أحفظ كتاب حريز في الصلاة فلم يعبأ أبو عبد الله بمقاله وادعائه وقال له لا عليك قم فصل لا بد وان حمادا قامة وصلّى بين يديه بأحسن الآداب التي كان قد حفظها من كتاب حريز في الصلاة ونحن راجعنا روايات حريز في الصلاة برواية حماد بن عيسى الجهني هذا فوجدناه يروي عن حريز عن زرارة عن أبي جعفر الباقر نفس هذه الآداب المذكورة في هذا الحديث بل وأحسن منها وأتم وأوفي وإذا كان حماد حفظ نفس هذه الآداب بل حفظ أتممها وأوفاهها وتأدب بها في صلاته بين يدي أبي عبد الله الصادق كيف يرد عليه الإمام أبو عبد الله الصادق ويقول له يا حماد لا تحسن أن تصلي ما أقبح بالرجل أن يأتي عليه ستون سنة أو سبعون سنة فما يقيم صلاة واحدة بحدودها تامة

If, what we have mentioned is weighty and difficult, then come; let us make you taste the melody of the struggles of this alleged biography and let us study one of the narrations that they declare to be authentic and lofty, by shedding light about it. It is the authentic narration of Ḥammād ibn Ṭsā al-Juhanī pertaining to the etiquettes of Ṣalāh and its methodology. All of them have included this narration in their practical books and treatises, practiced upon it and relied on it, among them is our teacher and pillar Jamāl al-Dīn Abū Manṣūr al-Ḥasan ibn Zayn al-Dīn al-Shahīd (d. 1011 AH) in his book *Muntaqā al-Jumān fī al-Aḥādīth al-Ṣiḥāḥ wa al-Hisān*, 1/451, chapter on the methodology of Ṣalāh and what remains of its actions. He categorised it as ‘Ṣaḥīḥ’ meaning that it is authentic according to him because all the narrators are approved by two experts in the field of narrators, contrary to a ‘Mashhūr’ narration wherein they suffice with the approval of one expert for its authenticity. Then he mentioned the narration and commented on it by saying, “However, if we probe the chain and text of this narration in accordance to the pattern drawn by our former companions, we find that

it is made up, forged, and fabricated, with multiple evidences testifying to its forgery and fabrication, some of which we will mention in this narrow domain. They are:

1. Abū al-Ḥasan Aḥmad ibn al-‘Abbās ibn al-Najāshī states in his *Fihrist*, pg. 109:

Ḥammād ibn ‘Isā said, “I heard 70 narrations from Abū ‘Abd Allāh. I continued to doubt myself regarding them until I confined them to these twenty narrations.”

These twenty narrations which we see in the book, *Qurb al-Isnād*, pg. 12 -15, al-Najaf, are narrated by ‘Abd Allāh ibn Ja‘far al-Ḥimyarī from Muḥammad ibn ‘Isā ibn ‘Ubayd, al-Ḥasan ibn Zārīf, and ‘Alī ibn Ismā‘īl, all of them narrating from Ḥammād ibn ‘Isā. The above mentioned narration does not state ‘from Ḥammād from Abū ‘Abd Allāh’. If his narrations from Abū ‘Abd Allāh are confined to twenty and this above mentioned narration is not amongst them, then definitely it is fabricated upon him.

2. Ḥammād ibn ‘Isā died in 209 AH when he was seventy-odd years old. Our shaykh Abū ‘Amr al-Kashshī specified this and Abū Ja‘far al-Ṭūsī quoted it from him in his book *Ikhtiyār*, pg. 317. Our shaykh Ibn Dāwūd al-Hillī also specified this, as seen in his *Rijāl*, pg. 556. Therefore, Ḥammād was born around 135 AH. When al-Ṣādiq passed way in 148 AH, he was around 13 years old only. If he met al-Ṣādiq during his youth, how is it possible for Abū ‘Abd Allāh al-Ṣādiq to say to a boy of around 13 years old, “How disgraceful it is that a man reaches 60 or 70 years and he did not complete one Ṣalāh with all its requisites?”
3. Ḥammād ibn ‘Isā al-Juhanī is the narrator of Ḥarīz’s book on ṣalāh. Our companions only narrate it from this Ḥammād ibn ‘Isā al-Juhanī. When Ḥammād told Abū ‘Abd Allāh al-Ṣādiq, “O my leader, I am memorizing the book of Ḥarīz on Ṣalāh.” Then Abū ‘Abd Allāh did not pay attention to his statement and claim, and instructed him, “No, you must get up and perform Ṣalāh.” Then it is obvious that Ḥammād got up and performed it in front of him, with the best of etiquettes which he memorized from Ḥarīz’s book. When we reviewed the

narrations of Ḥarīz on Ṣalāh, with the narration of Ḥammād ibn ʿĪsā al-Juhanī, we found that he narrates the same etiquettes mentioned in this narration from Ḥarīz, who narrates from Zurārah, who narrates from Abū Jaʿfar al-Bāqir. In fact, better than them and more complete. When Ḥammād memorised these same etiquettes, rather, better and more complete ones and applied them in his Ṣalāh before Abū ʿAbd Allāh al-Ṣādiq, how is it possible for Abū ʿAbd Allāh to reject them and say to him, “How disgraceful it is that a man reaches 60 or 70 years and he did not complete one Ṣalāh with all its requisites?”

However, the problem is much greater than that.

The extremists and the leaders of desires have inserted, in the Jaʿfarī School, whatever beliefs and concepts they want, through ‘reliable’ Shīʿī narrations that are accepted by Imāmī scholars which plunged the distinguished scholars into a dilemma,¹ let alone their masses. They could neither falsify it because of the authenticity of the chain and the possibility of it being issued by an infallible Imām as a form of Taqīyyah nor could they verify it completely except by crippling the mind.

This is a great problem that the School faces which their scholars shamefully acknowledge.

Take for example the topic of the distortion of the Qurʾān, which we alluded to when discussing the lies attributed to the Ahl al-Bayt. We mentioned some testimonies of Imāmī luminaries regarding the narrations being *Mutawātir* (consecutively narrated), and the testimony of the late Shīʿī scholar of reference, Abū al-Qāsim al-Khūʿī that some of its narrations are reliable², meaning that it

1 The expression goes as, ‘the people fell into Ḥayṣ Bayṣ, meaning they fell into a confusing matter wherefrom they cannot escape. (Refer to al-Jawharī: *al-Ṣiḥāh*, 3/1035.)

2 Al-Khūʿī states in *al-Bayān fī Tafsīr al-Qurʾān*, pg. 226:

إن كثرة الروايات تورث القطع بصدور بعضها عن المعصومين ولا أقل من الاطمئنان بذلك وفيها ما روي بطريق معتبر فلا حاجة بنا إلى التكلم في سند كل رواية بخصوصها

Indeed, the large number of narrations creates conviction that some of them might emanate from the infallible Imāms and that is nothing less than reassuring. Some of these narrations are transmitted through reliable sources; therefore, there is no need to discuss the chain of each narration specifically.

is Mutawātir briefly.¹ It has been a hot topic for the Imāmī luminaries to solve, generation after generation, to a degree that it compelled the learned Mufasssir Sayyid Husayn al-Ṭabāṭabā'ī (d. 1402 AH) to acknowledge that fabrication of narrations and adjusting authentic chains to it by attributing it to trusted narrators, was a matter that was prevalent during the period of the Imāms; and that infiltration and fabrication that was prevalent in that period, is the real cause of these authentic or Mutawātir narrations with regards to the view of distortion of the Qur'ān, etc. He states:

واما ما ذكرنا من شيوع الدس والوضع في الروايات فلا يرتاب فيه من راجع الروايات المنقولة في الصنع والإيجاد وقصص الأنبياء والأمم والأخبار الواردة في تفاسير الآيات والحوادث الواقعة في صدر الإسلام وأعظم ما يهم أمره لأعداء الدين ولا يألون جهدا في إطفاء نوره وإخماد ناره وإعفاء أثره هو القرآن الكريم الذي هو الكهف المنيع والركن الشديد الذي يأوي إليه ويتحصن به المعارف الدينية والسند الحي الخالد لمنشور النبوة ومواد الدعوة لعلمهم بأنه لو بطلت حجة القرآن لفسد بذلك أمر النبوة واختل نظام الدين ولم يستقر من بنيته حجر على حجر

والعجب من هؤلاء المحتجين بروايات منسوبة إلى الصحابة أو إلي أئمة أهل البيت على تحريف كتاب الله سبحانه وإبطال حججه وبيطلان حجة القرآن تذهب النبوة سدى والمعارف الدينية لغى لا أثر لها وماذا يغني قولنا إن رجلا في تاريخ كذا ادعى النبوة وأتى بالقرآن معجزة و أما هو فقد مات وأما قرآنه فقد حرف ولم يبق بأيدينا مما يؤيد أمره إلا أن المؤمنين به أجمعوا علي صدقه في دعواه وإن القرآن الذي جاء به كان معجرا دالا على نبوته والاجماع حجة لأن النبي المذكور اعتبر حججه أو لأنه يكشف مثلا عن قول أئمة أهل بيته

وبالجملة احتمال الدس وهو قريب جدا مؤيد بالشواهد والقرائن يدفع حجية هذه الروايات ويفسد اعتبارها فلا يبقى معه لها لا حجية شرعية ولا حجية عقلائية حتى ما كان منها صحيح الإسناد فإن صحة السند وعدالة رجال الطريق إنما يدفع تعمدهم الكذب دون دس غيرهم في أصولهم وجوامعهم ما لم يرووه

As for what we have mentioned about the prevalence of infiltration and fabrication in the narrations, anyone who reviews the narrations

1 Refer to his discussion about brief Tawātir in *Dirāsah fī 'Ilm al-Uṣūl – Taqrīr Baḥth al-Sayyid al-Khū'ī* of Sayyid al-Shāhrūdī, 3/185.

transmitted regarding creation, existence, stories of the Prophets عَلَيْهِمُ السَّلَامُ and the previous nations, transmissions narrated about the commentary of Qur'ānic verses, and incidents that occurred during the initial days of Islam, will have no doubt about it. What matters most to the enemies of dīn; for which they leave no stone unturned in extinguishing its radiance, suppressing its fire and waving its impact, is the noble Qur'ān; which is the impenetrable cave, the strong pillar toward which the knowledge of dīn is sheltered and fortified and a living and perpetual support for the propagation of Prophethood and materials of invitation, because they know that by invalidating the evidence of the Qur'ān, the issue of Prophethood would be corrupted and the system of dīn would be disturbed, with no foundation to stabilize its structure.

It is surprising that these people justify the distortion of the Qur'ān and invalidating its authority through narrations that are attributed to the Companions رَضِيَ اللَّهُ عَنْهُمْ or the Imāms of the Ahl al-Bayt. By invalidating the Qur'ān's authority, Prophethood would be in vain and the knowledge of dīn would be wasted, having no impact. What does our saying benefit that a man claimed Prophethood on such and such date and brought the Qur'ān as a miracle. He passed away and his Qur'ān was distorted and there is nothing left in our hand that would support his matter except that the believers are unanimous upon the truth of his claim, that the Qur'ān which he brought is a miracle that indicates to his Prophethood and consensus is a proof because the aforementioned Prophet recognised its authority or because—for example—he reveals the views of the Imāms of his household?

In brief, the possibility of infiltration—which is very possible, supported by evidences, and proofs—repels the authority of these narrations and ruins its credibility. Thus, with this possibility, there remains no Shar'ī or intellectual evidence for these narrations, even those whose chains of narrations are authentic because the authenticity of the chain and credibility of the narrators only repels their deliberate lying, not infiltration from others into their sources and compilations, as long as they do not narrate it.¹

Take a look the month of Ramaḍān and the intense differences that occurred among the senior scholars of the sect in stipulating the days of fasting and

¹ *Tafsīr al-Mīzān*, 12/114-115.

the days when one must not fast, since the second century (AH) till the fifth century (AH). The cause is the existence of Mutawātir narrations and *Tawātur* (consecutive narrations) indicated to convictions; however, the narrators are all of extremists.

Concerning this, Shaykh Muḥammad al-Bāqir al-Bahbūdī states:

ومن الأسف أننا نجد هذه الأحاديث التي يفطرننا يوم صومنا ويصومنا يوم فطرننا ...
نراها بأسانيد مختلفة وأساليب مختلفة

It is unfortunate that we find these narrations that prevents us from fasting on the days we were supposed to fast and makes us fast on the days we were not supposed to fast... we see them with different chains and in different ways.¹

He also states:

اشتهرت هذه الأحاديث في أواخر القرن الثاني وعمل بها بعض أصحابنا حتي في
القرن الخامس مغترا بتواترها حتي بعدما ألف شيخنا محمد بن مسعود العياشي
(٣٢٠هـ) كتابا في الرد على من صام وأفطر قبل الرؤية

These narrations² became popular at the end of the second century and some of our companions practiced on them till the fifth century, being deceived by consecutive narrating, until our teacher Muḥammad ibn Mas'ūd al-'Ayyāshī (d. 320 AH) wrote a book refuting those who fast or stop fasting before the sighting (of the crescent).³

Due to the fact that these narrations were consecutively narrated, it was not easy to bypass them except with intense differences which extended for approximately three centuries.

The dispute amongst the Imāmī jurists reached such an intolerable level that we find Ibn Bābawayh al-Qummī—known as al-Shaykh al-Ṣadūq—describing those

1 *Ma'rifat al-Ḥadīth*, pg. 14. (Forward of the 2nd edition)

2 That is profuse narrations. This refers to the narrations transmitted from Ja'far al-Ṣādiq that the month of Ramaḍān can never be less than 30 days and the month of Sha'bān can never be complete 30 days.

3 *Ma'rifat al-Ḥadīth*, pg. 16. (Forward of the 2nd edition)

who hold the view of the permissibility of Ramaḍān having less than 30 days as ‘weak Shī’ahs’ and that a Ja‘farī believer should avoid them just as they avoid the Ahl al-Sunnah.

After quoting these narrations, he states in *Man lā Yaḥḍuruhū al-Faqīh*:

من خالف هذه الأخبار وذهب إلى الأخبار الموافقة للعامة في ضدها اتقى كما يتقى
العامة ولا يكلم إلا بالتقية كائنا من كان إلا أن يكون مسترشدا فيرشد ويبين له فإن
البدعة إنما تمت وتبطل بترك ذكرها

Whoever differs with these transmissions and adopts the transmissions which conform to the masses, in opposition to these, he should be avoided and only spoken to, using Taqiyyah, no matter who he is, except one who seeks guidance as he should be guided and explained, because innovation is destroyed and invalidated by avoiding its mention.¹

He states in *al-Khiṣāl*:

مذهب خواص الشيعة وأهل الاستبصار منهم في شهر رمضان أنه لا ينقص عن ثلاثين
يوما أبدا والأخبار في ذلك موافقة للكتاب مخالفة للعامة فمن ذهب من ضعفة الشيعة
إلى الأخبار التي وردت للتقية في أنه ينقص ويصيبه ما يصيب الشهور من النقصان
والتمام اتقى كما تتقى العامة ولم يكلم إلا بما يكلم به العامة ولا قوة إلا بالله

The school of the elite Shī’ah and the people of foresight amongst them, pertaining to the month of Ramaḍān, is that it can never be less than 30 days. Transmissions pertaining to it are in conformance to the Qur’ān and opposing the masses. Whoever, from the weak Shī’ah adopts those narrations which were transmitted as Taqiyyah, that Ramaḍān can decrease (to less than 30 days) and that it is just like the other months which can decrease or be complete, he should be avoided just as the masses are avoided, and he should only be spoken to as the masses are. There is no power except from Allah ² *سُبْحَانَكَ وَبِحَمْدِكَ*.

Meanwhile Shaykh al-Mufid describes those who adopt the view of Ibn Bābawayh al-Qummī as those who:

¹ *Man lā Yaḥḍuruhū al-Faqīh*, 2/171.

² *Al-Khiṣāl*, pg. 531-532.

خالفوا نص القرآن ولغة العرب وفارقوا بمذهبهم فيه كافة علماء الاسلام وباينوا أصحاب علم النجوم فلم يصيروا إلي قول المسلمين في ذلك ولا إلى قول المنجمين الذين اعتمدوا الرصد والحساب وادعوا علم الهيئة فصاروا مذبذبين لا إلى هؤلاء ولا إلى هؤلاء وأحدثوا مذهبا غير معقول ولاله أصل يستقر على الحجاج

They differed from the text of the Qur'ān and the Arabic language, separated through their school, from all the scholars of Islam, and differed with the astrologers. Thus, they neither adopted the view of the Muslims nor the view of the astrologers, who depend on observation and calculation. They claimed astronomy. They became confused, neither to this side nor to that side. They invented an unreasonable school which has no principle that could be applied to the pilgrims.^{1,2}

Shaykh Muḥammad al-Bāqir al-Bahbūdī discussed the differences on this issue in detail. At the end of the discussion, he made an extremely dangerous statement. He states:

وإنما أطنبنا البحث في هذا المضممار وقد كان له ذيل طويل لم نتعرض له لتتدارس معكم هجوم الغلاة في وجه واحد ومسألة واحدة من مسائل الفقه وقد خفي علي

1 What is astonishing is the fact that al-Mufīd himself, for a period of his youth, adopted the view of Ibn Bābawayh al-Qummī. He authored his book *Lamḥ al-Burhān*, as a response to those who claim the presence of a view of counting (the days of the month) and the shortage of those who hold this view. He states clearly:

ومما يدل على كذبه أن فقهاء عصرنا هذا وهو سنة ٣٦٣ هـ ورواته وفضلائه وإن كانوا أقل عددا منهم في كل عصر مجتمعون عليه ويتدينون به ويفتون بصحته وداعون إلى صوابه كسيدنا وشيخنا الشريف الزكي أبي محمد الحسيني وشيخنا الثقة أبي القاسم جعفر بن محمد بن قولويه أيده الله وشيخنا الفقيه أبي جعفر محمد بن علي بن الحسين بن بايويه وشيخنا أبي عبد الله الحسين بن علي بن الحسين أيدهما الله وشيخنا أبي محمد هارون بن موسى التلعكبري أيده الله

And what indicates to its falsehood is that the jurists of our era, which is the year 363 AH, narrators and the eminent ones—even though they were fewer in number in every ear—are unanimous upon it, practice on it, issue rulings of its validity, and claim it to be correct like our leader and teacher al-Sharīf al-Zakiyy Abū Muḥammad al-Ḥusaynī, our trusted teacher Abū al-Qāsim Ja'far ibn Muḥammad ibn Qūluwayh, our teacher and jurist Abū Ja'far Muḥammad ibn 'Alī ibn al-Ḥusayn ibn Bābawayh, our teacher Abū 'Abd Allāh al-Ḥusayn ibn 'Alī ibn al-Ḥusayn, and our teacher Muḥammad ibn Hārūn ibn Mūsā al-Talā'akbarī.

Then he retracted from this view in his book *Maṣābīḥ al-Nūr* and described those Imāmī scholars who adopt his previous view, with the statement mentioned above.

2 *Jawābāt Ahl al-Mawṣil fī al-'Adad wa al-Ru'yah*, pg. 16-17.

أصحابنا وأشياخنا وقع أقدامهم فعلينا أن نتعرف الجو الذي مكن الغلاة بهذه الوسعة من التزوير والدرس بحيث تمكن واحد منهم بأشباعه أن يزور أربعة آلاف حديث في أبواب الحلال والحرام ويدسسها في المجاميع الحديثية ولا يتفطن مشايخنا لمكيدته طيلة قرنين بل وأكثر فبذلك الدرس و التنقيب نتحقق أنه لا يجوز التعويل على صحة الأسانيد فقط والإعتماد على تواتر الحديث بألفاظ متقاربة بل اللازم علينا نتقف الحقيقة بكل وجه ممكن ولا نغتر بشهرة الحديث ولا بكثرة من أفنى به ولا بكثرة من رواه في موسوعته والله المستعان

We have lengthened the discussion in this field, and it had a long appendix which we did not touch, to study with you the attacks of the extremists in one manner and in one of the Fiqhī rulings—their footsteps were concealed from our companions and teachers—thus, it is necessary for us to know the atmosphere that allowed the extremists such amount of leeway in forgery and infiltration that one of them, along with his companions, was able to forge four thousand narrations in the field of Ḥalāl and Ḥarām, and insert them in the narrative compilations and our leaders did not notice their scheme for the duration of two, rather more than two centuries. Therefore, through this study and investigation we will ascertain that it is not permissible to rely on the authenticity of the chain only and to depend on consecutively narrated transmissions with similar wordings. Rather, it is incumbent on us to set right the reality in every possible manner and neither be deceived by the popularity of the narration, nor by the abundance of rulings about it, nor by the abundance of the one who transmits it in his encyclopaedia. Allah’s سُبْحَانَهُ وَتَعَالَى help is sought.¹

4. Inability to distinguish between authentic and fabricated

The School’s narrative problems do not stop at the lies attributed to the Imāms and the large number of false and fabricated narrations found in the leading books, whereby it could be overcome by probing and scrutinizing the authentic narrations from the weak and fabricated ones, then embarking on eradicating those narrations that were inserted into the school.

However, the biggest problem is that even the senior scholars of the school cannot distinguish the authentic narrations from the weak and the fabricated narrations of the Ahl al-Bayt. Thus, they are confused and they have confused

1 *Maʿrifat al-Ḥadīth*, pg. 20.

those around them.¹

1 Some traditional texts reveal the state of confusion that rocked the school in the past, in beliefs and in fiqh, due to the phenomenon of contradictory narrations and the inability to reconcile them; and that there was early thinking among some of the Imāmī luminaries, at that time, to get out of this crisis, immaterial of whether we consider the cause to be the phenomenon of Taqiyyah, as is the view of some of the Akhbārīs or the phenomenon of infiltration, distortion or fabrication in the narrations or both. Among those texts are:

That which ‘Alī ibn al-Ḥusayn ibn Bābawayh al-Qummī (d. 329 AH) reported in his book *al-Imāmah wa al-Tabṣirah min al-Ḥayrah*, wherein he states:

ورایت كثيرا ممن صح عقده وثبتت علي دين الله وطأته وظهرت في الله خشيته قد أحادته الغيبة - غيبة الإمام الثاني عشر -
وطال عليه الأمد حتى دخلته الوحشة وأفكرته (وأنكرته) الأخبار المختلفة والآثار الواردة ...

I have seen many, whose beliefs are correct, his feet is firmly established in the dīn of Allah سُبْحَانَهُ وَتَعَالَى, his fear for Allah سُبْحَانَهُ وَتَعَالَى is evident; the concealment—of the twelfth Imām—has isolated him, time has prolonged on him to the extent that loneliness has overtaken him and the different narrations and transmissions have made him ponder and feel estranged...

Shaykh al-Ṭā’ifah Abū Ja’far al-Ṭūsī (d. 460 AH) discusses in his book *al-‘Uddah fī Uṣūl al-Fiqh*, 1/136-138, the causes of differences that occurred among the Imāmī scholars in rulings, to the extent that they exceeded the four Madhhabs in their differences, despite the fact that it is assumed that they are affiliated to one Fiqhī school; and that the origin of this is the differences in transmissions and preference given to some of them and not the others by each sect. He states:

ومما يدل علي جواز العمل بهذه الأخبار أخبار الأحاد التي أشرنا إليها ما ظهر بين الفرقة المحقة من الاختلاف الصادر عن العمل بها فإني وجدتها مختلفة المذاهب في الأحكام يفتي أحدهم بما لا يفتي به صاحبه في جميع أبواب الفقه من الطهارة إلى أبواب الديات من العبادات والأحكام، والمعاملات والفرائض وغير ذلك مثل اختلافهم في العدد والرؤية في الصوم واختلافهم في أن التلفظ بثلاث تطبيقات هل يقع واحدة أم لا ومثل اختلافهم في باب الطهارة وفي مقدار الماء الذي لا ينجسه شيء ونحو اختلافهم في حد الكر ونحو اختلافهم في استناف الماء الجديد لمسح الرأس والرجلين واختلافهم في اعتبار أقصى مدة النفاس واختلافهم في عدة فصول الأذان والإقامة وغير ذلك في سائر أبواب الفقه حتى أن بابا منه لا يسلم إلا وقد وجدت العلماء من الطائفة مختلفة في مسائل منه أو مسألة متفاوتة الفتاوى وقد ذكرت ما ورد عنهم من الأحاديث المختلفة التي تختص الفقه في كتابي المعروف بلاستبصار وفي كتاب تهذيب الأحكام ما يزيد على خمسة آلاف حديث وذكرت في أكثرها اختلاف الطائفة في العمل بها وذلك أشهر من أن يخفي حتي إنك لو تأملت اختلافهم في هذه الأحكام وجدته يزيد علي اختلاف أبي حنيفة والثافعي ومالك

From amongst that which indicates to the permissibility of practicing on these narrations, (i.e. *al-Khabr al-Wāḥid*, narrations reported by one narrator only) is the differences that occurred regarding practicing upon them among the true sects, as I found that there are different schools regarding their rulings, where one them would issue a fatwā which the other companion would not, in all chapters of fiqh; from purity to the chapters of blood monev, in acts of worship, rulings, monetary dealings, inheritance etc, similar to their differences in:

continued...

Hence, the learned Sayyid Nūr al-Dīn al-Mūsawī al-Āmilī (d. 1062 AH) stated, when commenting on the martyrdom of the Muḥaddith al-Astarābādī about what al-Muḥaqqiq al-Ḥillī mentioned in *al-Muṭabar* that he narrated from Jaʿfar al-Ṣādiq through close to four thousand narrators, some of whom were given the title of ‘most distinguished jurists’ such as Zurārah ibn Aʿyan, his two brothers Bukayr and Ḥumrān, Jamīl ibn Darrāj, Muḥammad ibn Muslim, Burayd ibn Muʿāwiyah, the two Hishāms,² Abū Baṣīr etc., that they wrote the reports to Jaʿfar al-Ṣādiq’s rulings in four hundred compilations, which they named *Uṣūl*:

إن من اطلع على كثرة الأحاديث الواردة في القدح في أغلب من ذكره من الفضلاء عن أئمتهم في زمانهم عرف كثرة الأحاديث الموضوعة في ذلك الزمان فضلا عن غيره بحيث لا يتحمل حملها على التقية وفي حديث الفيض بن المختار من رواية الكشي عن أبي عبد الله حيث قال له جعلني الله فداك ما هذا الاختلاف الذي بين شيعتكم قال وأي اختلاف يا فيض فقال له الفيض إنني لأجلس في حلقتهم بالكوفة فأكاد أشك في اختلافهم في حديثهم حتى أرجع إلي المفضل بن عمر فيوافقني من

1 continued from page 243

- Counting and sighting regarding days of fasting.
- Whether the utterance of three divorces constitutes one divorce or not.
- In the chapter of purity and the quantity of water which cannot be made impure by anything.
- In stipulating the amount of *Kurr* (large quantity of water)
- In using new water for *masah* (wiping) the head and the legs.
- In stipulating the maximum period of *Nifās* (postpartum).
- The amount of time for the separation between *Athān* and *Iqāmah* etc.

In all the chapters of *fiqh*, to an extent that not a single chapter is spared except that I have found the scholars of the sect differing in its rulings or in a ruling with various *fatwās*. I have mentioned more than five thousand different narrations reported from them, specifically regarding *fiqh*, in my book known as *al-Istibṣār* and *Tahdhīb al-Aḥkām* and I have mentioned the differences of the sect in practicing upon most of them, which is too famous to conceal, to such a degree that if you ponder on their differences in rulings, you would find them to be more than the differences of Abū Ḥanīfah, al-Shāfiʿī and Mālik.

Observe the number of contradictory narrations and the Imāmī jurist’s confusion in dealing with them.

2 Referring to Hishām ibn al-Ḥakam and Hishām ibn Sālim al-Jawālīqī.

ذلك على ما تستريح إليه نفسي ويطمئن إليه قلبي فقال أبو عبد الله أجل هو كما ذكرت يا فيض إن الناس أولعوا بالكذب علينا إن الله الذي افترض عليهم لا يريد منهم غيره وإني أحدث أحدهم بالحديث فلا يخرج من عندي حتي يتأوله على غير تأويله وذلك أنهم لا يطلبون بحديثنا ما عند الله وإنما يطلبون به الدنيا ... إلى آخر الحديث وإنما نقلنا هذا الحديث ليعلم كثرة الأحاديث الضعيفة واختلاطها من ذلك الوقت والاحتياج إلى تمييزها والبحث عنها فكيف في مثل هذا الزمان مع تصريح مولفي الحديث في أوائل كتبهم بكثرة التضاة والاختلاف منه والاشتباه ولم ينهوا صريحا علي أن ما نقلوه كله سليم عن ذلك وانهم ما دونوه من الأصول صحيحة لا تحتمل الضعف

Whoever looks at the large number of narrations that were transmitted in criticizing most of what the distinguished scholars narrate from their Imāms, will come to know of large numbers of fabricated narrations that were present at that time, let alone other times, to such an extent that it is not possible to regard them as Taqiyyah. Al-Kashshī reports the narration of al-Fayḍ ibn al-Mukhtār wherein he says to Abū ‘Abd Allāh, “May Allah سُبْحَانَهُ وَتَعَالَى sacrifice me for you, what are these differences among your group?”

He asked, “What differences, O Fayḍ?”

Fayḍ said to him, “I sit in their gatherings in Kūfah and I almost doubt in their differences in their narrations till I return to al-Mufaḍḍal ibn ‘Umar who agrees with me on that, which comforts my soul and reassures my heart.”

Abū ‘Abd Allāh replied, “Yes, it is as you have mentioned. People are fond of attributing lies to us. Allah سُبْحَانَهُ وَتَعَالَى, who has made that incumbent on them, does not want anything else from them. I narrate a hadīth to one of them and as soon as he leaves me, he misinterprets it. That is so because they do not desire, through our narrations, what is by Allah سُبْحَانَهُ وَتَعَالَى, rather, they desire through it, this worldly life....” till the end of the narration.

We have quoted this narration so as to be aware of the abundance of weak narrations and their complications that were found during that time, and the need to distinguish and investigate them. How about these times when the authors of hadīth have declared, in their initial books, the abundance of contradiction, differences and suspicion regarding them, and did not

notify clearly that what they transmit is all safe from that, and that they only compiled authentic narrations that cannot be regarded weak.¹

He also stated:

إن السيد المرتضى والشيخ المفيد كانا في عصر واحد ونقل السيد علي بن طاووس في رسالته لولده عن الشيخ الجليل العارف بعلوم كثيرة سعيد بن هبة الله القطب الراوندي أنه وقع الخلاف بين السيد والشيخ المفيد في خمس وتسعين مسألة من مسائل الأصول وقال لو استوفيت الخلاف بينهما لطال الكلام ومن المعلوم أن هذا الاختلاف لا يصلح له سبب إلا اختلاف الحديث ولو كانت كلها صحيحة وكل حكم من أصول وفروع فيها دلالة عليه كما يقوله المصنف لم يجز منهم هذا الاختلاف وإنما نشأ غالباً من رد السيد أخبار الآحاد وعمل المفيد بها

Sayyid al-Murtaḍā and Shaykh al-Mufīd were contemporaries.² Sayyid ‘Alī ibn Ṭāwūs quoted, in his treatise to his son, from the honourable shaykh, learned in many sciences, Sa‘īd ibn Hibat Allāh al-Quṭd al-Rawandī that al-Sayyid differed with Shaykh al-Mufīd in 95 fundamental rulings. He said, “If I were to mention their differences extensively, the discussion would become too lengthy.”³

It is well known that the only cause of these differences can be the differences in the narrations. If all the narrations were authentic and every fundamental and subsidiary ruling indicated to that, as claimed by the author, these differences would not occur. Most probably, these differences stemmed from al-Sayyid’s refusal of al-Khabr al-Wāḥid⁴ and al-Mufīd’s accepting them.⁵

Sayyid Muḥy al-Dīn al-Ghurayfī (d. 1412 AH) states:

1 *Al-Shawāhid al-Makkiyyah*, pg. 169.

2 If fact the first (Sayyid al-Murtaḍā) is a student of the second (Shaykh al-Mufīd), the one who accompanied him the most amongst his students and the most popular among the Imāmī scholars.

3 Refer to *Kashf al-Maḥajjah* of Ibn Ṭāwūs, pg. 20.

4 Al-Murtaḍā has clarified the reason for his extreme stance on al-Khabr al-Wāḥid in *Wasāil*, 3/10-311, which is that he is of the opinion that the chains of these narrations are brief which cannot be free from extremists, forced analogy or the people of Qiyās. Thus, there is no assurance that theses narrations were not infiltrated into the school.

5 *Al-Shawāhid al-Makkiyyah*, pg. 35.

إن كثيرا من الأحاديث لم تصدر عن الأئمة وإنما وضعها رجال كذابون ونسبوا إليها إما بالدس في كتب أصحابهم أو بغيره وبالطبع لا بد وأن يكونوا قد وضعوا لها أو لأكثرها إسنادا صحيحا كي تقبل حسبما فرضته عملية الدس والتدليس وحيث لا علم لنا بتلك المجموعة من الأخبار المؤلفة من ذينك الطائفتين أعني المجموعة والصادرة تقية ولا طريق لنا إلى تمييزها عن الأخبار المعتمدة فكيف يسوغ العمل بكل خبر سالم السند من الضعف مع احتمال أن يكون من تلك المجموعة التي لا يصح العمل بها

Definitely many of the narrations did not emanate from the Imāms. They were fabricated by liars who attributed it to them, either by inserting them in their companions' books or some other way. Of course, they must have fabricated authentic chains for all or most of these narrations, so that they can be accepted according to what the process of infiltration and deceit imposes. Since we have no knowledge of those transmission compilations which were composed by the two groups, i.e., the fabricated and those that were issued as Taqīyah, and we have no way to differentiate them from reliable transmissions, how will it be justifiable to adopt every transmission whose chain is safe from weakness, with the possibility that it could be from that compilation which cannot be adopted?¹

Shaykh Ḥusayn al-Rāḍī al-ʿAbd Allāh states:

ليس من العيب أن تكشف نقاط الضعف الموجودة لدينا لنلتمس علاجها وعدم الوقوع فيها لكن من العيب والعار السكوت على تلك النقاط السوداء والأخطر هو تبريرها ولا يقل خطورة من ذلك كله عدم التصدي لعلاجها في هذا الوقت قد أدخل الغلاة والمفوضة والمنحرفون كثيرا من الأحاديث ضمن أحاديث مدرسة أهل البيت حتى اختلط الغث بالسمين والصحيح بالسقيم والضعيف حتى صعب التمييز بينها وقد سبب ذلك تشويه سمعة الأئمة فانحرف من لم يكن عنده الخبرة التامة بمحتواها والقناعة بأسبابها

It is not a shame to expose our weak points in order to seek treatment for them and not fall into them. Rather, shame and disgrace are in remaining silent on those dark points, and more dangerous is to justify them. No less dangerous than all of that is not to address the treatment. In these

¹ *Qawā'id al-Taḥdīth*, pg. 135.

times the extremist, the Mufawwiḍah and the deviants have inserted many narrations among the narrations of the Ahl al-Bayt, to an extent that pus got mixed with fat, authentic with the sick and the weak; and differentiating between them has become difficult. This resulted in the defamation of the Imāms and the deviation of those who did not have complete knowledge of its contents and conviction of its reasons.¹

Al-Sayyid ‘Alī Abū al-Ḥasan states:

ولا يكاد يخفي ما تعرضت له أي سنة المعصوم فكم من مكذب ووضاع ومحرّف على أن الشقة عنهم سلام الله عليهم بعدت والثغرات كثرت والقرائن التي بها نحرز صحة مضمون خبر وصدوره أكثرها بل جلها علينا خفيت وما به نتمكن من إحراز جهة الصدور فضلا عن أصالته من علامات وإمارات ليس إلا الشيء القليل جدا

What it was exposed to –the Sunnah of the Infallible Imāms—is hardly hidden. How many liars, fabricators and distorters are there whose distance from the Imāms have become lengthy, the loopholes have increased and the evidences through which we achieve the authenticity of the transmissions’ content and its issuance, most of it, is hidden from us. The signs and indications, by which we can attain the direction of the issuance, let alone its origin, are very few indeed.²

In the past, Shaykh al-Ṭā’ifah al-Ṭūsī (d. 460 AH) sensed the seriousness of the matter. Thus, he wrote his book *Tahdhīb al-Aḥkām*, the commentary of his teacher’s book *al-Muqni’ah*, trying to remove the differences and the contradictions in the school’s narrations. He declared this in the forward of this book by saying:

ذاكرني بعض الأصدقاء أيده الله ممن أوجب حقه (علينا) بأحاديث أصحابنا أيدهم الله ورحم السلف منهم وما وقع فيها من الاختلاف والتباين والمنافاة والتضاد حتى لا يكاد يتفق خبر إلا ويأزائه ما يضاده ولا يسلم حديث إلا وفي مقابله ما ينافيه حتى جعل مخالفونا ذلك من أعظم الطعون علي مذهبنا وتطرقوا بذلك إلى إبطال معتقدنا وذكروا أنه لم يزل شيوخكم السلف والخلف يطعنون على مخالفيتهم بالاختلاف الذي يدينون الله تعالى به ويشنعون عليهم بافتراق كلمتهم في الفروع ويذكرون أن هذا مما لا يجوز أن يتعبد به الحكيم ولا أن يبيح العمل به العليم وقد وجدناكم

1 *Al-Mu’āmarah al-Kubrā ‘alā Madrasat Ahl al-Bayt*, pg. 10.

2 Alī Abū al-Ḥasan: *Al-Fawā'id al-Rijāliyyah*, pg. 7, Dhawī al-Qurbā publishers, first print, D.T.

أشد اختلافاً من مخالفيتكم وأكثر تبايناً من مباينيتكم ووجود هذا الاختلاف منكم مع اعتقادكم بطلان ذلك دليل على فساد الأصل حتى دخل على جماعة ممن ليس لهم قوة في العلم ولا بصيرة بوجوه النظر ومعاني الألفاظ شبهة وكثير منهم رجع عن اعتقاد الحق لما اشتبه عليه الوجه في ذلك وعجز عن حل الشبهة فيه سمعت شيخنا أبا عبد الله أيدته الله يذكر أن أبا الحسين الهاروني العلوي كان يعتقد الحق ويدين بالإمامة فرجع عنها لما التبس عليه الأمر في اختلاف الأحاديث وترك المذهب ودان بغيره لما لم يتبين له وجوه المعاني فيها

Some of the friends reminded me, whose right has been made incumbent upon us, about our companions' narrations —may Allah سُبْحَانَهُ وَتَعَالَى assist them and have mercy on the predecessors among them—and the differences, disparity, inconsistency and contradictions that occurred in them, to such a degree that one would hardly find a transmission except that there would be another one opposing it, and one would not present any narration except that against it would be another narration contradicting it, to an extent that our opposition made that one of the greatest criticism against our school and through it embarked on invalidating our beliefs. They mention that your leaders, from the predecessors and their successors, would continuously criticise their opposition for their differences in that which they worship Allah سُبْحَانَهُ وَتَعَالَى with and they would slander them for their differences in subsidiary rulings. They mention that this is something that a wise person would not practice upon and a knowledgeable person would not permit practicing upon it. We find you to be more divergent and contrasting than your opposition. The existence of these differences among you, despite your belief of its invalidity, is a proof of the corruption of the principle, to such an extent that a group of those who do not possess strength in knowledge, insight in points of view and the meanings of words (semantics) fell into doubt. Many retracted from the beliefs in the truth when they became confused and were unable to remove the doubt. I heard our teacher Abū 'Abd Allāh mentioning that Abū al-Ḥusayn al-Hārūnī al-'Alawī¹ used to believe in the truth and in Imāmah. He retracted from it

1 He is Imām al-Mu'ayyad bi Allāh Aḥmad ibn al-Ḥusayn ibn Hārūn ibn al-Ḥusayn ibn Muḥammad ibn Hārūn ibn Muḥammad ibn al-Qāsim ibn al-Ḥasan ibn Zayd ibn al-Ḥasan ibn 'Alī ibn Abī Ṭālib رَضِيَ اللَّهُ عَنْهُ, brother of Abū Ṭālib al-Hārūnī mentioned before, one of the senior Zaydī scholars.

continued...

after getting confused regarding the differences in narrations. He left the school and adopted another one when the various meanings were not clear to him.¹

When the fruit of this contradiction in transmissions was that some of the school's scholars left the school for other schools, then a group of other Imāmī scholars took a stance different to their predecessors, as these differences and contradictions in transmissions compelled them to distance themselves from delving into fiqh. This is what the learned Ibn Ṭāwūs (d. 664 AH) proclaimed in his approval of Shaykh Jamāl al-Dīn ibn Yūsuf ibn Ḥātim al-Mashgharī al-‘Āmilī² where he states:

واعلم أنه إنما اقتصرت على تأليف كتاب غياث سلطان الورى لسكان الثرى من كتب الفقه في قضاء الصلوات (عن الأموات) ولم أصنف غير ذلك من الفقه وتقرير المسائل والجوابات لأنني كنت قد رأيت مصلحتي ومعادي في دنياي وآخرتي في التورع عن الفتوى في الأحكام الشرعية لأجل ما وجدت من الاختلاف في الرواية بين فقهاء أصحابنا في التكاليف النفلية وسمعت كلام الله جل جلاله يقول عن أعز موجود من الخلائق عليه محمد صلى الله عليه وآله وَلَوْ تَقَوَّلَ عَلَيْنَا بَعْضَ الْأَقَاوِيلِ لَأَخَذْنَا مِنْهُ بِالْيَمِينِ ثُمَّ لَقَطَعْنَا مِنْهُ الْوَتِينَ فَمَا مِنْكُمْ مِنْ أَحَدٍ عَنْهُ حَاجِزِينَ (الحاقة:

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He was born in Āmul, Ṭabaristān in 333 AH. Originally, he was an Imāmī. The truth manifested for him and he followed it in the best possible way. He studied the Zaydī and Ḥanafī fiqh by Abū al-Ḥasan ‘Alī ibn Ismā‘īl ibn Idrīs. He narrated ḥadīth from him through al-Nāṣir li al-Ḥaqq al-Aṭrūsh. This Abū al-Ḥusayn was one of the distinguished scholars of Ṭabaristān in leadership, intelligence, virtue and knowledge. He was highly knowledgeable and authored books in fiqh and theology. Among them are *al-Amālī* and *al-Tajrīd* in transmission and its Sharḥ in four volumes. Oath of allegiance was taken for him in Daylam and he was given the title of ‘Sayyid al-Muayyad bi Allāh. His leadership lasted twenty years. He passed away in 411 AH. (Refer to *A‘lām al-Muallifīn al-Zaydiyyah*, pg 100; *al-Ḥadā’iq al-Wardiyyah*, 2/65-66; *A‘lām* of al-Zirkilī, 1/116.)

1 *Tahdhīb al-Aḥkām*, 1/2.

2 He is Jamāl al-Dīn ibn Yūsuf ibn Ḥātim ibn Fawz ibn Muhammad al-Shāmī al-Mashgharī al-‘Āmilī, one of the Imāmī jurists at the end of the seventh century AH or the beginning of the eighth century AH. He was one of the students of al-Muḥaqqiq al-Ḥillī (d. 672 AH), Sayyid Ibn Ṭāwūs (d. 664 AH), and Shaykh Najīb al-Dīn Yaḥyā ibn Aḥmad al-Ḥillī (d. 690 AH), the author of *al-Jāmi‘ fī al-Fiqh*. (Refer to *al-Khuwānasārī: Rawḍāt al-Jannāt*, 8/199; *Mīrzā al-Mudarris: Rayḥānat al-Adab*, 3/362.)

٤٤-٤٧) ولو صنفت كتباً في الفقه يعمل بعدي عليها كان ذلك نقضاً لتورعي عن الفتوى ودخولاً تحت خطر الآية المشار إليها لأنه جل جلاله إذا كان هذا تهديده للرسول العزيز الأعظم لو تقول عليه فكيف كان يكون حالي إذا تقولت عنه جل جلاله، وأفتيت أو صنفت خطأ أو غلطاً يوم حضوري بين يديه

Know well that I have sufficed on writing the book *Ghiyāth Sulṭān al-Warā li Sukkān al-Tharā* in fiqh, regarding the compensation of Ṣalāh (on behalf of the deceased)¹ and I have not written anything other than that in fiqh, recording² enquiries and answers, as I see my benefit and refuge in this world as well as the Hereafter in abstaining³ from issuing Fatwās in Sharḥī rulings because of the differences that I found in the narrations amongst our jurists in optional⁴ obligations. I heard the Qur’ān saying about the greatest of all creation, Muḥammad ﷺ:

*Had the Messenger made up something in Our name, We would have certainly seized him by his right hand, then severed his aorta and none of you could have shielded him from Us.*⁵

If I write a book on fiqh that would be practiced after me, it would be in violation of my abstinence from issuing fatwā and entering the threat of the abovementioned verse, because if this was the warning from Allah ﷻ to the greatest and the mightiest Prophet, if he made up something, what would be my condition if I made up something by issuing fatwā or writing a book incorrectly or mistakenly, one the day of my presence before him?⁶

Āyat Allāh al-Shaykh Murtaḍā al-Anṣārī (d. 1281 AH), while responding to Shaykh Ḥusayn ibn Shihāb al-Dīn al-Karakī al-‘Āmilī (d. 1072 AH)—they both belong to the Ja‘farī School—states:

1 That which is inserted between the brackets is from Mu’assasat al-Wafā’ print, with the research of Sayyid Ibrāhīm al-Mubānjī and Muḥammad al-Bāqir al-Bahbūdī.

2 Muassasat al-Wafā’ print has it like this; however, the Dār Iḥyā’ al-Turāth al-‘Arabī print has it as *Tafriḡh*, perhaps it is a misprint of the word *Tafriḥ*.

3 Dār Iḥyā’ al-Turāth al-‘Arabī print has it like this. Mu’assasat al-Wafā’ print has it as *fi al-Tafarugh ‘an* (to be free from).

4 Mu’assasat al-Wafā’ print has it as *Fi’liyyah* (physical).

5 Sūrah al-Ḥāqqah: 44-47.

6 *Biḥār al-Anwār*, 104/42, book on approvals.

ثم إن ما ذكره من تمكن أصحاب الأئمة من أخذ الأصول والفروع بطريق اليقين دعوى ممنوعة واضحة المنع وأقل ما يشهد عليها ما علم بالعين والأثر من اختلاف أصحابهم صلوات الله عليهم في الأصول والفروع ولذا شكى غير واحد من أصحاب الأئمة إليهم اختلاف أصحابهم فأجابوهم تارة بأنهم قد ألقوا الاختلاف بينهم حقنا لدمائهم كما في رواية حريز وزرارة وأبي أيوب الخزاز وأخرى أجابوهم بان ذلك من جهة الكذابين كما في رواية الفيض بن المختار قال قلت لأبي عبد الله جعفر الصادق جعلني الله فداك ما هذا الاختلاف الذي بين شيعتكم قال وأي الاختلاف يا فيض فقلت له إني أجلس في حلقهم بالكوفة واكاد أشك في اختلافهم في حديثهم حتي أرجع إلى المفضل بن عمر فيوقفني من ذلك على ما تستريح به نفسي فقال أجل كما ذكرت يا فيض إن الناس قد أولعوا بالكذب علينا كأن الله افترض عليهم ولا يريد منهم غيره إني أحدث أحدهم بحديث فلا يخرج من عندي حتي يتأوله على غير تأويله وذلك لأنهم لا يطلبون بحديثنا وبحبنا ما عند الله تعالي وكل يحب أن يدعي رأسا وقريب منها رواية داود بن سرحان واستثناء القميين كثيرا من رجال نوادر الحكمة معروف وقصة ابن أبي العوجاء أنه قال عند قتله قد دسست في كتبكم أربعة آلاف حديث مذكورة في الرجال وكذا ما ذكره يونس بن عبد الرحمن من أنه أخذ أحاديث كثيرة من أصحاب الصادقين ثم عرضها على أبي الحسن الرضا فأنكر منها أحاديث كثيرة إلى غير ذلك مما يشهد بخلاف ما ذكره

Thereafter, what he mentioned about the Imāms' companions' ability to adopt fundamental and subsidiary rulings with conviction is an obviously false claim. The least that indicates to that —that which is known with certainty and through transmissions—is the companions' differences in fundamental and subsidiary rulings. Hence, various companions complained to the Imāms regarding their differences. At times they answered them by saying that the differences among them are to protect their lives, as is seen in the narrations of Ḥarīz, Zurārah, and Abū Ayyūb al-Khazzāz. Other times they answer them by saying that these differences are from the liars as seen in the narrations of Fayḍ ibn al-Mukhtār, wherein he states, “I said to Abū ‘Abd Allāh—Ja‘far al-Ṣādiq, “May Allah سُبْحَانَهُ وَتَعَالَى sacrifice me for you, what are these differences among your group?”

He asked, “What differences, O Fayḍ?”

I said to him, “I sit in their gatherings in Kūfah and I almost doubt in their differences in the narrations till I return to al-Mufaḍḍal ibn ‘Umar who agrees with me on that, which comforts my soul.”

Abū ‘Abd Allāh replied, “Yes, it is as you have mentioned. People are fond of attributing lies to us as if Allah سُبْحَانَهُ وَتَعَالَى, who has made it incumbent on them and does not want anything else from them. I narrate a hadīth to one of them and as soon as he leaves me, he misinterprets it. That is so because they do not desire, through our narrations and our love, what is by Allah سُبْحَانَهُ وَتَعَالَى. Everyone likes to be called a leader.”

Similar to this is the narration of Dāwūd ibn Sarḥān.

The Qummīyīn’s exclusion of some of the narrators of *Nawādir al-Ḥikmah* is well known.

The incident of Ibn Abī ‘Awjā’, who, at the time of his execution, said that I have inserted four thousand narrations in your books, is mentioned in the field of narrators.

Similarly what Yūnus ibn ‘Abd Al-Raḥmān mentioned that he took many narrations from the companions of al-Ṣādiq and al-Bāqir and presented them to Abū al-Ḥasan al-Riḍā who rejected many of them, and other transmissions similar to this, testify contrary to what he mentioned.¹

When we go back to the era of the Imāms of the Ahl al-Bayt, we notice that they, despite their glorious status, were unable to do anything against this huge tide which was targeting them, except explaining the truth regarding those rulings that were fabricated upon them, which would reach them from time to time and then exhorting their followers to abstain from believing in most of the narrations that were narrated from them if they contradict the Qur’ān or the Sunnah of the Prophet صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ, and to suffice on the general principles.

It has been reported from Ibrāhīm ibn Abī Maḥmūd that he said:

قلت للرضا يا ابن رسول الله إن عندنا أخبارا في فضائل أمير المؤمنين وفضلكم أهل البيت وهي من رواية مخالفيكم ولا نعرف مثلها عندكم أفندين بها فقال يا ابن أبي محمود لقد أخبرني أبي عن أبيه عن جده أن رسول الله صلى الله عليه

¹ *Farā'id al-Uṣūl*, 1/325-326.

وسلم قال من أصغى إلى ناطق فقد عبده فإن كان الناطق عن الله فقد عبد الله وإن كان الناطق عن إبليس فقد عبد إبليس ثم قال الرضا يا ابن أبي محمود إن مخالفينا وضعوا أخبارا في فضائلنا وجعلوها علي ثلاثة أقسام أحدها الغلو وثانيها التقصير في أمرنا وثالثها التصريح بمثالب أعدائنا فإذا سمع الناس الغلو فينا كفروا شيعتنا ونسبواهم إلى القول بربوبيتنا وإذا سمعوا التقصير اعتقدوه فينا وإذا سمعوا مثالب أعدائنا بأسمائهم ثلبونا بأسمائنا وقد قال الله تعالى وَلَا تَسُبُّوا الَّذِينَ يَدْعُونَ مِنْ دُونِ اللَّهِ فَيَسُبُّوا اللَّهَ عَدْوًا بِغَيْرِ عِلْمٍ يَا ابْنَ أَبِي مَحْمُودٍ إِذَا أَخَذَ النَّاسُ يَمِينًا وَشِمَالًا فَالْزِمْ طَرِيقَتَنَا فَإِنَّهُ مَنْ لَزِمَنَا لَزِمَنَا وَمَنْ فَارَقَنَا فَارَقَنَا إِنْ أَدْنِي مَا يَخْرُجُ بِهِ الرَّجُلُ مِنَ الْإِيمَانِ أَنْ يَقُولَ لِلْحِصَاةِ هَذِهِ نَوَاةٌ ثُمَّ يَدِينُ بِذَلِكَ وَيَبْرءُ مِمَّنْ خَالَفَهُ يَا ابْنَ أَبِي مَحْمُودٍ، احْفَظْ مَا حَدَّثْتُكَ بِهِ فَقَدْ جَمَعْتُ لَكَ خَيْرَ الدُّنْيَا وَالْآخِرَةِ

I said to al-Riḍā, “O son of the Prophet ﷺ, we find narrations pertaining to the virtues of the Amīr al-Mu’minīn and you, the Ahl al-Bayt. These are narrated by your opposition.¹ We are not aware of similar narrations from you. Should we believe in it?”

He replied, “O Ibn Abī Maḥmūd, my father narrated to me from his father, who narrated from his grandfather that the Prophet ﷺ said, “Whoever listens attentively to someone, he has worshipped him. If he was a spokesman for Allah ﷻ, then he has worshipped Allah ﷻ and if he is a spokesman for *Iblīs* (Satan) then he has worshipped *Iblīs*.”

Thereafter he said, “O Ibn Abī Maḥmūd, indeed our opposition have fabricated transmissions regarding our virtues and divided them in three categories:

First is extremism, second is defects about us and the third is declaring the faults of our opposition.

Thus, when the people heard about the extremism regarding us, they declared disbelief against our sect and attributed claims of our divinity towards them. When they heard defects about us, they believed it and when they heard the faults of our opposition with their names, they found faults in us with our names. Allah ﷻ has stated:

1 Here, opposition refers to general oppositions from all aspects (from opposing Shī’ah sects, the majority and the Nawāṣib) as it will become clear from the conclusion of the narration.

*Do not insult what they invoke besides Allah or they will insult Allah spitefully out of ignorance.*¹

O Ibn Abī Maḥmūd, if the people go to the right and left, hold onto our way because whoever holds onto us, we will hold onto him and whoever detaches from us, we will detach from him. The lowest thing that can take a man out of faith is that he says regarding a pebble that it is date pit, then believe in that and absolve himself from all those who oppose him. O Ibn Abī Maḥmūd, preserve what I narrate to you as I have gathered the best of this world and the Hereafter for you.”²

This is Imām al-Riḍā’s advice to one of his followers who was perplexed in matters of his dīn whilst the Imāms of the Ahl al-Bayt were among them. How would it be possible for someone who comes centuries later to recognise the real school of Ja‘far al-Ṣādiq in the midst of the multitude of narrations which were fraught with extremism and lies?

It is important to note that al-Kulaynī; who, according to the sect, holds the title of *Thiqat al-Islām* (the trustworthy of Islam), who lived during the period of their twelfth Imām’s minor concealment and in the presence of his four representatives³, spent—according to the Imāmiyyah—twenty years of his life in compiling narrations for his book *al-Kāfī*, to present to them an authentic narrative legacy from the infallible Imāms, whereby they could protect themselves from the narrations and delusions of the masses and recognise the fundamental and subsidiaries of their dīn, confesses; in the forward of his book *al-Kāfī*, which is filled with praise and testimony that the Imāmī School is based on it and the likes of it,⁴ to his complete inability in giving

1 Sūrah al-An‘ām: 108.

2 *Musnad al-Imām al-Riḍā*, 1/237.

3 Sayyid ‘Alī al-Ḥusaynī al-Ṣadr states in *al-Fawā'id al-Rijāliyyah*, pg. 217:

قد امتاز بتأليف الكافي في أيام سفراء الإمام المهدي وبالقرب منهم كما أفاده السيد ابن طاووس

He excelled in writing *al-Kāfī* during the time of al-Mahdī’s representatives and in close proximity to them, as stated by Sayyid Ibn Ṭāwūs.

4 The contemporary Shī‘ī scholar of reference, Shaykh Ja‘far al-Subḥānī states in *Kulliyāt fi ‘ilm al-Rijāl*, pg. 355:

preference amongst the school's conflicting narrations and assigning its knowledge to the Imāms—expressed as scholars—by saying:

فاعلم يا أخي أرشدك الله أنه لا يسع أحدا تمييز شيء مما اختلف الرواية فيه عن العلماء برأيه إلا على ما أطلقه العالم بقوله اعرضوها على كتاب الله فما وافى كتاب الله فخذوه وما خالف كتاب الله فردوه وقوله دعوا ما وافق القوم فإن الرشد في خلافهم وقوله خذوا بالمجمع عليه فإن المجمع عليه لا ريب فيه ونحن لا نعرف من جميع ذلك إلا أقله ولا نجد شيئا أحوط ولا أوسع من رد علم ذلك

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إن كتاب الكافي أحد الكتب الأربعة التي عليها تدور رحي استنباط مذهب الإمامية فإن أدلة الأحكام وإن كانت أربعة (الكتاب والسنة والعقل والإجماع) على ما هو المشهور بين الفقهاء إلا أن الناظر في فروع الدين يعلم أن العمدة في استعمال الفرائض والسنن والحلال والحرام هو الحديث وأن الحاوي لجلها هو الكتب الأربعة وكتاب الكافي بينها كالشمس بين نجوم السماء والمولف أغني من التوصيف وأشهر من التبرجيل

Al-Kāfī is one of four books on which the millstone of the deduction of the Imāmī school revolves around, because, although the sources for rulings are four (Qur'ān, Sunnah, Intellect and Consensus), as is well known among the jurists; however, an observer into the subsidiaries of dīn will realise that the main pillar for the information of *Farā'id* (compulsory acts), Sunnah, *Ḥalāl* and *Ḥarām* (lawful and unlawful) is Ḥadīth and most of it is contained in these four books. *Al-Kāfī*, amongst these books, is like the sun amongst the stars. The author needs no introduction and his reverence is well known.

From amongst the former scholars, Shaykh al-Mufīd has described it (in *Sharḥ 'Aqā'id al-Ṣadūq*, pg. 27, Tabrez) as the greatest and the most beneficial Shī'ī book.

Muḥaqqiq al-Karakī, in his approval to Qāḍī Ṣafiy al-Dīn 'Īsā, introduced it thus:

ومنها جميع مصنفات ومرويات الشيخ الإمام السعيد الحافظ المحدث الثقة جامع أحاديث أهل البيت أي أبي جعفر محمد بن يعقوب الكليني صاحب الكتاب الكبير في الحديث المسمى بالكافي الذي لم يعمل مثله

From amongst them are all the books and narrations of Shaykh, Imām, the blessed, preserver, the Muḥaddith, the trustworthy and compiler of the narrations of the Ahl al-Bayt, i.e. Abū Ja'far Muḥammad ibn Ya'qūb al-Kulaynī, the author of the great book in ḥadīth called *al-Kāfī*, the like of which no one has written. (Refer to *Biḥār al-Anwār*, 108/75.)

Muḥammad Bāqir al-Majlisī, in the forward of his commentary on *al-Kāfī*, *Mir'āt al-'Uqūl*, 1/34, states:

وابتدأت بكتاب الكافي للشيخ الصدوق ثقة الإسلام مقبول طوائف الأنام ممدوح الخاص والعام محمد بن يعقوب الكليني حشره الله مع الأئمة الكرام لأنه كان أضبط الأصول وأجمعها واحسن مؤلفات الفرقة الناجية وأعظمها

I begin with *al-Kāfī* of Shaykh, the truthful, trustworthy of Islam, accepted by the various sects, praised by the elite and masses, Muḥammad ibn Ya'qūb al-Kulaynī, may Allah raise him with the noble Imāms, because he was most precise and comprehensive in fundamentals, the best and the greatest author of the saved group.

كله إلى العالم وقبول ما وسع من الأمر فيه بقوله بأيما أخذتم من باب التسليم
وسعكم

Know well, O my brother, may Allah سُبْحَانَهُ وَتَعَالَى guide you, that no one has the ability to distinguish among the different narrations that have been transmitted from the Imāms, by his opinion except in accordance to what the Imām declared by saying, “Present it to the Book of Allah. If it conforms to the Qur’ān, adopt it and if it differs with the Qur’ān, reject it.”

And by saying, “Leave that which conforms to the masses, as guidance is in differing with them.”

And by saying, “Adopt that which is agreed upon, as there is no doubt in that which is agreed upon.”

We have very little knowledge of all this and we do not find anything more prudent and comprehensive than submitting the knowledge of that to the Imām and accepting whatever is possible because of his statement that whatever you adopt in the way of submission, it will suffice for you.¹

This is what al-Kulaynī declared, in the forward of his book *al-Kāfī*, for which he spent twenty years in compiling its narrations, diligence in the chain of narrators, and selecting the best; i.e. his total inability to obtain the real views of the Imāms in the midst of all the lies attributed to them and the narrations issued as Taqiyyah.²

1 *Al-Kāfī*, pg. 8-9.

2 The claim that al-Kulaynī presented his book *al-Kāfī* to the awaited Mahdī, is rejected by senior Akhbārī scholars, who hold the view that the narrations of *al-Kāfī* definitely emanated from the Imāms. From among them are:

Al-Muḥaddith al-Astarābādī in *al-Ḥashīyah ‘alā al-Kāfī*, Mirzā Nūr al-Ṭabarāsī in *Khātimat al-Mustadrak*, 3/470, and ‘Allāmah al-Majlisī in *Mir’āt al-‘Uqūl*, 1/22, wherein he states:

وأما جزم بعض المجازفين بكون جميع الكافي معروضا على القائم لكونه في بلدة السفراء فلا يخفي ما فيه علي ذي لب نعم
عدم إنكار القائم وآبائه - صلوات الله عليه وعليهم - عليه وعلى أمثاله في تأليفاتهم ورواياتهم مما يورث الظن المتأخم للعلم
بكونهم راضين بفعلهم ومجوزين للعمل بأخبارهم

Some adventurous people are convinced that the complete *al-Kāfī* was presented to al-Mahdī, due to him being in the city of the ambassadors. What this claim holds is obvious to anyone of understanding. Yes, non-denial by al-Mahdī and his forefathers of this and other similar books and narrations, does inherit conjecture, bordering on knowledge, that they were satisfied with their action and permitted practicing on their transmissions.

continued...

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However, an interesting fact is that al-Kulaynī was a contemporary of the twelfth infallible Imām's minor concealment and his four representatives. He settled in Baghdād before 310 AH, as is well known. He entered Iraq before 290 AH and narrated from some of scholars of Baghdād in the homeland of the representatives. Despite this, he neither narrated a single narration, in *al-Kāfi*, directly from the infallible Imām, nor from his four representatives, nor did he present his book, *al-Kāfi*, to the Twelfth Imām to ascertain the authenticity of his infallible forefather's narrations—among them being Ja'far al-Ṣādiq—which he was transmitting. Similarly, he did not narrate much from any of the four representatives indirectly. He merely narrated two narrations in *al-Uṣūl min al-Kāfi*.

Meanwhile he spent, as the Imāmiyyah claim, twenty years of his life in researching narrations of the Ahl al-Bayt and the result of this painstaking research and travels for seeking Ḥadīth was, narrating from many unknown, weak narrators and liars, to such a degree that weak narrations in *al-Kāfi*—according to some senior Imāmī scholars—are more than the authentic ones. Each of the following scholars attest to this:

- ▶ Fakhr al-Dīn al-Ṭurayhī (d. 1085 AH) in *Jāmi' al-Maqāl*, pg. 193.
- ▶ Shaykh Yusuf al-Baḥrānī (d. 1186 AH) in *Lu'luat al-Baḥrayn*, pg. 394, from some of his latter teachers.
- ▶ Sayyid Baḥr al-'Ulūm in his book *Rijāl*.
- ▶ Mīrẓā Muḥammad Sulaymān al-Tunakābunī (d. 1310 AH) in *Qiṣaṣ al-'Ulamā'*, pg. 420.
- ▶ Āghā Buzurg al-Ṭahrānī in *al-Dharī'ah ilā Taṣānīf al-Shī'ah*, 17/245. and others.

Al-Ṭurayhī has enumerated the narrations of *al-Kāfi* according to their grades in authenticity and weakness. He states:

أما الكافي فجميع أحاديثه حصرت في ١٦١٩٩ ستة عشر ألف حديث ومائة وتسعة وتسعين حديثا صحيح منها باصطلاح من تأخر ٥٠٧٢ خمسة آلاف واثنان وسبعون والحسن ١٤٤ مائة وأربعة وأربعون حديثا والموثق ١١١٨ ألف ومائة وثمانية عشر حديثا والقوي منها ٣٠٢ اثنان وثلاثمائة والضعيف منها ٩٤٨٥ تسعة آلاف واربعمائة وخمسة وثمانون حديثا

As for *al-Kāfi*, the total number of narrations is 16199. The *Ṣaḥīḥ* (authentic) narrations, according to the terminology of the latter scholars, are 5072, *Ḥasan* (good) narrations are 144, *al-Muwaththaq* (reliable) are 1118, *Qawī* (strong) narrations are 302, and *Ḍa'īf* (weak) narrations are 9485.

This means that weak narrations in *al-Kāfi* are more than half the book. So, ponder!

This is despite the fact that al-Kulaynī had declared, in the forward of his book, his confusion in the transmissions and the necessity of referring them to the infallible Imāms; however, he neither did that with the Imām of his era, nor with his trusted representatives.

One cannot object that the four representatives were living a life of Taqiyyah where they tried, in every possible way, to remain concealed; as a result, it was not possible to narrate directly from them or to expose their names to the people, because we have mentioned that al-Kulaynī narrated two narrations, indirectly, from them.

continued...

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It is reported in the first volume of *al-Kāfī*, 1/330, chapter on the names of those who saw him, Ḥadīth 1, declaration of the first and second ambassadors' names:

وقد أخبرني أبو علي أحمد بن إسحاق عن أبي الحسن قال سألته وقلت من أعامل أو عمن أخذ وقول من أقبل فقال له العمري ثقتي فما أدى إليك عني فعني يؤدي وما قال لك عني يقول فاسمع له وأطع فإنه الثقة المأمون واخبرني أبو علي أنه سأله محمد بن محمد عن مثل ذلك فقال له: العمري وابنه ثقتان فما أديا إليك عني فعني يؤديان وما قال لك عني يقولان فاسمع لهما وأطعهما فإنهما الثقتان المأمونان فهذا قول إمامين قد مضيا فيك

Abū 'Alī Aḥmad ibn Ishāq narrated to me from Abū al-Ḥasan saying:

I asked him, "Who should I follow or from whom should I take and whose views should I accept?"

He replied, "Al-'Amrī is my confidant, whatever he narrates from me, be assured that he has narrated from me. Whatever he says from me, is indeed from me. Listen to him and obey him as he is reliable and trustworthy."

Abū 'Alī narrated to me that he asked Abū Muḥammad a similar question, to which he replied, "Al-'Amrī and his son are trustworthy, whatever they narrate from me, be assured that they have narrated from me. Whatever they say from me, is indeed from me. Listen to them and obey them as they are reliable and trustworthy."

These are the statements of the Imāms that have passed.

Where is Taqiyyah in this?

Then, there is another question which is just as important. Where is the Twelfth Imām's role in protecting the dīn and in alerting others about the weak and fabricated narrations, which al-Kulaynī filled *al-Kāfī* with? Did not the Imāmiyyah proclaim that the existence of the Imām is a blessing? Where is the blessing when the infallible Imām remains silent regarding a book, whose author penned it so that it can be an authority for the Shī'ah in their beliefs and fiqh till the Day of Judgement, and he includes all these weak and fabricated narrations in it?

When Sayyid Hāshim Ma'rūf al-Ḥasanī (d. 1403 AH) stated, about the narrations of *al-Kāfī*, in *al-Mawḍū'āt fī al-Athar wa al-Akḥbār*, 253, that:

وبعد التتبع في الأحاديث المنتشرة في مجاميع الحديث كالكافي والوافي وغيرها نجد الغلاة والحاقدين على الأئمة الهداة لم يتركوا بابا من الأبواب إلا ودخلوا منه لإفساد أحاديث الأئمة والإساءة إلى سمعتهم وبالتالي رجعوا إلى القرآن الكريم لينفثوا سمومهم ودرسانسهم لأنه الكلام الوحيد الذي يتحمل ما لا يتحمله غيره ففسروا مئات الآيات بما يريدون وألصقوها بالأئمة الهداة زورا وبهتانا وتضليلا وألف علي بن حسان وعمه عبد الرحمن بن كثير وعلي بن أبي حمزة البطائني كتب في التفسير كلها تخريف وتحريف وتضليل لا تنسجم مع أسلوب القرآن وبلاغته وأهدافه

After investigating the narrations scattered in the compilations of ḥadīth such as *al-Kāfī*, *al-Wāfī*, and others, we find that the extremists and the haters of the guided Imāms left no door except that they entered through it to corrupt the Imām's narrations and damaging their reputation. Subsequently, they resorted to the Noble Qur'ān in order to spew their poison and schemes because it is the only speech that can bear which any other cannot.

continued...

In the great dispute that occurred regarding the authoritativeness of the apparent meanings of the Qur’ān, the late Shī’ah scholar of reference, Mīrẓā Muḥammad Ḥasan al-Āshtiyānī (d. 1319 AH) discusses in his book *Baḥr al-Fawā’id*, the narrations that were transmitted pertaining to the authoritativeness and non-authoritativeness of the apparent meaning of the Qur’ān, to come to this painful conclusion:

ثم إنك بعد ما عرفت التعارض بين الأخبار وأنها متواترة من الطرفين فلا يمكن
الترجيح بينها بحسب السند

Thus, after realising the contradiction among the transmissions and that they are consecutively narrated by both the parties, it is not possible to give anyone preference according to the chain of narrators.²

Let us take a look at the dispute regarding the starting time of Maghrib Ṣalāh, which internally stored some religious sensitivity, in the sense that the Ahl al-Sunnah have a stipulated time, which is the sun’s sphere’s descending below the horizon and its disappearance from view.³

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Thus, they interpreted hundreds of verses according to their desires and falsely, slanderously, and misleadingly attributed it to the guided Imāms. ‘Alī ibn Ḥassān, his uncle ‘Abd al-Raḥmān ibn Kathīr, and ‘Alī ibn Abī Ḥamzah al-Baḥā’inī wrote a book in Tafsīr which is completely fake, distorted and deviated, that cannot fit with the style, eloquence and objectives of the Qur’ān.

Who do we attribute this defect and negligence? To al-Kulaynī or to the infallible Imām for whom the path was not conducive and he did not intend for his sect to obey Allah ﷻ in the manner they are, till the Day of Judgement?

2 *Baḥr al-Fawā’id fī Sharḥ al-Farā’id*, 1/89.

3 They derive this from clear and authentic narrations from the Prophet ﷺ. The most important ones are:

- ▶ The narration of Muslim in his *Ṣaḥīḥ* (613), al-Nasā’ī in his *Sunan* (519), al-Tirmidhī in his *Sunan* (152) and others from Buraydah رَضِيَ اللهُ عَنْهَا that the Prophet ﷺ instructed Bilāl رَضِيَ اللهُ عَنْهُ who gave Iqāmah for Maghrib when the sun set, then the next day, he performed Maghrib before the disappearance of twilight. Thereafter he said, “The time of your Ṣalāh is between what you have seen.”
- ▶ The narration of Muslim in his *Ṣaḥīḥ* (612) from ‘Abd Allāh ibn ‘Amr who said, “The Prophet ﷺ was asked about the times of the prayers. He said, “... And the time for Maghrib is from sunset till the setting of twilight.”

continued...

The Imāmiyyah have a different time, which is the disappearance of the red twilight (the redness on the eastern horizon). This is the popular view.¹ There is a large group of former and latter Imāmī scholars who hold the same view as the Ahl al-Sunnah that the starting time for Maghrib is the disappearance of the sun's sphere.²

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- The narration of Tirmidhī in his *Sunan* (151) and Aḥmad in *al-Musnad* (7172) from the Prophet ﷺ that he said, “Indeed, there is a beginning and ending (time) for Ṣalāh and the beginning for the time of Maghrib is when the sun sets and the ending time is when twilight disappears.”

1 This is the popular practice of majority of the Imāmiyyah today. By investigating the Imāmī Fiqhī compilations, it is possible to say that the first person to indicate towards the theory of the eastern redness is al-Muḥaqqiq al-Ābī (d. 690 AH). No Imāmī jurist discussed this condition for the establishment of sunset and the beginning for the time of Maghrib Ṣalāh, before him. It is also possible to say that the first person to promote the theory of the redness is Ibn al-Muṭahhar al-Ḥillī (d. 726 AH) when he mentioned that the sign of sunset is the disappearance of the redness. He declared this the popular view, and declared the view that sunset is established by the disappearance of the sun's sphere, as weak and assigned it specifically for the deserts, not places of dwellings and mountains.

2 Among them are:

1. Ibn Abī 'Aqīl al-'Umānī (d. around 329 AH). Refer to *Ḥayāt Ibn Abī 'Aqīl*, pg. 159.
2. Ibn al-Junayd (d. 381 AH). Al-Muḥaqqiq al-Ḥillī quoted this from him in *al-Mu'tabar*, 2/40.
3. Ibn Bābawayh al-Qummī (d. 381 AH). Refer to his research on narrations in *'Ilal al-Sharā'i'*, 2/350.
4. Al-Sharīf al-Murtaḍā. He states in *al-Nāṣiriyyāt*, pg. 193:

عندنا أن أول وقت المغرب مغيب الشمس وآخر وقتها مغيب الشفق الذي هو الحمرة

According to us, the beginning of the time of Maghrib is at sunset and the ending is at the disappearance of twilight, which is the redness.

5. Sallār al-Daylamī (d. 448 AH). He states in *al-Marāsim al-'Alawiyyah*, pg. 62:

ووقت المغرب عند غروب الشمس ووقت العشاء الآخرة إذا غاب الشفق الأحمر

The time for Maghrib is sunset and the time for 'Ishā' is when the red twilight disappears.

6. Shaykh al-Ṭā'ifah al-Ṭūsī (d. 460 AH). He states in *al-Mabsūṭ*, 1/74, which is his last book and the fatwā is according to it:

ووقت المغرب غيبوبة الشمس وآخره غيبوبة الشفق وهو الحمرة من ناحية المغرب وعلامة غيبوبة الشمس هو انه إذا رأى الآفاق والسماء مصحية ولا حائل بينه وبينها ورأها قد غابت عن العين علم غروبها

continued...

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The time of Maghrib is at sunset and it ends at the disappearance of twilight, which is the redness on the western horizon. The sign of sunset is that a person sees that the sky and horizon is clear, without any barrier between him and the sun, and the sun disappears from sight, this is regarded as sunset.

7. Al-Qāḍī ibn al-Barrāj (d. 481 AH). He states in *al-Muhadhhab*, 1/69:

المغرب له وقتان أول وآخر فالأول سقوط القرص من أفق المغرب والآخر غيبوبة الشفق من جهته

Maghrib has two times. Beginning time and ending time. The beginning is when the sphere (of the sun) disappears from the western horizon and the ending time is when twilight disappears in the same direction.

8. Al-Muḥaqqiq al-Ḥillī (d. 676 AH). He states in *Sharā'i' al-Islām*, 1/47:

والغروب باستتار القرص وقيل بذهاب الحمرة المشرقية وهو الأشهر

Sunset is at the concealment of the sphere and it is said that the time for it is before the disappearance of the eastern twilight. This is the popular view.

It is noted that he gave preference to the first view and he mentioned the second view, despite its popularity, with a tense (of a verb) denoting weakness.

9. Al-Fayḍ al-Kāshānī (d. 1090 AH). He states in *Mafātīḥ al-Sharā'i'*, 1/94:

ويعرف الغروب باستتار القرص وغيبته عن النظر مع انتفاء الحائل على الأصح

Sunset is established by the concealment of the sphere and its disappearance from view in the absence of any barrier, according to the most authentic view.

10. Al-Muḥaqqiq al-Narāqī (d. 1244 AH). He states in *Musnad al-Shī'ah*, 4/24:

أول وقت المغرب غروب الشمس اتفاقا نصا وفتوى وإن وقع الخلاف فيما يعرف الغروب به فالأقوى الموافق للمحكي عن الإسكافي والعلل والهداية والفقهاء والمبسوط والناصرية أنه عبارة عن غيبوبة الشمس عن الأنظار تحت الأفق

The beginning time for Maghrib is at sunset which is clearly agreed upon and fatwa is issued on that, even though there are differences with regards to what constitutes sunset. The most authentic view, which conforms to what is reported from *al-Iskāfi*, *al-'Ilal*, *al-Hidāyah*, *al-Faqīh*, *al-Mabsūṭ* and *al-Nāshiriyyāt* is that sunset refers to the disappearance of the sun from sight, under the horizon.

11. Al-Jawāhirī al-Najāfī (d. 1266 AH). He states in *Jawāhir al-Kalām*, 7/106:

ويعلم غروب الشمس الذي هو أول وقت صلاة المغرب إجماعا بل هو من ضروريات الدين باستتار نفس القرص خاصة عن نظر ذلك المكلف فيما يراه من الأفق الذي لم يعلم حيلولة جبل ونحوه بينه وبينه

Sunset, which is the beginning time for Maghrib by consensus, in fact, which is from the essentials of dīn, is established by the disappearance of the actual sphere, specifically from the view of that obliged person who looks into the horizon, between whom and the sun there is no obstacle like a mountain etc. *continued...*

However, the Imāmiyyah narrate from the two Imāms, Ja‘far al-Ṣādiq and his grandson ‘Alī al-Riḍā, that which indicates that delaying the Ṣalāh till the disappearance of the red twilight and the visibility of the stars; have nothing to do with the Sunnah. Rather, it is an innovation of the extremists who corrupted the dīn of the people of Kūfah and attributed to the Imāms that which they did not say.

Thus, it is reported in *Man Lā Yaḥḍuruḥu al-Faḳīh* from Ja‘far al-Ṣādiq that he said:

ملعون من أخر المغرب طلب فضلها وقيل له إن أهل العراق يؤخرون المغرب حتي
تشتبك النجوم فقال هذا من عمل عدو الله أبي الخطاب

Cursed is the one, who delays Maghrib, seeking its virtue.

He was told that the people of Irāq delay their Maghrib till the stars become visible. He said, “This is the practice of the enemy of Allah, Abū al-Khaṭṭāb.¹

A person asked him:

أؤخر المغرب حتي تستبين النجوم فقال له الإمام جعفر خطابية؟ إن جبرئيل نزل
على محمد صلى الله عليه وسلم حين سقط القرص

Should I delay Maghrib till the stars become visible?

Ja‘far al-Ṣādiq replied, “Are you a Khaṭṭābī? Jibrīl عَلَيْهِ السَّلَام descended to the Prophet صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ when the sphere disappeared.”²

Imām al-Riḍā stated:

إن أبا الخطاب قد كان أفسد عامة أهل الكوفة وكانوا لا يصلون المغرب حتي يغيب
الشفق وإنما ذلك للمسافر والخائف ولصاحب الحاجة

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12. Contemporary Shī‘ī scholar of reference Sayyid Muḥammad Ṣādiq al-Rūḥānī. He states in *Fiqh al-Ṣādiq*, 8/102:

وعرفت أن الأظهر أن آخر وقت الصوم والظهرين وأول وقت العشاءين استتار القرص لا ذهاب الحمرة المشرقية
I have realised that the most obvious view is that the ending time for fasting and
‘Aṣr, and the starting time for Maghrib is the concealment of the (sun’s) sphere,
not the disappearance of the eastern redness.

1 *Man Lā Yaḥḍuruḥu al-Faḳīh*, 1/220; *Wasā’il al-Shī‘ah*, 4/188.

2 Al-Ṭūsī: *Tahdhīb al-Aḥkām*, 2/33, ḥadīth: 49.

Abū Khaṭṭāb corrupted the general people of Kūfah. They would not read Maghrib until the disappearance of twilight. That is only for a traveller, fearful person, and someone in dire need.¹

This is what has been reported about Abū al-Khaṭṭāb and his innovation, which spread like wildfire amongst the Shī'ah of Kūfah. The Imāms, for two consecutive generations, were forced to alert the people of his innovations and incorrect attribution to them.

Conversely, there are extensive, in fact, consecutively narrated transmissions that stipulate the time of sunset by the disappearance of the sun's sphere. I will mention a few:

It has been narrated from Jābir, who narrates from Abū Ja'far al-Bāqir that the Prophet ﷺ said:

إذا غاب القرص أفطر الصائم ودخل وقت الصلاة

When the sphere disappears, a fasting person will break his fast and the time of Maghrib starts.²

It has been narrated from Zurārah, who narrates from Abū Ja'far al-Bāqir that he said:

وقت المغرب إذا غاب القرص

The time of Maghrib is when the sphere disappears.³

It has been narrated from 'Abd Allāh ibn Sinān, who narrates from Ja'far al-Ṣādiq that he said:

وقت المغرب إذا غربت الشمس فغاب قرصها

The time of Maghrib is at sunset, when its sphere disappears.⁴

It has been narrated from Jārūd that he said:

1 Al-Ṭūsī: *Tahdhīb al-Aḥkām*, 2/33, ḥadīth: 50.

2 *Man Lā Yaḥḍuruhu al-Faqīh*, 1/229; *Wasā'il al-Shī'ah*, 4/179.

3 *Al-Kāfi*, 3/279; *Man Lā Yaḥḍuruhu al-Faqīh*, 2/121.

4 *Al-Kāfi*, 3/280; *Tahdhīb al-Aḥkām*, 2/28; *al-Istibṣār*, 1/263; *Wasā'il al-Shī'ah*, 4/178.

قال لي أبو عبد الله جعفر الصادق يا جارود ينصحون فلا يقبلون وإذا سمعوا بشيء نادوا به أو حدثوا بشيء أذاعوه قلت لهم مسوا بالمغرب قليلا فتركوها حتى اشتبكت النجوم فأنا الآن أصليها إذا سقط القرص

Abū ‘Abd Allāh Ja‘far al-Şādiq said to me, “O Jārūd, they advise but they do not accept. When they hear about something, they call towards it or when something is narrated to them, they broadcast it. I told them to delay Maghrib a little but they delayed it till the stars became visible. At the moment, I perform it when the sphere disappears.”¹

It has been narrated from Dharīḥ that he said:

قلت لأبي عبد الله إن أناسا من أصحاب أبي الخطاب يمسون بالمغرب حتى تشبكت النجوم قال أبرأ إلي الله ممن فعل ذلك متعمدا

I said to Abū ‘Abd Allāh, “Some of Abū al-Khaṭṭāb’s followers delay Maghrib till the stars become visible.”

He replied, “I declare my innocence to Allah سُبْحَانَهُ وَتَعَالَى from anyone who does that intentionally.”²

Yazīd ibn Khalīfah states:

قلت لأبي عبد الله إن عمر بن حنظلة أتانا عنك بوقت قال فقال أبو عبد الله إذا لا يكذب علينا قلت قال وقت المغرب إذا غاب القرص إلا أن رسول الله صلى الله عليه وسلم كان إذا جد به السير أخر المغرب ويجمع بينها وبين العشاء فقال صدق وقال وقت العشاء حين يغيب الشفق إلى ثلث الليل ووقت الفجر حين يبدو حتى يضيء

I said to Abū ‘Abd Allāh, “Umar ibn Ḥanzalah came to us with a certain time from you.”

Abū ‘Abd Allāh replied, “In that case, he is not lying.”

I said, “He mentions that the time for Maghrib is when the sphere disappears; however, when the Prophet صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ would be travelling, he would delay Maghrib and join it with ‘Ishā.”

1 Al-Ṭūsī: *Tahdhīb al-Aḥkām*, 2/259, ḥadīth 69; *Wasā’il al-Shī‘ah*, 4/177.

2 Al-Ṭūsī: *Tahdhīb al-Aḥkām*, 2/33, ḥadīth 53; *al-Istibṣār*, 1/286; *Wasā’il al-Shī‘ah*, 4/198.

He said, “He spoke the truth.”

Thereafter he said, “The time for ‘Ishā is when twilight disappears till one third of the night and the time of Fajr is when (dawn) appears till sunrise.”¹

It has been narrated from Dāwūd ibn Farqad that Ja‘far al-Ṣādiq was asked about the time of Maghrib. He replied thus:

إذا غاب كرسيها؟ قلت وما كرسيها قال قرصها فقلت متي يغيب قرصها قال إذا
نظرت إليه فلم تره

(Time for Maghrib is) when the throne of the sun disappears

I asked, “What is its throne?”

He replied, “Its sphere.”

I asked, “When does its disappearance take place?”

He replied, “When you look at it and you do not see it.”²

‘Amr ibn Abī Naṣr states:

سمعت أبا عبد الله يقول في المغرب إذا توارى القرص كان وقت الصلاة وأفطر

I heard Abū ‘Abd Allāh saying, “When the sphere is hidden then it is the time for (Maghrib) Ṣalāh and breaking fast.”³

Ṣafwān al-Jamāl narrates from Ja‘far al-Ṣādiq stating:

قلت له إن معي شبه الكرش المنثور فأؤخر صلاة المغرب حتي عند غيبوبة الشفق
ثم أصليهما جميعا يكون ذلك أرفق بي فقال إذا غاب القرص فصل المغرب فإنما
أنت وما لك لله تعالى

I said to him, “I have a scattered belly.⁴ Can I delay Maghrib Ṣalāh till the

1 *Al-Kāfi*, 3/279; al-Ṭūsī: *Tahdhīb al-Aḥkām*, 2/20, Ḥadīth 7; *al-Istibṣār*, 1/286; *Wasā’il al-Shī’ah*, 4/198.

2 Ibn Bābawayh al-Qummī: *al-Amālī*, pg. 139; al-Ṭūsī: *Tahdhīb al-Aḥkām*, 2/27, Ḥadīth 30; *al-Istibṣār*, 1/262; *Wasā’il al-Shī’ah*, 4/181.

3 Al-Ṭūsī: *Tahdhīb al-Aḥkām*, 2/27, Ḥadīth 28; *al-Istibṣār*, 1/262; *Wasā’il al-Shī’ah*, 4/183.

4 Al-Majlisī states in *Biḥār al-Anwār*, 80/61:

continued...

disappearance of twilight, and then perform both (Maghrib and 'Ishā) together as this would be more convenient for me?"

He replied, "Perform Maghrib when the sphere disappears, because you and your wealth are for Allah *سُبْحَانَهُ وَتَعَالَى*"¹

Bakr ibn Muḥammad narrates from Ja'far al-Ṣādiq stating:

سألته عن وقت صلاة المغرب فقال إذا غاب القرص ثم سألته عن وقت صلاة
العشاء الآخرة قال إذا غاب الشفق وآية الشفق الحمرة و قال وقال بيده هكذا

I asked him about the time for Maghrib Ṣalāh. He replied, "When the sphere disappears."

Then I asked him about the time of 'Ishā. He replied, "When twilight disappears and the sign of twilight is the redness."

Then he indicated with his hands.²

It has been narrated from Ja'far al-Ṣādiq that he said:

إذا غابت الشمس فقد حل الإفطار ووجبت الصلاة و إذ صليت المغرب فقد دخل
وقت العشاء الآخرة إلى انتصاف الليل

When the sun sets, breaking of fast is permitted and Ṣalāh becomes compulsory. Once a person performs his Ṣalāh, the time for 'Ishā begins, till half of the night.³

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والمراد هنا كثرة العيال أو كثرة الجمال كما يشهد به حاله وآخر الخبر أيضا والغرض أنني لكثرة عيالي محتاج إلى العمل أو لكثرة جمالي وخوف انتشارها وتفرقها لا أقدر علي تفريق الصلاتين فنهى عن تأخير المغرب لذلك وفيه دلالة ما على مرجوحية الجمع أيضا

The meaning here is abundance of dependants or camels, as is understood from the end on the transmission. The intended meaning is that due to the abundance of dependants, I am busy in labour; or due to abundance of camels and the fear that they might get scattered or disperse, I cannot perform the two Ṣalāhs separately. Thus, the Imām prevented him from doing this. In it is an indication to the anomalousness of joining two Ṣalāh.

1 Al-Himyarī al-Qummī: *Qurb al-Isnād*, pg. 60; *Wasā'il al-Shī'ah*, 4/194; *Biḥār al-Anwār*, 80/61.

2 Al-Himyarī al-Qummī: *Qurb al-Isnād*, pg. 37; *Wasā'il al-Shī'ah*, 4/205; *Biḥār al-Anwār*, 80/61.

3 Ibn Bābawayh al-Qummī: *Man Lā Yaḥḍuruḥu al-Faqīh*, 1/221; al-Ḥurr al-Āmilī: *Wasā'il al-Shī'ah*, 4/179.

One might think that these extensive or consecutively narrated transmissions would be sufficient to resolve the Imāmī dispute about the time for Maghrib Ṣalāh. However, the great surprise in this regard is there are other narrations, similar in number, that consider the eastern redness as the time of sunset.¹

The dispute does not end at the starting time for Maghrib. In fact, the dispute regarding the ending time for Zuhr is more intense, as the late Shīī scholar of reference, Shaykh Fāḍil al-Lankarānī (d. 1428) states about this dispute:

وأما الإمامية فالمسألة محل خلاف بينهم أيضا وأقوالهم ربما ترتقي إلى عشرة كما
حكاهما في مفتاح الكرامة ولكن المهم منها أربعة

As for the Imāmiyyah, this ruling is a matter of dispute among them also. They have up to ten views regarding it, as mentioned in *Miftāh al-Karāmah*²; however, four of them are important.³

Where did these great differences arise from, in preliminary issues that were supposed to be resolved by the Imām of the school? Particularly when they believe that he is infallible, and adhering to him removes any dispute.

Al-Lankarānī responds to this by saying:

ومنشأ الاختلاف هو اختلاف الأخبار الواردة في الباب والتي احتار أكابر علماء
الإمامية في تحريرها وترجيح الصواب منها

The origin of the differences is the differences in the transmissions narrated in this chapter, which perplexed the senior Imāmī scholars in editing and preferring the correct ones.⁴

The late Shīī scholar of reference, Sayyid Muḥammad Bāqir al-Ṣadr has confessed, in *Ta'āruḍ al-Adillah al-Shar'iyyah*, to the impossibility of determining that the narrations fabricated by the extremists have been eradicated, identified, and

1 There are approximately eleven narrations in general. Those narrations that specifically mention the eastern redness are seven.

2 That is mentioned by Sayyid Muḥammad Jawād al-Āmilī (d. 1226 AH) in his book *Miftāh al-Karāmah fī Sharḥ Qawā'id al-'Allāmah*.

3 *Tafṣīl al-Sharī'ah*, 1/104, Book on Ṣalāh.

4 *Tafṣīl al-Sharī'ah*, 1/104, Book on Ṣalāh.

distinguished from the school. They are mixed in such a way that it is difficult to sort and remove them. Explaining this, he states:

وقد وقع كثير من ذلك أي الدس والتزوير في عصر الأئمة أنفسهم علي ما يظهر من جملة من الأحاديث التي وردت تنبه أصحابهم إلى وجود حركة الدس والتزوير فيما يروون عنهم من الأحاديث فهذا محمد بن عيسى بن عبيد يروي لنا عن يونس بن عبد الرحمن أن بعض أصحابنا سأله وأنا حاضر فقال له يا أبا محمد ما أشدك في الحديث وأكثر إنكارك لما يرويه أصحابنا فما الذي يحملك على رد الأحاديث فقال حدثني هشام بن الحكم أنه سمع أبا عبد الله جعفر الصادق يقول لا تقبلوا علينا حديثا إلا ما وافق القرآن والسنة أو تجدون معه شاهدا من أحاديثنا المتقدمة فإن المغيرة بن سعيد لعنه الله دس في كتب أصحاب أبي أحاديث لم يحدث بها أبي فاتقوا الله ولا تقولوا علينا ما خالف قول ربنا تعالى وسنة نبينا محمد صلى الله عليه وسلم فإننا إذا حدثنا قلنا قال الله تعالى وقال رسول الله صلى الله عليه وسلم

قال يونس وافيت العراق فوجدت بها قطعة من أصحاب أبي جعفر ووجدت أصحاب أبي عبد الله متوافرين فسمعت منهم وأخذت كتبهم فعرضتها من بعد علي أبي الحسن الرضا فأنكر منها أحاديث كثيرة أن يكون من أحاديث أبي عبد الله وقال لي إن أبا الخطاب كذب علي أبي عبد الله لعن الله أبا الخطاب وكذلك أصحاب أبي الخطاب يدسون في هذه الأحاديث إلى يومنا هذا في كتب أبي عبد الله فلا تقبلوا علينا خلاف القرآن فإننا إن تحدثنا حدثنا بموافقة القرآن وموافقة السنة .. الخ.

وعملية التنبيه الأكيدة من الأئمة على وجود حركة الدس والتي أعقبها التحفظ الشديد من قبل أصحاب الأئمة والسلف المتقدم من علماء الطائفة في مقام نقل الحديث وروايته وتطهير الروايات عما دس فيها وإن كان لها الفضل الكبير البالغ في تحصين كتب الحديث عن أكثر ذلك الدس والتزوير إلا أن هذا لا يعني حصول الجزم واليقين بعدم تواجد شيء مما زور علي الأئمة في مجموع ما بأيدينا من أحاديثهم سيما إذا لاحظنا أن العملية كانت تمارس في كثير من الأحيان عن طريق دس الحديث الموضوع في كتب الموثوقين من أصحاب الأئمة كما تشير إليه رواية يونس بن عبد الرحمن فربما كان بعض ما نجده في كتب الأحاديث اليوم من الروايات المتعارضة المختلفة هو من بقايا ذلك التشويه والدس الذي وقع فيها في تلك العصور

A lot of that, i.e. fabrication and forgery, occurred during the era of the Imāms, as is apparent from some of the narrations that warn their companions of the fabrication and forgery movement in the narrations which they narrate from them. Here is Muḥammad ibn ʿĪsā ibn ʿUbayd, who narrates from Yūnus ibn ʿAbd al-Raḥmān that some of the Imām’s companions asked him while he was present. They said to him, “O Abū Muḥammad, how severe are you regarding narrations and in rejecting our companions’ narrations? What prompted you to do reject these narrations?”

He replied, “Hishām ibn al-Ḥakam narrated to me that he heard Abū ʿAbd Allāh Jaʿfar al-Ṣādiq saying, “Do not accept any narration from us unless it conforms to the Qurʾān and Sunnah or you find another previous narration that is testament to it. This is so because al-Mughīrah ibn Saʿīd—may Allah curse him—inserted narrations in my father’s companions’ books which he did not utter. So, fear Allah سُبْحَانَهُ وَتَعَالَى and do not attribute anything to us that contradicts Allah سُبْحَانَهُ وَتَعَالَى and His Prophet صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ. When we narrated any ḥadīth we say, “Allah said or the Prophet صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ said.”

Yūnus states, “I travelled through Iraq. I found some companions of Abū Jaʿfar and the companions of Abū ʿAbd Allāh were plenty. I studied from them, took their books and presented them to Abū al-Ḥasan al-Riḍā. He rejected many of the narrations as being from the narrations of Abū ʿAbd Allāh and said to me, “Abū Khaṭṭāb lied upon Abū ʿAbd Allāh, may Allah سُبْحَانَهُ وَتَعَالَى curse him. Similarly, Abū Khaṭṭāb’s companions would insert narrations into these narrations and books of Abū ʿAbd Allāh till today. Therefore, do not accept from us anything that contradicts the Qurʾān because we only narrate that which conforms to the Qurʾān and Sunnah...” till the end of the narration.

The process of emphasised warnings from the Imāms, on the existence the fabrication movement, which was followed by intense caution from their companions and former predecessors from the sect’s scholars, in quoting, transmitting and cleansing the narrations from fabrications, even though it had profound merit in protecting the books of ḥadīth from fabrication and forgery; however, this does not mean that there is certainty and conviction on the non-existence¹ of any fabrications on the Imāms, in all their

1 The original script has *Tawājjud*; however, the correct text is *Wujūd*.

narrations that are available to us. This is obvious, particularly when we notice that this process was practiced, many of the time, through inserting fabricated narrations in the books of the Imām's trusted companions, as the narrations of Yūnus indicates to that. Perhaps, some of the different contradictory narrations that we find today in the books of ḥadīth are the remains of the distortion and fabrication that occurred in those times.

Thereafter he states:

وينبغي أن لا ننسى بعد كل ذلك أن جملة كثيرة من الأحاديث بل الأصول والكتب التي صنفها أصحاب الأئمة قد ضاعت وذهبت أدراج الرياح في تلك الفترة المظلمة من أيام هذه الطائفة ولم تصل إلينا منها إلا بعض أسمائها أو أسماء أصحابها كما هو واضح عند من راجع كتب الرجال وتراجم المصنفين وأصحاب الأصول من أصحاب الأئمة

After all this, we should not forget that a great number of narrations, in fact principles and books which were written by the Imām's companions, were destroyed and they disappeared during the dark period of the history of this sect. Some names of these books or the authors is all that reached us, as it is apparent to those study the books of narrators, biographies of authors and the authors of *al-Uṣūl* from amongst the Imām's companions.¹

However, more astonishing than all this, is his statement under the heading of *Akhbār al-'Ilāj* (narrations for remedy):

وهي الأحاديث الواردة عن المعصومين لعلاج حالات التعارض والاختلاف الواقع بين الروايات والطريف أن هذه الأخبار قد ابتلت نفسها بالتعارض فيما بينها لأنها وردت بمضامين مختلفة قد يستفاد من بعضها التخيير وقد يستفاد من بعضها التوقف أو الإرجاء وقد يستفاد من بعضها الترجيح بالأحدث زمانا أو بموافقة الكتاب أو مخالفة العامة أو غيرها من المرجحات

These are narrations issued by the infallible Imāms to remedy the situations of contradictions and differences that occurred among the narrations. The curious fact is that these transmissions are also embroiled in contradiction amongst themselves as they were issued with various contents. Some of them purport choice, while others purport impartiality and deferral. Some

¹ *Ta'arūḍ al-Adillāh al-Sharī'ah*, pg. 40-41.

purport giving preference to the most recent ones, or those that conform to the Qur'ān, or those that oppose the masses or some other probabilities.¹

Even those narrations that were issued to remedy the contradiction among the views of the Twelve Imāms or one of them are not free of contradictions amongst themselves.

No blame on the heart, because the only school where it is possible to find consecutively narrated transmissions and at the same time contradictory ones, is the Ja'farī School.

5. Destruction of Ḥadīth sources that were compiled during the era of the Imāms

The Imāmiyyah believe that there existed books compiled by the Imām's companions that were directly dictated by them or directly by their students' students. They named it *al-Uṣūl al-Arba'ami'ah* (the Four Hundred Sources) and mention that these are the foremost compilations for the narrations of the Ahl al-Bayt. They are distinguished due to the fact that they were compiled during the era of the infallible Imāms, in fact some were written in the actual gathering of the Imām.² They regard the rejection of its attribution to the Imāms as 'rejecting *mutawātir* Sunnah of the Prophet صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ, his miracles, and the biography of those who followed after him.' Thus, rejecting it is pure arrogance and biasness.³

Despite this, they differ regarding these *Uṣūl*. Thus, it is said that they were taken from Ja'far al-Ṣādiq or from him and his father, al-Bāqir.⁴

Meanwhile Shaykh al-Mufīd (d. 413 AH) mentions that they were compilations of the Imāms' narrations from the time of 'Alī رَضِيَ اللهُ عَنْهُ till the era of al-'Askarī.

Ibn Shahr Āshūb (d. 588 AH) has quoted his statement in his book *Ma'ālim*:

إن الإمامية صنّفوا من عهد أمير المؤمنين إلى زمان العسكري أربعمئة كتاب يسمي
الأصول

1 *Ta'āruḍ al-Adillāh al-Sharī'ah*, pg. 337.

2 Sayyid 'Alī al-Ḥusaynī al-Ṣadr: *al-Fawā'id al-Rijāliyyah*, pg. 28, second benefit.

3 *Dhikrā al-Shī'ah*, 1/9.

4 *Tahdhīb al-Maqāl*, 1/89; *Miqbās al-Hidāyah*, 2/27.

The Imāmiyyah have written four hundred books from the time of ‘Alī رَضِيَ اللهُ عَنْهُ till the era of al-‘Askarī which they call the *Uṣūl*.¹

The abovementioned statement is rejected by what Shaykh al-Ṭā’ifah al-Ṭūsī (d. 460 AH) mentioned in the beginning of *al-Fihrist*, that it is impossible to capture the origins of the Imāmī narrators as they were scattered in the cities and various parts of the world.²

Hence, Āghā Buzurg al-Ṭahrānī (d. 1389 AH) states:

لم يتعين في كتبنا الرجالية تاريخ تأليف هذه الأصول بعينه ولا تواريخ وفيات أصحابها تعيينا وإن كنا نعلم بها على الإجمال والتقريب كما يأتي نعم الذي نعلمه قطما أنه لم يؤلف شيء من هذه الأصول قبل أيام أمير المؤمنين ولا بعد عصر العسكري إذ مقتضى صيرورتها أصولا كون تأليفها في أعصار الأئمة المعصومين وكونها مأخوذة عنهم أو عمن سمع عنهم من أصحابهم وحينئذ فلنا أن نخبر بأن تأليف هذه الأصول كان في عصر الأئمة من أيام أمير المؤمنين إلى عصر العسكري

Neither the specific dates of the *Uṣūl*’s compilation, nor the dates of their authors’ deaths have been specified in the books of narrators, although we are aware of them briefly and approximately as it will come in due course. Yes, we know with certainty that nothing of the *Uṣūl* was compiled before the era of ‘Alī رَضِيَ اللهُ عَنْهُ or after the era of al-‘Askarī, because the requirement of it being an *Uṣūl* is that it must be compiled during the era of the infallible Imāms and that it must be sourced from them or some of their companions who heard from them. Hence, it is incumbent upon us to inform that the compilation of these *Uṣūl* was during the era of the Imāms, from the time of ‘Alī رَضِيَ اللهُ عَنْهُ to the era of al-‘Askarī.³

So, its correct number is not known, nor when it was written! Similarly, the numbers, names, dates of deaths and reliability or unreliability of the authors of the *Uṣūl* are unknown.

Muḥammad Taqī al-Majlisī (d. 1070 AH) states:

1 *Ma‘ālim al-‘Ulamā’*, pg. 3.

2 *Al-Fihrist*, pg. 33.

3 *Al-Dharī‘ah*, 2/130.

فإنك إذا تتبعت كتب الرجال وجدت أكثر أصحاب الأصول الأربعمائة غير مذكور
في شأنهم تعديل ولا جرح

If you research the books on narrators, you will find that there is no approval
or disapproval regarding most of the authors of the four hundred *Uṣūl*.¹

Al-Majlisī justifies that by saying:

إما لأنه يكفي في مدحهم وتوثيقهم أنهم أصحاب الأصول ... وإما لبعده العهد بين
أرباب الرجال وبين أصحاب الأصول وغيرهم من أصحاب الكتب التي تزيد على
ثمانين ألف كتاب كما يظهر من التتبع

Either because of them being the authors of the *Uṣūl* is sufficient for their
praise and reliability or because of the distance of time between the authors
of the books of narrators and the authors of the *Uṣūl* and other books that
are more than 80 000, as it becomes clear through research.²

However, Shaykh al-Ṭā'ifah al-Ṭūsī declares in *al-Fihrist* that:

بأن كثيرا من مصنفي أصحابنا وأصحاب الأصول يتحلون المذاهب الفاسدة وإن
كانت كتبهم معتمدة

Many of the authors from our companions and the authors of the *Uṣūl*
ascribed to corrupt schools even though their books are reliable.³

Muḥaddith 'Abd 'Alī ibn Aḥmad Āl 'Uṣfūr al-Baḥrānī (d. 1127 AH)⁴—while

1 *Rawḍat al-Muttaqīn*, 1/197.

2 *Rawḍat al-Muttaqīn*, 1/197.

3 *Al-Fihrist*, pg. 32.

4 Sayyid Muḥsin al-Amīn states in *A'yān al-Shī'āh*, 8/31:

عالم فاضل فقيه من آل عصفور أخو يوسف صاحب الحدائق توفي في كربلاء في رجب سنة ١١٢٧ هـ ودفن في الرواق الشريف
He was a virtuous scholar and jurist from the family of 'Uṣfūr. Brother of Yūsuf, the author
of *al-Ḥadā'iq*. Passed away in Karbalā' in Rajab 1127 AH and he is buried in al-Ruwāq al-
Sharīf (the Noble Hall).

Shaykh 'Alī al-Baḥrānī states in *Anwār al-Badrayn*, pg. 203:

كان هذا الشيخ عالما عاملا محدثا كاملا وقد ذكره السيد في الروضات مجملا، والمحدث النيسابوري والسيد الأجد السيد
أحمد البحراني في تنمة الأمل وبالغ في إطرائه ومدحه بالفضل والعلم والعمل توفي في كربلاء المشرفة ودفن في الصحن
الشريف الحسيني سلام الله على من شرفه في شهر رجب سنة ١١٢٢ هـ

continued...

criticising the claim of the possibility of adopting rulings from the infallible Imāms with certainty—states:

وجوابه أنه إن أراد بالعلماء المصنفين مباشري الأئمة الطاهرين فمع تسليم كون جمعهم وتصنيفهم لأجل الهداية وتمكنهم من استعمال حالها فهو غير نافي إذ قد نبهناك في البحث الأول على أن كتبهم لم تبق بأعيانها بل تلف كثير منها وما بقي على قلته لم يصل إلينا إلا بنقل من فطحي أو واقفي أو كذاب وضاع للحديث ومع ذلك فهو مختلف باختلاف ناقله

The answer for it is that if scholarly authors refer to the direct companions of the pure Imāms, then while accepting that their compilations and writings were for the sake of guidance and to enable them to get information of the narrations' condition, this is not negated, as we have alerted you in the first discussion that their books did not remain in their original form, rather, many of them were destroyed. Whatever little remained of it, reached us only through transmission by a *Faṭḥī*,¹ a *Wāqifi*,² a liar or fabricator of ḥadīth. Hence, it differs according to different transmitters.³

He also states:

يظهر مما سلف وتوجيهه أن يقال بأن كتابة أربعمائة مصنف من كلام إمام واحد لا ريب فيه ولا مرية تعتريه لأنهم أعلام الأعلام وخلفاء الملك العلام فلا غرو لو كتب من أحدهم ما يمنع حصره عددا قل لو كان البحر مدادا لكلمات ربي لنفد البحر قبل أن تنفد كلمات ربي ولو جئنا بمثله مدداً (الكهف: ١٠٩) لكنه لا يدل علي صحة ما تضمنه ولا يقتضيه والكلام إنما هو فيه كيف وبعض نقلتها مشكوك في صدقه بل

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The shaykh was a practicing scholar and a complete Muḥaddith. Al-Sayyid has mentioned him briefly in *al-Rawḍāt*. Muḥaddith al-Naysābūrī and Sayyid al-Amjad al-Sayyid Aḥmad al-Baḥrānī have mentioned him in *Tatimmat al-Amal* and exaggerated in praising his virtue, knowledge, and practice. He died in Karbalā' in Rajab 1122 AH and is buried in the Husaynī Hall.

1 The Faṭḥiyyah or Aftaḥiyyah believe that *Imāmah* (i.e. the role of being the Imām) transferred from al-Ṣādiq to his son, 'Abd Allāh al-Aftaḥ, the true brother of Ismā'īl, after the death of al-Ṣādiq.

2 The Wāqifah or the Waqifiyyah is a sect of the Shī'ah who deny the death of Imām al-Kāẓim Mūsā ibn Ja'far. With that, they (also) deny the Imāmah of his son al-Rīḍā.

3 *Muqaddamah Iḥyā' Ma'ālim al-Shī'ah bi Akhbār al-Sharī'ah*, 1/75-76.

مقطوع بكذبه وفسقه وبعضهم معروف بسوء حفظه وفهمه ومعلوم بفساد مذهبه وسقمه كما أوضحناه لك سابقا من كلام الأئمة الأطهار وصحابتهم الأختيار ومع تسليم صحة ما تضمنته تلك الأصول فهي لم تبق بأعيانها إلى وقت المشائخ الثلاثة الفحول بل قد عرفت تلف كثير منها وما بقي لم يصل إليهم إلا من مخالف أو فاسق أو اختلف رواية فيه كما هو المنقول وحيث يظهر لك بطلان ما فرعه عليك من الدعاوي الواهية والالتزامات المتواهية فإننا لا نعلم كثرة الصحيح في اخبارنا ولا وجود الأصول الصحيحة فضلا عن كثرتها وإجماعهم علي صحتها وإنما الموجود أخبار مختلفة المتون متناقضة المضمون أكثر رواياتها فسقة لا يتخرجون من الكذب ومع ذلك اختلفوا في صحتها فكل يصحح ما في يده ويطعن فيما بيد الآخر

It appears from what has passed that it can be said, that writing four hundred [Uṣūl] books from the speech of one Imām is beyond doubt and undisputable because they were greatest luminaries and the vicegerents of Allāh. There is no surprise that so much is written from one of them that is impossible to enumerate.

*Say, O Prophet, "If the ocean were ink for writing the Words of my Lord, it would certainly run out before the Words of my Lord were finished, even if We refilled it with its equal."*¹

However, this does not indicate to the authenticity of what it contains and what it requires, and the discussion is regarding this aspect. How is it possible (that what is contained is authentic) when some of the narrators are questionable in their reliability, their lies and sins are proven, some are known for poor memorisation and understanding and are known for corrupt and deviant beliefs, as we have explained previously through the statements of the pure Imāms and their choicest companions. Even by accepting the authenticity of what is contained in the Uṣūl, they did not remain in their original form till the three distinguished Shaykhs.² Rather, many of them were destroyed. Whatever remained, reached them only through an opposition, sinner, or those who differed in narrating, as is reported. Then the invalidity of the flimsy claims and complex obligations, which they derive, will become clear, for we do not know the abundance

1 Sūrah al-Kahf: 109.

2 Referring to Ibn Bābawayh al-Qummī, al-Kulaynī, and al-Ṭūsī.

of authentic narrations in our transmissions, nor the existence of the authentic *Uṣūl*, let alone its abundance or consensus on its authenticity. All that is found are transmissions with various texts and contradictory contents, mostly narrated by sinners who are not embarrassed to speak lies.¹

Āghā Buzurg al-Ṭahrānī (d. 1389 AH) states:

يؤسفنا جدا أنه لم يتعين لنا عدة أصحاب الأصول المؤلفين لها تحقيقا ولا تقريبا قال الشيخ الطوسي في أول الفهرست (وإني لا أضمن الاستيفاء لأن تصانيف أصحابنا وأصولهم لا تكاد تنضبط لكثرة انتشار أصحابنا في البلدان) فإذا كان مثل شيخ الطائفة ذلك البحاثه الشهير يعترف بالعجز عن الاستيفاء فنحن أخرى بالعجز لأنه مع قرب عهده إلى أصحاب الأصول كان متمكنا من الوصول إلى تلك الأصول بعينها وهي في مكتبة سابور التي أسست للشيعة بكرخ بغداد وكان الشيخ مقدمهم ولم تكن في الدنيا مكتبة أحسن كتبنا من تلك المكتبة كانت كلها بخطوط الأئمة المعتمدة وأصولهم المحررة كما ذكر جميع ذلك في معجم البلدان في حرف الباء في مادة بين السورين هذا مع تمكنه من خزانة كتب أستاذه الشريف المرتضى المشتملة على ثمانين ألف كتاب سوى ما أهدي منها إلى الرؤساء كما صرح به كل من ترجمه وقد أشرنا إلى العجز عن تعيين عدة أصحاب الأصول في المقدمة نعم إن الشهرة المحققة تدلنا علي أنهم لم يكونوا أقل من أربعمئة رجل

It pains us greatly that the numbers of authors of the *Uṣūl* are not specified at all. Shaykh al-Ṭūsī states in the beginning of *al-Fihrist*, “I cannot guarantee complete research because our companion’s books and sources are hardly regulated, due to our companions being dispersed in the cities.”

When a person like Shaykh al-Ṭā’ifāh—the famous researcher—acknowledges to the inability of complete research, we are more likely to be incapable. This is so because with the closeness of his era to the authors of the *Uṣūl*, he was able to access them specifically as they were in Sābūr Library, which was founded for the Shī’ah in Karkh, Baghdād. He was their leader and there was no other library in the world that had better books than that library. They were all in reliable scripts and edited originals of the Imāms, as is mentioned in *Mu’jam al-Buldān*, under the letter Bā, in the

1 *Muqaddamah Ihyā’ Ma’ālim al-Shī’ah bi Akhbār al-Sharī’ah*, 1/75-76.

chapter of Bayn al-Sūrayn. This is besides the availability of the treasure of books belonging to his teacher, al-Sharīf al-Murtaḍā, which consisted of 80 000 books, besides those books which were gifted to the leaders, as declared by all those that wrote his biography. We have indicated to the inability of stipulating the number of the authors of the *Uṣūl*, in the foreword. However, the established popularity indicates that they were not less than four hundred people.¹

The question remains; where are these *Uṣūl*? Is there anything remaining of it?

Most of it has been destroyed as expressed by Zayn al-Dīn al-‘Āmilī (d. 965 AH):

وكان استقر أمر المتقدمين على أربعمئة مُصنّف لأربعمئة مصنف سموها الأصول
وكان عليها اعتمادهم ثم تداعت الحال إلى ذهاب معظم تلك الأصول ولخصها
جماعة في كتب خاصة تقريبا على المتناول

The matter of the former scholars had settled on four hundred books of four hundred authors which they called the *Uṣūl*. They relied on it. Then conditions deteriorated to the extent that most of them were destroyed. A group summarised them in specific books which were almost within reach.²

‘Āllāmah ‘Alī ibn Mūsā al-Tabrīzī states:

غير خفي أن الأصول المذكورة قد ضاع أكثرها لقلّة الاهتمام بها ونقصان الدواعي
إلى حفظها وضبطها والذي يوجد منها في عصرنا هذا أو كان موجودا عند العلامة
المجلسي عدة كتب وعبر العلامة المذكور عما كان عنده بالكتاب

It is no secret that most of the abovementioned *Uṣūl* were destroyed due to the lack of interest and lack of reasons for its preservation and regulation. What is found in our time or was found by ‘Āllāmah al-Majlisī are few books which he called *al-Kitāb*.³

Nothing from these *Uṣūl* remains except some transmissions found in various books and if found, they would require investigation, scrutiny, verification and ratification. How can it be possible when they are lost and non-existent?

1 *Al-Dharī‘ah*, 2/129.

2 *Al-Ri‘āyah fī ‘Ilm al-Riwāyah*, pg. 72.

3 *Mir’āt al-Kutub*, 4/18.

The contemporary Shī'ī scholar of reference, Shaykh Ja'far al-Subḥānī, while apologising for its loss, states:

ولما لم يكن للأصول ترتيب خاص إذ أن جلها إملاءات المجالس وأجوبة المسائل
النازلة المختلفة عمد أصحاب الجوامع إلى نقل رواياتها مرتبة مبوبة منقحة تسهيلا
للتناول والانتفاع فما كان في هذه الأصول انتقل إلى الجوامع الحديثية لا سيما
الكتب الأربعة ولكن بترتيب خاص وباشتهارها قلت الرغبات في استنساخ الأصول
والصيانة على أعيانها

Since the *Uṣūl* did not have any specific sequence, as most of it were dictated in gatherings and were answers to various contemporary rulings, the authors of compilations intended to transmit their narrations in an arranged, classified, and revised manner to facilitate access and benefit. Thus, whatever was found in these *Uṣūl* were transferred to the Ḥadīth compilations, particularly the four books, but in a specific sequence. With the popularity of these compilations, the desire to reproduce and protect the original *Uṣūl* diminished.¹

He further states:

وقام تلامذة أئمة أهل البيت بتأليف أصول أربعمئة ما بين عصر الإمام الصادق إلى
نهاية عصر الإمام الرضا وهذه الأصول هي المعروفة بالأصول الأربعمئة فلها من
الاعتبار والمكانة ما ليس لغيرها

The student of the Imāms of the Ahl al-Bayt undertook the task of writing four hundred *Uṣūl* from the time of Imām al-Ṣādiq till the time of Imām al-Riḍā. These are the origins that are called *al-Uṣūl al-Arba'ami'ah*. They hold respect and status like no other.²

The reality is that these books that 'hold respect and status like no other', are equal to non-existence because they only exist in claim.

Immediately after the aforementioned statement, al-Subḥānī states:

قال السيد رضي الدين علي بن طاووس (٥٦٦٤هـ) حدثني أبي قال كان جماعة من
أصحاب أبي الحسن من أهل بيته وشيعته يحضرون مجلسه ومعهم في أكمامهم

1 *Adwār al-Fiḥ al-Imāmī*, pg. 35.

2 *Ibid.*, pg. 34.

ألواح آبنوس لطاف وأميال فإذا نطق أبو الحسن بكلمة أو أفتي بنازلة أثبت القوم ما سمعوه منه في ذلك

Sayyid Riḍā al-Dīn ‘Alī ibn Ṭāwūs (d. 664 AH) says that my father narrated to me thus, “Some companions of Abū al-Ḥasan, from his household and sect, would attend his council with ebony slates of *Latāf* and *Mīl*¹ in their sleeves. Whenever Abū al-Ḥasan uttered anything or issued a fatwā regarding any contemporary issue, they would record that from him in it.”²

Anyone who delves into the dates of death, would find that between Sa’d al-Dīn Mūsā ibn Ja’far ibn Ṭāwūs—father of Sayyid ‘Alī, who he claims to narrate from—and Abū al-Ḥasan, there is more than four centuries. Where is the continuity in the chain? If the matter was regarding some ordinary news or a Fiqhī ruling, the problem would be lesser; however, it is related to a claim of the existence of four hundred books that were written and nothing remains of it. If you ask, “Where are they? Are there any signs indicating to them?”

The answer would be, “So and so said such and such.”

The reality is that between so and so and the origin of the transmission, there is a time difference of several centuries.

From amongst the things that al-Subḥānī used, to prove its existence, is the statement of Bahā’ al-Dīn al-‘Āmilī (d. 1031 AH) in *Mashriq al-Shamsayn* wherein he states:

إنه قد بلغنا من مشايخنا أنه كان من دأب أصحاب الأصول أنهم إذا سمعوا عن أحد من الأئمة حديثا بادروا إلى إثباته في أصولهم لثلا يعرض لهم نسيان لبعضه أو كله بتمادي الأيام وبمثله قال السيد الداماد في رواشحه

It has reached us from our teachers that whenever the authors of *al-Uṣūl* heard any narration from one of the Imāms, they would hasten to record it in their *Uṣūl*, so they do not forget any part or all of it as the days passed. This is mentioned by al-Sayyid al-Dāmād in his book *Rawāshih* also.³

1 Mixture used to write on slates.

2 *Adwār al-Fiqh al-Imāmī*, pg. 35.

3 *Adwār al-Fiqh al-Imāmī*, pg. 35.

Then he corroborated it with the statements of al-Muḥaqqiq al-Ḥillī (d. 676 AH), al-Faḍl ibn al-Ḥasan al-Ṭabrasī (d. 548 AH) and Zayn al-Dīn al-Āmilī (d. 965 AH). All of these people did not see a single line from the *Uṣūl*, and between them and the Imāms there is a difference of centuries.

The main aspect which he relied upon is his statement:

وقد كان قسم من تلك الأصول باقيا إلى عهد ابن إدريس (٥٤٣-٥٩٨هـ) حيث قام بنقل جملة منها في كتابه السرائر وأطلق عليها المستطرفات كما نقل جملة منها عنه السيد رضي الدين بن طاووس كما ذكرها في كشف المحجة وقد وقف أستاذنا السيد محمد الحجة الكوه كمرى (١٣٠١-١٣٧٢هـ) على ستة عشر من تلك الأصول وقام بطبعها

Some parts of the *Uṣūl* remained till the era Ibn Idrīs (543–598 AH) as he transmitted some of it in his book *al-Sarā'ir* and called it *al-Mustatrafāt*. Similarly, Sayyid Riḍā al-Dīn ibn Ṭāwūs transmitted some of it from him, as mentioned in *Kashf al-Maḥājījah*. Our teacher Sayyid Muḥammad al-Ḥujjah al-Kūh Kamarī (1302–1372 AH) came across sixteen of the *Uṣūl* and undertook the task of publishing it.¹

Assuming we accept that the attribution of what was discovered, which al-Kūh Kamarī considered to be the remains of the four hundred *Uṣūl*, is correct, the ratio of what was discovered to what was lost and destroyed is 4% only.

The matter—after all—is nothing but claim upon claim.

I have come across the abovementioned book named, *al-Uṣūl al-Sittah* ‘*Ashar min al-Uṣūl al-Awwaliyyah*, which was researched by Ḍiyā’ al-Dīn al-Maḥmūdī and others. The researchers, apparently, made a great effort in tracking its various manuscripts and printed copies.

It is the same book that Muḥammad ‘Alī Aḥmadyān al-Najaf Ābādī al-Gharawī (d. 1417 AH) alluded to by saying:

من الأسف أن أكثر هذه الأصول التي بلغت عددها إلى أربعمئة عند المشهور قد ضاعت على مر العصور تدريجا ولم يبق منها إلا مجموعة تسمى بالأصول الستة عشر ونماذج قليلة أخرى نحوها وأما الأصل يقال لنسخة أو كتاب يحتوي على

¹ Ibid., 36.

عدة روايات من راو خاص والأصول الستة عشر مجموعة مشهورة تحتوي على ستة عشر أصلا قديما مرويا عن أقدم الرواة والمحدثين من اصحاب الأئمة وهي مجموعة نقل العلامة المجلسي عنها كثيرا في كتابه الشريف (بحار الأنوار) معتمدا على نسخ قديمة عنده

Unfortunately, most of these *Uṣūl*, which amount to four hundred according to the popular view, have been gradually destroyed by the passing of time. Nothing of it remained except a collection called *al-Uṣūl al-Sittah ‘Ashar* and a few other examples like them. *Al-Aṣl* (original) refers to a copy or a book which encompasses various narrations of a specific narrator, and *al-Uṣūl al-Sittah ‘Ashar* (the sixteen originals) is a famous collection that comprises of sixteen ancient originals that are transmitted by the oldest narrators and scholars of Ḥadīth from the companions of the Imāms. It is the collection wherefrom ‘Allāmah al-Majlisī quoted extensively in his noble book *Biḥār al-Anwār*, relying on old prints which he possessed.¹

The book *al-Uṣūl al-Sittah ‘Ashar* comprises of sixteen *Uṣūl*. They are:

1. *Uṣūl* of Zayd ibn al-Zarrād: It contains 34 narrations.
2. *Uṣūl* of Abū Sa‘īd ‘Abbād al-‘Uṣfurī: It contains 19 narrations.
3. *Uṣūl* of ‘Āṣim ibn Ḥumayd al-Ḥannāṭ: It contains 100 narrations.
4. *Uṣūl* of Zayd al-Narsī: It contains 51 narrations.
5. *Uṣūl* of Ja‘far ibn Muḥammad ibn Shurayḥ al-Ḥaḍramī: It contains 123 narrations.
6. *Uṣūl* of Muḥammad ibn al-Muthannā al-Ḥaḍramī: It contains 60 narrations in addition to the 2 narrations from ‘Alī ibn ‘Abd Allāh ibn Sa‘īd.
7. Two narrations from Hārūn ibn Mūsā al-Tal‘ukbarī.
8. *Uṣūl* of Durust ibn Abī Maṣṣūr al-Wāsiṭī: It contains 62 narrations.
9. *Uṣūl* of ‘Abd al-Malik ibn Ḥakīm: It contains 6 narrations.
10. *Uṣūl* of Muthannā ibn al-Walīd al-Hannāṭ: It contains 23 narrations.
11. *Uṣūl* of Khallād al-Sindī (al-Suddī): It contains 8 narrations.

1 Forward of the book *Aḥwāl Rijāl al-Uṣūl al-Sittah ‘Ashar*.

12. *Uṣūl* of Ḥusayn ibn ‘Uthmān Sharīk: It contains 44 narrations.
13. *Uṣūl* of ‘Abd Allāh ibn Yaḥyā al-Kāhilī: It contains 13 narrations.
14. *Uṣūl* of Sallām ibn Abī ‘Amrah: It contains 10 narrations.
15. *Nawādir* of ‘Alī ibn Asbāṭ¹: It contains 30 narrations in addition to the narration known as *al-Malāḥim* (massacres).
16. *Uṣūl* of ‘Alā’ ibn Razīn: It contains 59 narrations.

If we take the original of Zayd al-Narsī, from the sixteen *Uṣūl*, to view some of the narrations of Ja‘far al-Ṣādiq, we will notice the existence of such heinous narrations that will make a believer’s skin shiver. Some of them are:

► Statement of Ja‘far al-Ṣādiq:

إن الله ليخاصر العبد المؤمن يوم القيامة والمؤمن يخاصر ربه يذكره ذنوبه قلت:
وما يخاصر؟ قال: فوضع يده علي خاصرتي، فقال: هكذا كما يناجي الرجل منا أخاه
في الأمر يسره إليه

Verily, on the Day of Qiyāmah, Allah will put his hands around the waist of a believing servant and the believer will put his hands around his Lord, reminding him of his sins.

I said, “What is meant by He will put his hand around the waist?”

He put his hands on my waist and said, “Like this, just as a person converses with his brother in a matter that pleases him.”²

1 This is despite the fact that some Imāmī scholars dispute the inclusion of *Nawādir* books in those *Uṣūl*, as is the view of al-Māmaqānī in *Tanqīḥ al-Maqāl*, 1/121, second benefit. He states:

ويقرب في نظري أن الأصل هو الكتاب الذي جمع فيه مصنفه الأحاديث التي رواها عن المعصوم أو عن الراوي.. وأما النوادر فالظاهر انه ما اجتمع فيه أحاديث لا تضبط في باب لقلته بان يكون واحدا أو متعددا لكن يكون قليلا جدا ومن هذا قولهم في الكتب المتداولة: نوادر الصلاة نوادر الزكاة وأمثال ذلك

It comes to my mind that *al-Aṣl* is a book wherein the author compiled narrations which is transmitted from the infallible Imāms or a narrator. As for *al-Nawādir*, the apparent is that it is that book wherein the author collected narrations that cannot fit in any chapter due to it being rare, either being a single narration or several but very few. Hence, we find their statements in the circulated books, *Nawādir al-Ṣalāh* (rare narrations of Ṣalāh), *Nawādir al-Zakāh* (rare narrations of Zakāh) etc.

2 *Aṣl Zayd al-Narsī*, ḥadīth 30.

► Statement of Ja‘far al-Ṣādiq:

إن الله ينزل في يوم عرفة في أول الزوال إلى الأرض على جمل أفرق يصال بفخذه أهل عرفات يمينا وشمالا ولا يزال كذلك حتى إذا كان عند المغرب ونفر الناس وكل الله ملكين بجبال المازمين يناديان عند المضيق الذي رايت: يا رب سلم وسلم والرب يصعد إلى السماء ويقول- جل جلاله-: آمين آمين رب العالمين فلذلك لا تكاد ترى صريما ولا كسيرا

On the day of ‘Arafah, at the beginning of Zawwāl (zenith), Allah ﷻ descends to the earth on a widespread camel, whose thigh touches the people of ‘Arafāt, to the right and left. He remains like this till the sun sets and when the people go away, He appoints two angels at the valleys of the mountains, calling out in the straits that you saw, “O Lord¹, protect them, protect them.”

Allah ﷻ while ascending to the heavens replies, “Āmīn, Āmīn O Lord of the worlds.”

That is why you hardly find any dead or injured person.²

This is what led some of the contemporary Imāmī luminaries to doubt the Aṣl of Zayd al-Narsī. Among them is the late Shī‘ī scholar of reference, Sayyid Muḥammad Bāqir al-Ṣadr (d. 1400 AH) who states:

ومجرد أن الروايات المنقولة في الكتب عن زيد موجودة في هذه النسخة لا يوجب الإطمئنان بعدم وقوع التحريف على الأقل بزيادة أو نقيصة خصوصا مع اشتغال النسخة على روايات غريبة ومعان مستنكرة من قبيل رؤية الله تعالى ومخاصرة المؤمن له يوم القيامة وقال هكذا يخاصره تعالى الله عن ذلك علوا كبيرا وهذا يوجب احتمال أن هذه النسخة هي التي زورها محمد بن موسى ولعلها غير النسخة التي كان للنجاشي طريق صحيح لها إلى محمد بن أبي عمير ونستخلص من كل ذلك عدم تمامية الرواية

The mere existence of narrations reported in various books from Zayd, in this copy does not necessitate reassurance that distortion has not taken place; at least some addition and omissions, particularly when this copy

1 Researchers state that the word ‘O Lord’ does not appear in the Indian print, nor in the print of Sayyid Naṣr Allāh al-Ḥā’irī.

2 Aṣl Zayd al-Narsī, ḥadīth 31.

contains strange narrations and objectionable meanings, such as seeing Allah *سُبْحَانَهُ وَتَعَالَى* and a believer putting his hands around Him on the Day of Qiyāmah, as he said, “This is how he will put his hands around him.”

Allah *سُبْحَانَهُ وَتَعَالَى* is much more exalted than that.

This necessitates the possibility that this is the copy which Muḥammad ibn Mūsā forged. Perhaps it is not the copy which al-Najāshī reported through an authentic chain from Muḥammad ibn Abī ‘Umayr. We conclude from all of this that the narration is incomplete.¹

These are all assumptions. Perhaps, distortion through addition or omission took place due to the lack of assurance regarding these narrations’ issuance from the Imāms. Perhaps it is not the copy which was transmitted from Ibn Abī ‘Umayr (the reliable) through an authentic chain.

It will not be strange to say that the *Aṣl* of al-Narsī contains narrations of this type that are steeped in *Tashbīh* (anthropomorphism) and *Tajsīm* (attributing physicality to Allah), as this is consistent to what is known of the former Imāmiyyah regarding their extremism in anthropomorphism, as indicated—from the Imāmiyyah—by al-Sharīf al-Murtaḍā (d. 436 AH) in his *Rasā’il*² and others like

1 *Buḥūth fī Sharḥ al-‘Urwah al-Wuthqā*, 3/426 – 427, Dār al-Ta‘ārud, first print, 1408 CE.

2 He states in his *Rasā’il*:

إن معظم الفقه وجمهوره لا يخلو مستنده ممن يذهب مذهب الواقفة إما أن يكون أصلاً في الخبر أو فرعاً روي عن غيره ومروياً عنه وإلى غلاة وخطابية ومخمسة وأصحاب حلول كفلان وفلان ومن لا حصى أيضاً كثرة وإلي قمي مشبه مجبر وإن القميين كلهم من غير استثناء لأحد منهم إلا أبا جعفر بن بابويه بالأمس كانوا مشبهة مجبرة وكتبهم وتصانيفهم تشهد بذلك وتنطق به فليت شعري أي رواية تخلص وتسلم من أن يكون في أصلها وفرعها واقف أو غال أو قمي مشبه مجبر والاختبار بيننا وبينهم الفتيش

Most of the fiqh is such that their narrators are not devoid of those who adhere to the school of the Wāqifah; either as the source of the narration or a subsidiary, narrating from others or narrated from him; and to extremist, Khaṭṭābīs, *Mukhammisah* (those who believe that Allah handed over the affairs of the world to five people) and the *people of Hulūl* (those who believe *رَضِيَ اللهُ عَنْهُ* ‘Alī to be Allah incarnate) like so and so and other countless people; and adhere to the *Mushabbih* (anthropomorphist), *Mujabbir* (those who believe that man has no free will) Qummīs. All the Qummiyīn, without exception, besides Abū Ja‘far ibn Bābawayh, were previously Mushabbih and Mujabbir. Their books and literature bear witness and expose that. If only I knew of any narration whose source or subsidiary is free and safe from a Wāqifi, extremist, or a Mushabbih Mujabbir Qummī. The test between us and them is in research.

continued....

al-Jāhiz (d. 255 AH) in *al-Rasā'il*,¹ al-Fakhr al-Rāzī (d. 606 AH) in *al-I'tiqādāt*,² and Imām Ibn Taymiyyah (d. 728 AH) in *al-Minhāj*.³

The trusted sources of the Imāmiyyah are not far from beliefs similar to this, as it becomes clear to those who research, study and ponder.

Ibn Qūluwayh (d. 367 AH) has narrated in *Kāmil al-Ziyārāt*, through his chain from Ibn Abī Ya'fūr, who narrates from Ja'far al-Ṣādiq that he said:

بينما رسول الله صلى الله عليه وسلم في منزل فاطمة والحسين في حجره إذ بكى
وخر ساجدا ثم قال يا فاطمة يا بنت محمد إن العلي الأعلي ترائي لي في بيتك هذا
في ساعتى هذه في أحسن صورة وأهيا هيئة وقال لي: يا محمد أتحب الحسين فقلت
نعم قرّة عيني وريحانتي وثمرّة فؤادي وجلدة ما بينعيني ... الحديث

continued from page 285

1 He states in *al-Rasā'il*, 2/18:

وتكلمت هذه الرافضة فثبت له جسما وجعلت له صورة وحدا وأكفرت من قال بالرؤية على غير الكيفية

These Rawāfiḍ discussed Allah and established a form and boundary for Him. They declared disbelief for those who hold the view of seeing Allah *سُبْحَانَهُ وَتَعَالَى* without form.

2 He states in *I'tiqādāt Farq al-Muslimīn wa al-Mushrikīn*, pg. 63:

وكان بدو ظهور التشبيه في الإسلام من الروافض مثل بيان بن سميعان الذي كان يثبت لله تعال الأعضاء والجوارح وهشام بن الحكم وهشام بن سالم الجواليقي ويونس بن عبد الرحمن القمي وأبو جعفر الأحول الذي كان يدعى شيطان الطاق وهؤلاء رؤساء علماء الروافض

The emergence of Tashbīh began from the Rawāfiḍ like Bayān ibn Sam'ān who use to establish body parts for Allah *سُبْحَانَهُ وَتَعَالَى*, Hishām ibn al-Ḥakam, Hishām ibn Sālīm al-Jawālīqī, Yūnus ibn 'Abd al-Raḥmān al-Qummī, and Abū Ja'far al-Aḥwal, known as the Shayṭān al-Ṭāq. These are the leaders of the Rawāfiḍ scholars.

3 He states in *al-Sunnah al-Nabawiyyah*, 3/462, regarding the Imāmiyyah:

فإنهم في توحيدهم موافقون للمعتزلة وقدماءهم كانوا مجسمة

They would conform to the Mu'tazilah in their beliefs. Their former scholars were *Mujassimah* (those who attribute physicality to Allah).

He also states in 1/72:

ولهذا تجد المصنفين في المقالات كالأشعري لا يذكرون عن أحد من الشيعة أنه وافق المعتزلة في توحيدهم وعدلهم إلا عن بعض متأخريهم وإنما يذكرون عن بعض قدمائهم التجسيم

Hence, you will find that authors of article like al-Ash'arī, do not mention that they conformed to the Mu'tazilah in their belief of oneness (of Allah) and approval except from some latter scholars. From the former scholars, they only mention Tajsīm.

Whilst the Prophet ﷺ was in the house of Fāṭimah رَضِيَ اللَّهُ عَنْهَا with Ḥusayn in his lap, he suddenly fell prostrate. Thereafter he said, “O Fāṭimah, O daughter of Muḥammad, the Most High appeared to me in this house of yours, at this very hour, in the most beautiful form and the best manner and said to me, “O Muḥammad, do you love Ḥusayn?”

I replied, “Yes, he is the coolness of my eye, my flower, the fruit of my heart and the skin between my eyes....” till the end of the narration.¹

Abū Qāsim al-Khūṭī’s approval of the narrators of the book *Kāmil al-Ziyārāt* based on Muḥaddith Ibn Qūluwayh’s approval² is not hidden.

Yes, some³ have tried to cast doubt in the *Aṣl* of al-Narsī and to disapprove what it contains on the pretext that there is no clear declaration of al-Narsī’s reliability and that the original founder of this *Aṣl* is Muḥammad ibn Mūsā al-Sammān. The late Shī’ah scholar of reference Sayyid Maḥdī Baḥr al-‘Ulūm (d. 1212 AH) has embarked on responding to these implications in *Fawā'id al-Rijāliyyah*, which is sufficient. Refer to it if you wish.

He states in the biography of Zayd al-Narsī:

زيد النرسي أحد أصحاب الأصول كوفي صحيح المذهب منسوب إلي نرس... وعد النرسي من أصحاب الأصول وتسمية كتابه أصلا مما يشهد بحسن حاله واعتبار كتابه فإن الأصل في اصطلاح المحدثين من أصحابنا بمعنى الكتاب المعتمد الذي لم ينتزع من كتاب آخر وليس بمعنى مطلق الكتاب فإنه قد يجعل مقابلا له فيقال له كتاب وله أصل ثم قال وأما الطعن علي هذا الأصل والقدح فيه بما ذكر فإنما الأصل فيه محمد بن الحسن بن الوليد القمي وتبعه علي ذلك ابن بابويه علي ما هو دأبه في الجرح والتعديل والتضعيف والتصحيح ولا موافق لهما فيما أعلم وفي الاعتماد علي تضعيف القميين

1 *Kāmil al-Ziyārāt*, pg. 142.

2 *Mu'jam Rijāl al-Hadīth*, 1/64. He states:

فإنك ترى أن هذه العبارة واضحة الدلالة على أنه لا يروي في كتابه رواية عن المعصوم إلا وقد وصلت إليه من جهة الثقات من أصحابنا

One can see that these excerpts clearly indicate that he does not narrate, in his book, from the infallible Imām except that which reached him through reliable narrators from our companions.

3 From amongst them is Sayyid Muḥammad Bāqir al-Ṣadr whose statement has passed.

وقد حهم في الأصول والرجال كلام معروف فإن طريقتهم في الانتقاد تخالف ما عليه جماهير النقاد وتسرعهم إلى الطعن بلا سبب ظاهر مما يريب اللبيب الماهر ولم يلتفت أحد من أئمة الحديث والرجال إلى ما قاله الشيخان المذكوران في هذا المجال بل الاستفادة من تصريحاتهم وتلويحاتهم تخطئتهما في ذلك المقال

Zayd al-Narsī: One of the authors of the *Uṣūl*, from Kūfah, of the correct school and attributed to Nars... Al-Narsī is regarded as one of the authors of *al-Uṣūl*. Calling his book an *Aṣl* is testament to his good condition and value of his book; because an *Aṣl*—according to the terminology of the Muḥaddithīn from our companions—is that trusted book which not extracted from any other book. It is not a general book; in fact, sometimes it is used as a comparison to that. Hence, they say, “He has a book and an *Aṣl*.” Thereafter he states, “As for the criticism on this *Aṣl* and the reproach of its contents, it originated from Muḥammad ibn al-Ḥasan ibn al-Walīd al-Qummī. Thereafter Ibn Bābawayh followed him as is his norm with regards to approval, disapproval, and declaring someone weak or authentic. No one conforms to them as far as I know. Reliance on the Qummiyīn’s declaration of someone being weak and their criticism of the *Uṣūl* and narrators is a well-known discussion. Their manner of criticism differs from majority of the critics. Their rashness in criticising without any apparent reason is something that would make an intelligent expert suspicious. None of the other Imāms of ḥadīth and narrators paid any attention to what the two abovementioned scholars said in this regard. Rather, their statements and hints indicate to these two scholars’ mistake in this statement.¹

Therefore, there is no escape from doubting the authenticity of what these alleged *Uṣūl* contain and that they were written—or claimed to be written—during the time of the Imāms, in addition to what was said regarding that period about the existence of Taqiyyah, Kitmān, infiltration from the extremist and the well-known contradictions, differences, and hideous transmissions.²

1 *Al-Fawā'id al-Rijāliyyah*, 2/360 – 367.

2 Irrespective of whether these narrations are despised by the present day Imāmiyyah like the transmissions about Jabr, Tashbīh, distortion of the Qur’ān; or others despise by them like declaring disbelief and deviation to the Companions رضي الله عنهم, declaring disbelief and deviation to the opposition, extremism regarding their Imāms and granting them virtue over the prophets etc.

Hence, ‘Allāmah Sayid Nūr al-Dīn al-Mūsawī al-Āmilī (d. 1062 AH), while responding to ‘Allāmah Muḥammad Amīn al-Astarābādī (d. 1033 AH)— the leader of the Akhbārīs in his time—states:

ومما يدل على خلاف ما ادعاه وما ألزمه أن الأصول المذكورة لو كانت موجودة في زمن الأئمة الثلاثة وإن كان كلها صحيحة كيف جاز الاختلاف بينها والتضادة حتى قال الشيخ في أول التهذيب إنه لا يكاد يتفق خبر إلا بإزائه ما يضاده ولا يسلم حديث إلا وفي مقابلته ما ينافيه حتى جعل مخالفونا ذلك من أعظم الطعون على مذهبنا وقال بعد ذلك حتى دخل علي جماعة ممن ليس لهم قوة في العلم ولا بصيرة بوجوه النظر ومعاني الألفاظ شبهة وكثير منهم رجع عن اعتقاد الحقي وذكر عن شيخه أن أبا الحسن الهاروني العلوي كان يعتقد الحق ويدين بالإمامة فرجع عنها لما التبس عليه الأمر في اختلاف الأحاديث وترك المذهب فبعد هذا الكلام والكليني ذكر قريبا من ذلك كيف يلتبس على عاقل أن يكون أحاديث كتابيه مأخوذة من الأصول الصحيحة الثابتة عنهم وكيف تكون تلك الأصول الصحيحة موجودة ولا يجوز الاختلاف فيها علي الوجه الذي ذكره الشيخ لأن كلام الأئمة الصحيح عنهم منزه عن مثل ذلك فأبى أصول حصل فيها هذا الاختلاف غير تلك الأصول التي أوجب هذا الفساد العظيم من ارتداد الهاروني وغيره عن المذهب وهلا اطلع الهاروني وغيره على الأصول الصحيحة وعرف انها هي مذهب أهل البيت وأن غيرها مما فيه الاختلاف معلوم أنها مكذوبة عن أهل البيت وما رأينا الشيخ إلا سلم هذا الاختلاف أو عرف به فلا أقل انه كان بنية أن هذا الاختلاف لا عبرة به ولا توجب الشبهة لأن عندنا أصولا عديدة كثيرة ثابتة النقل عن أهل البيت لا يحتمل الاختلاف ولا التضادة وتعويلنا في المذاهب عليها لا على غيرها فما ظهر من كلامه إلا الاعتراف بوجود ذلك في الأحاديث التي كانت موجودة ذلك الزمان واختلاف الأحاديث المنقولة في الكتب الأربعة حتى قال الشيخ إنها في الاستبصار بما يزيد علي خمسة آلاف مؤكدا لما أشرنا إليه وناف لوجود الأصول التي اعتقدها المصنف المقطوع بصحتها كلها في وهمه بكل وجه ولا يلزم الشيخ وغيره ما ألزمهم به بعد أن دونوا طريقا يعلم منه الصحيح من غيره وأجهدوا أنفسهم في تحقيق ذلك

What indicates to the contrary of what he claims and alleges is that if the aforementioned *al-Uṣūl* were existent during the era of the three Imāms¹ and if they were all authentic, then how is it possible to find differences

1 Referring to Ibn Bābawayh al-Qummī, al-Kulaynī, and al-Ṭūsī.

and contradictions among them to such an extent that Shaykh¹ states in the beginning of his book *al-Tahdhīb*, “One would hardly find a transmission except that there would be another one opposing it and one would not present any narration except that against it would be another narration contradicting it, to an extent that our opposition made that one of the greatest criticism against our school.”

He further states, “To such an extent that a group of those who do not possess strength in knowledge, insight in points of view and the meanings of words (semantics), fell into doubt. Many retracted from the beliefs in the truth.”

He reports from his teacher that Abū al-Ḥusayn al-Hārūnī al-‘Alawī used to believe in the truth and in Imāmah. He retracted from it after getting confused with regards to the differences in narrations and left the School.

After this statement—al-Kulaynī mentions similar statement also—how could it be confusing for any intelligent person that the narrations in their books are taken from the authentic *Uṣūl* which are established from the Imāms?

How can these authentic *Uṣūl* exist when differences regarding them are not permissible in the manner mentioned by the Shaykh, because the authentic speeches of the Imāms are beyond something like that?

Thus, in which *Uṣūl* did these differences take place besides those *Uṣūl* which led to this great corruption like the apostasy of al-Hārūnī and others from the school?

Were al-Hārūnī and the others not aware of the authentic *Uṣūl* and realize that it is the School of the Ahl al-Bayt and that others wherein there are differences are known to be fabricated from the Ahl al-Bayt?

We do not see the Shaykh except that he has accepted these differences or knew about it, at least with the intention that there is no consideration in them and they do not lead to doubt, because we have many principles which are proven to be transmitted from the Ahl al-Bayt, wherein differences and contradiction is not possible. Our reliance in the School is upon them and

1 Referring to Shaykh al-Ṭā’ifah Muḥammad ibn al-Ḥasan al-Ṭūsī.

nothing else. All that appears from his statement is acknowledgement of the existence of this in the narrations that were found in that time and the differences in the narrations transmitted in the four books, to such an extent that Shaykh said, "There are more than five thousand narrations in *al-Istibṣār* that confirm what we alluded to and reject the existence of the *Uṣūl* that the author believed to be certainly authentic according to him, in every way. The Shaykh and others were not obliged to what they were obliged to, after they compiled a way to ascertain the authentic from the unauthentic and they exerted themselves in achieving that.¹

He further states:

لو كانت كتب الأصول الصحيحة الثابتة موجودة والأخذ منها والإطلاع عليها ممكن ورجالها كلهم ثقات عدول أو متون تلك الأصول معلوما أنها كلام الأئمة لما كان لكتب الرجال احتياج فالاهتمام بها وتدوينها يفهم أن من ذلك الوقت حصل في الأحاديث الاشتباه والالتباس وأنهم احتاجوا إلى التمييز بينهما بوضع كتب الرجال ولو كانت الأحاديث في ذلك الوقت من زمن الأئمة إلى من بعدهم يمكن معرفة الصحيح منها أو التوصل إلى الأئمة أو يكون هناك أصول معلوم للأئمة صحتها ويمكن التوصل إليها لم يأمر أصحابهم عند الاختلاف بالعرض علي كتاب الله وفي حديث الفيض بن المختار المتقدم لم يرجع الصادق معرفة الصحيح عند ما سأله عن الاختلاف الواقع بين الأحاديث إلى تلك الأصول التي كتبت في زمانه ولم يجز لها ذكر عند الأئمة حين يسألهم أصحابهم عند الاختلاف والاشتباه بأن يرجع إليها لأنها موجودة ثابتة عندهم وما خالفها كاذب بل أرجعهم الإمام إلى كتاب الله أو الأخذ بما خالف العامة لأن الظاهر من الموافق للعامة أن يكون غير صحيح وربما كان ذلك في مواضع كثيرة أولى من الحمل على التقية فعلم من ذلك أن تلك الأصول لو كانت موجودة كان يحتمل فيها ما يحتمل في غيرها إلا ما نص الأئمة عليه بعينه وهو قليل منها ولم يعلم التمكن من الوصول إليها في زمن الكليني وغيره ولهذا صرح الشيخ بأن اختلاف القدماء ما كان سببه إلا اختلاف الأحاديث وهو كذلك لأنها لو كانت كلها صحيحة لما جاز الاختلاف والنضأة فيها وما احتاجوا إلى وضع كتب الرجال إلا لأجل الاختلاف الواقع لتمييز الصحيح من الضعيف وبعد اطلاع الكليني ومن تأخر عنه على حال الأحاديث وشكواهم من

1 *Al-Shawāhid al-Makkiyyah*, pg. 131-132.

مزيد الاختلاف والتضادة فيها وتنبههم على ذلك وعلمهم بأنه قد وضع المتقدمون طريقا لاستعلام الصحيح منها من غيره لم يحسن منهم في ذلك الوقت أن يميزوا ما صح عندهم من غيره ويدونوه ويتركوا الباقي للزوم ذلك ترك أكثر الأحاديث ولا احتمال ظنهم بضعف راو وثبت غيرهم فيما بعد صحته فدونوا منها ما حسن ظنهم به وأحالوا معرفة صحيحها من غيره إلى ما يعلم من كتب الرجال وليس في ذلك تدليس ولا تلفيق ولا عدم تنبيه كما يدعيه المصنف بل ربما أنه ما كان عندهم ظن بأن عاقلا يتوهم بالأحاديث كلها صحيحة وأن الأصول الثابتة بالقطع عنهم موجودة في زمانهم بعد طول الزمان وأن الأخذ كله منها هذا مع تحقق الاختلاف الذي وقع في زمن الأئمة وبعدهم بين العلماء في فتواهم

If those authentic *Uṣūl* existed, and adopting and reviewing it was possible and their narrators were all authentic and trustworthy or the text of those *Uṣūl* were known to be that of the Imāms, there would be no need for books of narrators. Paying attention to it and compiling it, indicates that from that time, there was uncertainty and confusion in the narrations and they were in need of differentiating between them by compiling books on narrators.

If it was possible to recognise the authentic narrations from the time of the Imāms till those after them, or trace them to the Imāms, or if there were *Uṣūl* of the Imāms whose authenticity was known and possible to trace, they would not have instructed their companions, when there were differences, to refer to the Qur'ān. In the narration of al-Fayḍ ibn al-Mukhtār—which has passed—to recognise the authentic narrations, Ja'far al-Ṣādiq did not refer him—when asked about differences among the narrations—to the *Uṣūl* that were compiled during his era. There is no mention by the Imāms, when their companions asked them about differences and uncertainty, that they should refer to them as they are existing and established by them and whatever opposes them is lies. Rather, the Imām referred them to the Qur'ān and to adopt that which contradicts the masses, because it is clear that whatever conform to the masses is not authentic. Perhaps that, in many cases, is better than regarding them as Taqiyyah.

From this, it is clear that if these *Uṣūl* existed, all that which is possible in other narrations would have been possible in them, except that which the Imām specifically stated, which is very little indeed. The ability to acquire

them, during the era of al-Kulaynī and others is not known. Hence, al-Shaykh declared that the only reason for the differences among the former scholars was the differences in the narrations, and this is so, because if they were all authentic, there would be no differences and contradictions among them. There was no need to compile books on narrators except for the sake of the existing difference, so as to distinguish the authentic from the weak. After al-Kulaynī and those that came after him, became aware of the state of the narrations, their complaints of further differences and contradictions in them, their cautioning on that and the knowledge that the former scholars had established ways to enquire the authentic narrations from the unauthentic; they did not deem it correct—at that time—to distinguish what is authentic according to them and what is not, then compile them and leave the rest, as this would necessitate leaving out majority of the narrations and the possibility that they would regard a narrator to be weak and later someone else would establish his authenticity. Thus, they compiled what they thought to be good and referred the knowledge of its authenticity to what is known from the books on narrators. There is no deception, misrepresentation, and lack of caution in this, as the author claims. In fact, perhaps they thought that an intelligent person would never imagine all the narrations to be authentic, that the *Uṣūl* which are proven to be from the Imāms with certainty still exist despite the lengthy period of time and everything is taken from them. This is in addition to the existence of differences that occurred during the time of the Imāms and after them, among the fatāwā of the scholars.¹

He further states with more detail:

لو كانت تلك الأصول كما يزعم المصنف أنها كتبت بأمر الأئمة وبين أيديهم لم يجز فيها الاختلاف والتضادة ولا تدوين أحاديث التقية فيها لأن غاية حفظها وكتابتها لأجل عدم وقوع الشيعة في الخطا وارتكاب غير الحق كما فعله المخالفون خصوصا وهم يعلمون أن الشيعة في حال الغيبة ليس لهم سبيل إلى علم الصحيح والموافق للمذهب مع الاختلاف فكيف يجرزون لأصحابهم كتابة ما فيه الاختلاف والتقية من دون تنبيه على الموافق بالمذهب منه وأي فائدة وضرورة لتدوين أحاديث التقية في كل تلك الأصول وهلا كانت تلك الأصول التي كتبت بين أيديهم منزهة عن

¹ *Al-Shawāhid al-Makkiyyah*, pg. 176.

الاختلاف وأحاديث التقية لأن الغرض منها الهداية وليس المقصود بها الاشتهار للمخالف والمؤالف لأنها محفوظة مصونة مكتومة عن غير أربابها فما الضرورة التي أوجبت هذا الاختلاف والتقية وتدوين كل ذلك في تلك الأصول التي ليست مكشوفة للإطلاع عليها للبعيد والقريب وحكمها حكم الآثار والدعوات المنقولة عنهم ليس فيها من الاختلاف والتقية ما في الأحاديث مع أن تجريد الحديث عما يوجب الشبهة والحيرة أتم من تجريد الدعوات والآثار الواردة عنهم في غير التكاليف الواجبة فلو كانت تلك الأصول كلها صحيحة لم يجوز العقل فيها وقوع هذا الاختلاف هذا مع أن النقل والاعتبار يقضي بأنه لا موجب للتقية في تدوين أحاديثها في تلك الأصول بوجه من الوجوه لأنه ما من حديث للتقية إلا وبإزائه حديث أو أحاديث مخالفة له واردة علي الصحيح من مذهب الشيعة فكيف يجامع ذلك إرادة التقية بتدوينها في الأصول التي غايتها والمقصود بها هداية الشيعة وحفظ أحكام مذهب الحق وخصوصا مع دعوى المصنف بأن أكثرها بأمر الأئمة وأنها كتبت بين أيديهم ولم ينبهوا علي الموافق منها والمخالف وما السبب في إدخال أحكام العامة الباطلة فيها الموجبة للحيرة والاشتباه بغير ضرورة ولا فائدة في كل ذلك دليل على أن أغلب هذه الأحاديث المخالفة للمذهب إما مدخولة في الحديث من أهل الشقاق كما نقل من صريح كلام بعضهم ذلك وإما أن الراوي سمع الحديث ولم يعلم ما يخالفه من الموافق للمذهب فأثبته كما سمعه واختلطت الأحاديث ولم يتيسر لها في زمانهم من تميزها بسواء لهم ولا أصحاب الأصول التقوا إلى ذلك إن صح أنها مدونة في أصولهم وذلك بعيد عنهم لجلالتهم عن ذلك خصوصا مع كون بعضها في زمن الأئمة وإمكان استعلام الحال فيها وكأن المصنف لم يكن في حال اليقظة لما نظر إلى كتاب الاستبصار

وهذا الاختلاف الواقع بين الأحاديث والأكثر موافق لمذاهب العامة وليس للجمع بين أغلبها سبيل إلا إن كان بنهاية البعد وعدم المناسبة وبعضها لم يكن فيه إلا الرد والقطع من الشيخ بعدم صحته فما كان اهتمام الأئمة إلا بالمخالفين حتي أمروا أصحابهم بتدوين مذاهبهم في الأصول المراد منها هداية الشيعة على ان العقل والضرورة تقضي بأن تلك الأصول لو كانت كلها كلام الأئمة وصحيحة عنهم ما جاز فيها اختلاف حديث ولا تقية لأنه ورد عنهم إن كلام الابن هو بعينه كلام الأب وعلى هذا إلى جبرئيل ولا ضرورة إلى تدوين ما فيه التقية مع عدم التنبيه عليه لو احتمله العقل في أصل من تلك الأصول خصوصا مع حكم المصنف بعدم جواز الاجتهاد فإن غير المجتهد من أين يعرف حديث التقية من غير التقية لو جوّز بأحواله

التمييز في تلك الأصول بين الأحاديث إلى الشيعة المحتاجين إلى العمل بها بعد تدوينها ونقلها

وأيضاً كيف جاز خفاء هذا الأمر الذي يدعي المصنف أنه من الضروريات وتواترت به الأخبار عن القدماء أصحاب المتون مثل ابن الجنيد وابن أبي عقيل والمفيد والسيد المرتضى ومن في عصرهم ومن تقدم عليهم ومن تأخر حتي أن القدماء أتعبوا أنفسهم في تحقيق رجال سند تلك الأحاديث الثابتة في الأصول بالقطع من غير احتياج إلى اعتبار السند بوجه لأي غرض لهم في ذلك إذا كان الحديث معلوم الصحة بدون ذلك

والتبرك يحصل باتصال السند من غير حاجة إلى ذكر ما يوهم غير العارف كذب الحديث وإدخال الشبهة عليه فلولا أن الاشتباه والضعف والكذب كان محتملاً فيها كما وقع التصريح من الأئمة بالكذب عنهم وعن الرسول صلى الله عليه وعليهم لما أتعب القدماء والمتأخرون أنفسهم في تأليف كتب الرجال لتمييز الصحيح من غيره ولما حصل الاختلاف بين العلماء الذي وصل في الكثرة إلى حد قال الشيخ إنه ربما يزيد عن الاختلافات بين الأئمة الأربعة للمخالفين وصرح بأن سبب هذا الاختلاف اختلاف الحديث وعدم ظهور الصحيح منها بالقطع والجزم

وأما الثانية فإننا رأينا الصدوق أفتى بخلاف ما في الكافي في بعض المسائل بل أفتى بخلاف ما في من لا يحضره الفقيه في بعض مؤلفاته غيره وأورد في نافلة شهر رمضان حديثاً وذهب إلى خلافه وصرح بأنه لم يعتقد مضمونه وإنما أورده ليفهم منه الجواز وكيف جاز له عدم اعتقاد مضمونه وهو يعلم أنه من كلام الأئمة ولم يحمله على التقية؟ فعلم أنه حاكم بضعفه من غير وجه التقية لو ناسب حمله عليها

والكليني حكى في مولد الرسول صلى الله عليه وسلم بأنه اليوم الثاني عشر من شهر ربيع الأول والشيخ أورد من الأحاديث ما يقتضي أنه السابع عشر والمعروف من كل الأصحاب مخالفة الكليني في ذلك فكيف جاز هذا التخالف في كل الأحاديث في الكتب الأربعة الصحيحة المقطوع بها وإذا علم أصحاب الكتب ذلك كيف جاز لهم هذا الاختلاف الذي لا يمكن الجمع بينه إلا بحمل التقية وأي ضرورة للكليني في فتواه وتدوينها في كتابه أن يخالف الحق من مذهب الشيعة ولا يجوز في كتب الفتوى للشيعة ذلك بوجه من الوجوه بل كيف جاز للكليني مع اختلاف الأحاديث أن يعول علي الموافق لمذهب العامة والمأمور به عند الاختلاف من الأئمة العمل بما يخالف مذهبهم

والشيخ في جواز نقص شهر رمضان وتاممه أورد جملة أحاديث وحكم بعدم صحتها وقطع بذلك مع أنه دونها وأثبتها كغيره في كتابه وله مواضع عديدة من أمثال ذلك ولم يتعرض أحد من الأئمة الثلاثة رحمهم الله إلى التصريح بما يدعيه المصنف وإنما المفهوم من كلامهم أنهم أخذتهم غيرة الدين على جمع هذه الأحاديث خوفا من ضياعها كما ضاعت أكثر أصولها أيضا في زمانهم وما بعده واكتفوا في نقلها بما حسن ظنهم به وبإمكان صحته وأحالوا العلم بالتمييز بينها علي ما عرفوه ودونوه من كتب الرجال ولهذا التزموا إلى ذكر جميع أسانيدها ولم يهملوها اكتفاء بأخذها من الأصول لعلمهم بأن فيها ما لا يقطع بصحته ولا بكذبه

والظاهر منهم ومن عدم اعتمادهم على كل ما نقلوه ذلك فالزام المصنف لهم بالاعتراف بما يدعيه لهم وهم ينفونه أعجب العجائب

If these *Uṣūl*—as the author¹ claims—were written on the instruction and in the presence of the Imāms, there would be no possibility of differences and contradictions among them, nor compiling the narrations of Taqiyyah in them, as the object of its preservation and compilation was to prevent the Shī'ah from falling into suspicion and perpetrating falsehood as the opposition did. Particularly when they are aware that, in their absence, the Shī'ah has no way of knowing which is the correct and in conformance to the school amidst these differences. How do they permit their companions to compile that which contains differences and Taqiyyah without alerting them to what is in conformance with the School? What benefit and necessity is there in compiling the narrations of Taqiyyah in these *Uṣūl*? Why is it that these *Uṣūl* which were compiled in their presence are not free of differences and narrations of Taqiyyah? Because the objective is guidance and not popularity of the opposition and the accomplice, as it is preserved, protected, and written by other than its authors. What was the need that necessitated these differences and Taqiyyah, and compiling them in the *Uṣūl* that are not exposed for any close or far person to notice. Its ruling is the same as transmissions and supplications transmitted from the Imāms wherein there are no differences and Taqiyyah as the ones in the narrations, although abstracting narrations from that which causes suspicion and confusion is more complete than abstracting transmissions

1 Referring to Muḥammad Amīn al-Astarābādī, the leader of the Akhbāris in his era.

and supplications which are transmitted from them in non-obligatory injunctions. If those *Uṣūl* were all authentic, the intellect would not allow this difference to occur. This is despite the fact that transmission and credibility stipulate that there is no need for the narrations of Taqiyyah to be compiled in these *Uṣūl* in any way, because there is no narration of Taqiyyah except that there is another narration or many narrations which are transmitted in an authentic way from the Shī'ah School, that contradict it. How does this combine with the intention of Taqiyyah by compiling it in the *Uṣūl*, the objective of which is the guidance of the Shī'ah and the preservation of the true school? Particularly when the author claims that most of it was compiled by the instruction of the Imāms and that they were written in their presence and they did not alert them to what is in conformity of the School and what is not. What is the reason for inserting general corrupt rulings in it that cause confusion and suspicion, without any necessity and benefit? It is evident from all of this that most of these narrations that are contradicting the School were either inserted by the fanatics—as is reported clearly in some of their statements—or a narrator heard a narration, without knowing what is in conformity with the school and what is not, and recorded it as he heard it. Thus, the narrations got mingled and there was no one who was able to distinguish them like the Imāms nor did the authors of the *Uṣūl* pay attention to it, if it is correct that they are compiled in the *Uṣūl*. This is far-fetched, due to their high status, particularly when some of the narrations were during the time of the Imāms and they had the ability to inform them of its situation.

It looks like the author was not awake when he viewed the book *al-Istibṣār*.

These differences that occurred among the narrations, majority of which conforms to the masses, there is no possible way of reconciling them except in a far-fetched and inappropriate way. Some of which were merely rejected and dismissed with certainty as being unauthentic, by the Shaykh. The Imāms concern was only with the opposition, so much so that they instructed their companions to compile their School in the *Uṣūl*, which was intended to be for the guidance of the Shī'ah. However, intelligence and necessity requires that if all the *Uṣūl* were statements of the Imāms and authentically narrated from them, there would be no differences in the narrations, nor Taqiyyah, as it has been transmitted from them that

‘the speech of the son is precisely the speech of the father.’ This sequence continues till Jibrīl عَلَيْهِ السَّلَام. There is no need to compile the narrations of Taqiyyah without warning about it, even though it is intellectually possible in one of the *Uṣūl*, particularly when the author ruled on the impermissibility of Ijtihād. How is it possible for a non-Mujtahid to differentiate between the narrations of Taqiyyah from those which are not, if it was permissible to distinguish the conditions of the narrations in those *Uṣūl*, for those Shī‘ah who needed to practice upon it after compiling and transmitting it.

Furthermore; how is it permissible to conceal this matter which the author regards to be from the essentials and transmissions have been consecutively narrated from the former authors of texts such as Ibn al-Junayd, Ibn Abī ‘Aqīl, al-Mufīd, Sayyid al-Murtaḍā, other cotemporaries, those who preceded and succeeded them, to such an extent that the former scholars exhausted themselves in researching the narrators in the chains of those narrations that were proven to be in the *Uṣūl* with certainty, without any need to consider the chain. What was the objective of this if the narration was known to be authentic without it?

Blessing is attained through the continuity of the chain, without the need to mention anything that would mislead an unknowing person to believe that the narration is false and creating suspicion in him. Were it not for the possibility of confusion, weakness and lies in the narrations—as clearly stated by the Imāms about lies attributes to them and the Prophet صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ—the former and the latter scholars would not have exhausted themselves in writing books on narrators to distinguish the authentic from the unauthentic, and the differences among the scholars would have not reached to such a level that Shaykh declared that at times the differences surpass the differences of the opposition’s four Imāms. He declared that the reason for these differences is the differences in the narrations and the failure to distinguish the authentic ones with certainty and convictions.

As for the second (claim), we see that Al-Ṣadūq¹ issued rulings contrary to what is in *al-Kāfī* in some rulings. In fact, he issued contrary to what is in *Man lā Yaḥḍuruḥu al-Faqīh*, in some of his other writings. He reported a narration regarding optional fast in the month of Ramaḍān but adopted a

1 Referring to Ibn Bābawayh al-Qummī.

view contrary to that, declaring that he did not believe in its contents. He reported it merely to show its permissibility. How is it permissible for him not to believe in its contents, while knowing that it is from the speech of the Imāms and did not base it on Taqiyyah? From this, it is apparent that he ruled this narration to be weak without Taqiyyah, if it suitable to regard it as Taqiyyah.

Al-Kulaynī ruled that the birth of the Prophet ﷺ was on the 12th of Rabīʿ al-Awwal whereas al-Shaykh¹ reported narrations that indicate that it was on the 17th. Al-Kulaynī's opposition in this is well-known from all the companions. How is this opposition possible in all the narrations of the four certain authentic books? When the authors knew this, how did they allow this difference, which cannot be reconciled except by regarding it as Taqiyyah? What was the need for al-Kulaynī, in his ruling and compiling it in his book, to contradict the truth of the Shīʿah School? This is not permitted according to the Shīʿah Fatāwā books at all. In fact, how is it permissible for al-Kulaynī, with his difference in the narrations, to rely on that which conforms to the masses whereas the instruction from the Imāms, in the case of differences, is to practice contrary to the masses?

Al-Shaykh reported several narrations pertaining to the permissibility of shortening the month of Ramaḍān and completing (30 days) it, and ruled with certainty that they are not authentic. Despite this, he compiled and recorded them in his book like others. There are several examples of this.

None of the three Imāms considered declaring what the author claims. What is understood from their statements is that the passion for their dīn led them to compile these narrations, for the fear of them getting destroyed, just as most of the Uṣūl got destroyed during their time and thereafter. They sufficed in transmitting what they thought was good and possibly authentic and referred the knowledge of distinguishing between them to what they knew and compiled in the books of narrators. Therefore, they committed themselves to mentioning all the chains of these narrations and did not overlook it by sufficing on it being taken from the Uṣūl because they knew that it contains such narrations whose authenticity or falsehood cannot be certain.

1 i.e. Shaykh al-Ṭāʾifah Muḥammad ibn al-Ḥasan al-Ṭūsī.

This is what is apparent from them and their lack of reliance on what they transmitted. Thus, the author's allegation of them acknowledging to his claims, whereas they are denying it, is very astonishing indeed.¹

6. Deficiency of the structure of the Imāmī fiqh's legacy and the scarcity of its tools

An observer into the Imāmī narrative legacy will notice clear deficiencies in the Fiqhī legislations and derivation of rulings, despite the texts' existence for a lengthy period of time and its continuation beyond the Imāms of the four Madhhabs (Imām Abū Ḥanīfah (d. 180 AH), Imām Mālik (d. 179 AH), Imām Shāfi'ī (d. 204 AH), and Imām Aḥmad ibn Ḥanbal (d. 241 AH)) for nearly 90 years.

The termination of the texts—according to Imāmiyyah—coincides with the major disappearance of the Twelfth Imām (Muḥammad ibn al-Ḥasan al-‘Askarī), after the death of his last deputy (‘Alī ibn Muḥammad al-Samarri) in 329 AH.

Despite all this, the school suffers from lack of Fiqhī rulings and scarcity of its regulations and principles, stipulated by the Twelve Imāms. If all the narrations that have been transmitted from al-Bāqir and al-Ṣādiq be it authentic, weak, fabricated or forged, had to be gathered, it will never meet the requirement.

This is what Āyat Allāh al-Shaykh Muḥammad Āṣif Muḥsinī noticed during the course of his observance of the School's narrations and his investigation into the Fiqhī principles and regulations, as he expresses his amazement in this regard by saying:

لا خفاء على الخبراء بأمر الأحاديث في أنها غير وافية بفروع الأصول الاعتقادية
والمعارف الإسلامية وبمسائل الحلال والحرام أي الأحكام التكليفية والوضعية
حتى بعد جمعها في الجوامع الحديثية فضلا عن زمان انتشارها عند آحاد الرواة
ويظهر للناظر أن في كثير من الروايات كان السؤال من الناس فسيق الجواب حسب
فروضهم ولم يبين الأئمة الأحكام ابتداء على نحو القاعدة الكلية والضابطة الجامعية
وترى روايات كثيرة في أمور جزئية في حين أن الأمور المهمة لا خبر واحد فيها
وأصعب من الكل تعارض الأخبار وتناقضها كل ذلك واضح لا يحتاج إلى ذكر

¹ *Al-Shawāhid al-Makkiyyah*, pg. 308–311.

شاهد ومن جانب آخر لا إشكال في أهمية الدين وعبادة الله تعالى من كل شيء فإن الله خلق الجن والإنس ليعبدون فيقع السؤال المهم عن عدم بيان كامل للدين أصولاً وفروعاً حتي لم تقع الاختلافات فيهما بين فقهاء الإمامية بالخصوص في جميع أبواب الفقه وانجرار الأمر إلى أقوال وفتاوى عجيبة فضلاً عن الاختلافات الشاسعة بين علماء سائر المذاهب الإسلامية والأمر في اتساع بعد

It is no secret to the experts of Ḥadīth that they are inadequate in deducing principles of beliefs, Islamic knowledge, and rulings regarding *Ḥalāl* and *Ḥarām* (lawful and forbidden), i.e., *Taklīfī*¹ and *Wad'ī*² rulings, even after they were gathered in Ḥadīth compilations, let alone at the time of the expansion through solitary narrators.

An observer will notice that in many of the narrations, the question was asked by the people. Thus, the answer was given based on their assumptions. The Imām did not explain the rulings from inception as a general rule and an academic principle. One would find plenty narrations in subsidiary matters, whereas there would not be a single narration in fundamental matters. The most difficult aspect is the contradiction and the inconsistency of the narrations. All this is clear which requires no evidence. On the other hand, there is no objection pertaining to the importance of dīn and the worship of Allah سُبْحَانَهُ وَتَعَالَى. Allah سُبْحَانَهُ وَتَعَالَى created man and Jinn to worship.³ Therefore, the important question arises about the lack of complete explanation of the dīn's fundamentals and subsidiaries, so that differences do not occur among the Imāmī jurist, specifically in all aspects of fiqh, and it does not lead to strange views and fatwās, let alone vast differences amongst the scholars of all the Islamic Madhhabs. The matter is still expanding.⁴

With full awareness of its reality and realizing its dimensions on the narrative and Fiqhī level, Shaykh Muḥammad al-Bāqir al-Bahbūdī sees that one of the

1 Defining laws

2 Declaratory laws.

3 He is indicating to the verse:

وَمَا خَلَقْتُ الْجِنَّ وَالْإِنْسَ إِلَّا لِيَعْبُدُونِ

I did not create jinn and humans except to worship Me. (Sūrah al-Dhāriyāt: 56)

The correct way would be to say, 'so they worship Him.'

4 *Mashra'at Biḥār al-Anwār*, 1/93.

signs that exposes the falsity of the Ḥadīth Aṣl, which the narrator claims to be narrating from al-Bāqir and al-Ṣādiq—who are the ones most narrated from in the School—is that the copy of this narrator is large and filled with rulings related to Fiqh and beliefs, a matter that is neither consistent with the circumstances which the Imāmiyyah relate about the situation of the Imāms regarding Kitmān, Taqiyyah, and scarcity of ḥadīth, nor is it consistent with pattern of narration in the School. He states:

إذا كان الراوي أظهر نسخة كبيرة ذات نطاق واسع في أبواب الفقه والمعارف فادعي أنها مسند الإمام أبي جعفر الباقر أو مسند الإمام أبي عبد الله الصادق مثلاً فنعلم عند ذلك بتاتا أنها مكذوبة على الإمام فإنهم كانوا في تقيّة عن العامة ولا يحدثونهم ولا يفتون لهم إلا عند الضرورة ولم نر في التاريخ الصحيح أن أحدا منهم كان يجلس في مسند المشايخ ويقول حدثنا فلان حدثنا فلان

If a narrator appears with a large copy, with vast scope in the chapters of fiqh, and claims that it is a *musnad* of Abū Ja‘far al-Bāqir or Abū ‘Abd Allāh al-Ṣādiq for example, we know for sure that it is fabricated from the Imām, as they were practicing Taqiyyah from the masses and did not narrate and issue fatwā except when necessary. We have not seen, in authentic history, that anyone of them would sit on the seat of teachers and, “So and so narrated to us, so and so narrated to us.”¹

As a natural result of the deficiency in the Fiqhī narrative structure from establishing an integrated Fiqhī school—despite the expansion of the text period to a later period compared to the Ahl al-Sunnah—the Imāmī jurists, during the inception period,² were forced to open the Sunnī Fiqhī Madhhab and borrow Fiqhī and fundamental regulations and the methods of derivation from them, while making some necessary adjustments to adapt it to the nature of their School.

What may be called an ‘environment’ for rules, principles and many Sunnī subsidiary rulings made its way into the structure of Fiqh and belief body of the Imāmīyyah.

1 *Ma‘rifat al-Ḥadīth*, pg. 131.

2 Period after the disappearance of the awaited Mahdī.

Imām Muḥammad ibn Idrīs al-Shāfi‘ī al-Muṭṭalibī (d 204 AH)¹ is considered to be the first to write on the science of principles. Before al-Shāfi‘ī, people used to discuss rulings of Uṣūl al-Fiqh, infer evidences and objections. However, they did not have any general rule which they could refer to, in order to understand the evidence of Sharī‘ah and the manner of opposing and giving preference in it. Al-Shāfi‘ī devised the science of Uṣūl al-Fiqh and established a comprehensive rule for mankind, which could be referred to in understanding the levels of Sharī‘ evidence.²

The precedence of Imām al-Shāfi‘ī in compiling the science of Uṣūl al-Fiqh is not confined to the book *al-Risālah* only, rather, other writings can also be added to it like *Aḥkām*, *Ikhtilāf al-Ḥadīth*, *Ibṭāl al-Istiḥsān*, *Jimā‘ al-‘Ilm*, and *al-Qiyās*.³

It is said that the Judge Abū Yūsuf—student of Abū Ḥanīfah—was the first to write a book in Uṣūl al-Fiqh in accordance to the Madhhab of Abū Ḥanīfah.⁴

1 Imām Aḥmad, as mentioned in *al-Baḥr al-Muḥīṭ*, 1/18, states:

لم نكن نعرف الخصوص والعموم حتى ورد الشافعي

We had no knowledge of ‘Umūm (generality) and *Khuṣūṣ* (specific) until the arrival of al-Shāfi‘ī.

Fakhr al-Dīn al-Rāzī states in *Manāqib al-Shāfi‘ī*, pg. 56:

اعلم أن نسبة الشافعي إلى أصول الفقه كنسبة أرسطو إلى علم المنطق وكنسبة الخليل بن أحمد إلى علم العروض

Know well that the association of al-Shāfi‘ī to *Uṣūl al-Fiqh* (principles of Fiqh) is like the association of mythology to the science of logic and the association of al-Khalīl ibn Aḥmad to the science of prosody.

Abū Ḥāmid al-Ghazālī states in *al-Mankhūl*, pg. 610:

ولا خلل في أصول مذهب الشافعي وقد كان أعرف الناس بعلم الأصول وهو أول من صنف في هذا العلم

There is no issue regarding the principles of the Shāfi‘ī Madhhab. He was the most knowledgeable regarding the science of principles. He was the first to write in this field.

2 Al-Fakhr al-Rāzī: *Manāqib al-Imām al-Shāfi‘ī*, pg. 57.

3 Al-Zarkashī: *al-Baḥr al-Muḥīṭ*, 1/18.

4 Ibn Khallikān has quoted in *Wafayāt al-A‘yān*, 6/382, from the historian Ṭalḥah ibn Muḥammad ibn Ja‘far al-Baghdādī in the biography of the judge Abū Yusuf in *Akhbār al-Quḍāt*, this statement:

أبو يوسف مشهور الأمر ظاهر الفضل هو صاحب أبي حنيفة وأفقه أهل عصره ولم يتقدمه أحد في زمانه وكان النهاية في العلم والحكم والرياسة والقدر وأول من وضع الكتب في أصول الفقه على مذهب أبي حنيفة وأملى المسائل ونشرها وبث على أبي حنيفة في أقطار الأرض

continued....

Al-Nadīm¹ has mentioned in *al-Fihrist* that Muḥammad ibn al-Ḥasan al-Shaybānī (d. 189 AH) wrote several books regarding principles.²

It appears to me that the matter is related to terminology. The biographers of these two scholars did not intend the conventional meaning of Uṣūl al-Fiqh; rather, they meant Fiqh itself. In the conclusion of al-Nadīm’s statement, he states:

continued from page 303

Abū Yūsuf is famous whose virtue is obvious. He is the companion of Abū Ḥanīfah and the most learned (in fiqh) of his era. No one surpassed him in his era. He was the pinnacle of knowledge, wisdom, leadership, and virtue. He was the first to write a book on Uṣūl al-Ḥadīth according to the Madhhab of Abū Ḥanīfah

1 He has been popularly called ‘Ibn al-Nadīm’, which is a common mistake. The correct view is ‘al-Nadīm’ which requires that it is an attribute of the biographee. Thus, he is Muḥammad ibn Ishāq al-Nadīm as Yāqūt al-Ḥamawī (d. 626 AH) wrote about him in *Muḥam al-Udabā’*, 1/86, Ibn Khallikān (d. 681 AH) in *Wafayāt al-A’yān*, 4/292, al-Ḥāfiẓ al-Dhahabī (d. 748 AH) in *Tārīkh al-Islām*, 5/40, al-Ṣafḍī (d. 764 AH) in *al-Wāfi bi al-Wafayāt*, 4/209 and al-Ḥafīẓ Ibn Ḥajar (d. 852 AH) in *Lisān al-Mīzān*, 6/557. Al-Maqrīzī has written, with his hands, in the manuscript of *al-Fihrist*:

مؤلف هذا الكتاب أبو الفرج محمد بن أبي يعقوب إسحاق بن محمد بن إسحاق الوراق المعروف بالنديم... ذكر ذلك رضا
تجدد في مقدمة تحقيقه للفهرست

The author of this book is Abū al-Faraj Muḥammad ibn Abī Ya‘qūb Ishāq ibn Muḥammad, the scribe, popularly known as al-Nadīm... Ridā Tajaddud mentioned it in the forward of his research on *al-Fihrist*.

‘Allāmah ‘Abd al-Fattāḥ Abū Ghuddah (d. 1427 AH) states after Ibn Ḥajar’s statement in *Lisān al-Mīzān*, 6/557-558, that he is Muḥammad ibn Ishāq ibn Muḥammad ibn Ishāq al-Nadīm, the scribe and the author of *al-Fihrist al-‘Ulamā’*:

هكذا في ص ل بدون (ابن) وهو يقتضي أن النديم صفة لصاحب الترجمة وهو الصحيح إن شاء الله تعالى ويؤيد هذا أن
المصنف أي الحافظ ابن حجر جرى في جميع المواضع التي ذكر فيها صاحب الفهرست على تسميته النديم والعجيب أن في
ط في جميع هذه المواضع ابن النديم ولا شك انه من تصرف النساخ ويدل على ذلك أن المصنف ذكره في الألقاب في آخر
الكتاب فقال النديم صاحب الفهرست محمد بن إسحاق

This is how it appears in *Musnad Khaṣā’iṣ ‘Alī* and *Masā’il al-Imām Aḥmad*, without ‘ibn’. This means that al-Nadīm is an attribute of the biographee, which is the correct view, if Allah wills. This is supported by the fact that the author—Ibn Ḥajar—whenever he mentions the author of *al-Fihrist*, he names him as al-Nadīm. It is strange that in all the places in *Musnad al-Ṭayālīsī* it is stated as ‘Ibn al-Nadīm’. Without doubt, this is an error by the scribes. Testament to this is that the author mentioned him at the end of the book under ‘titles’ stating, “al-Nadīm, the author of *al-Fihrist*, Muḥammad ibn Ishāq.”

2 *Al-Fihrist*, pg. 253.

ولمحمد من الكتب في الأصول كتاب الصلاة كتاب الزكاة كتاب المناسك كتاب نواذر الصلاة كتاب النكاح كتاب الطلاق كتاب العتاق وأمّهات الأولاد

And Muḥammad authored books on principles such as the book on Ṣalāh, book on Zakāh, book on Ḥajj rituals, book on rare narrations on Ṣalāh, book on marriage, book on divorce, book on emancipation (of slaves), book on *Ummahāt al-Awlād* (slaves who give birth to master's children).¹

The Imāmiyyah claim that they were the first to write a book on Uṣūl al-Fiqh, forgetting what has been consecutively narrated to them from Ja'far al-Ṣādiq about the prohibition of practicing Qiyās, that considering Ijtihād in that which does not contain anything from the Qur'ān and Sunnah as lying to Allah *سُبْحَانَهُ وَتَعَالَى*² and issuing fatwā based on opinion as opposing Allah *سُبْحَانَهُ وَتَعَالَى*.³

1 *Al-Fihrist*, pg. 253.

2 It is reported in *al-Kāfi*, 1/56, Ḥadīth 11; and *Wasā'il al-Shī'ah*, 27/41, from Abū Baṣīr who states:

قلت لأبي عبد الله جعفر الصادق ترد علينا اشياء ليس نعرفها في كتاب الله ولا سنة فننظر فيها فقال لا أما إنك إن أصبت لم تؤجر وإن اخطأت كذبت على الله

I said to Abū 'Abd Allāh (Ja'far al-Ṣādiq), "Some things are narrated to us which we do not find in the Qur'ān or the Sunnah. Should we look into it?"

He replied, "No, because if you are correct, you will not be rewarded and if you err, you will be attributing lies to Allah *سُبْحَانَهُ وَتَعَالَى*."

3 It has been reported in *Qurb al-Isnād*, pg.12; *al-Kāfi*, 1/8 and *Wasā'il al-Shī'ah*, 27/41 from Mas'adah ibn Ṣadaqah who states:

قال لي جعفر بن محمد من أفتي الناس برأيه فقد دان بما لا يعلم ومن دان بما لا يعلم فقد ضاد الله حيث أحل وحرّم فيما لا يعلم
Ja'far ibn Muḥammad said to me, "Whoever issues rulings to the people based on his opinion, has adopted that which he does not know and whoever adopts that which he does not know, has opposed Allah *سُبْحَانَهُ وَتَعَالَى* as he permitted and forbade that which he does not know."

Even Sayyid Ja'far Murtaḍā al-'Āmilī—who is from the fundamentalists—declared this in *Khalafiyāt Kitāb Ma'sāt al-Zahrā'*, 1/100, during the course of his criticism of the late Shī'ah scholar of reference, Sayyid Muḥammad Ḥusayn Faḍl al-Allāh. He states:

ومن الواضح أن مجرد الاجتهاد بالرأي في زمن الرسول لا يعني أن الرسول قد أمضاه وقبل به ... بل هو والأئمة من أهل بيته الطاهرين ما زالوا يقبحون العمل بالرأي وينهون عنه ويعلنون رفضهم له ويخبرون الناس بأن دين الله لا يصاب بالعقول ويعلمونهم بالعقوبات القاسية التي أعدها الله لمن يفعل ذلك

It is clear that the existence of Ijtihād through opinion during the time of the Prophet *صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ* does not mean that he supported and accepted it. In fact, he and the Imāms of the Ahl al-Bayt continuously denounced practicing on opinion and forbade from it. *continued...*

They mention¹ that the first among the Imāmiyyah to write about Uṣūl al-Fiqh is Hishām ibn al-Ḥakam (d. 199 AH). They say that he wrote the book *al-Alfāz*.²

The amusing aspect is that the contemporary Shī'ah scholar of reference, Shaykh Ja'far al-Subḥānī, who cited this book for the precedence of the Imāmiyyah in Uṣūl al-Fiqh, himself states in the footnote when commenting on this book:

وهو مردد بين كونه كتاب لغة أو أدب أو كونه باحثاً عن الألفاظ التي يستخدمها الفقيه في استنباط الأحكام لكون الأمر للوجوب والمرة والتكرار أو الفورية والتأخير إلى غير ذلك

It is wavering between being a language book or a literature book or a book that discusses the words used by a jurist in deducing rulings, (such as) a command is used for obligation, for once and multiple times or is it used for immediate and delay etc.³

Is it possible for one to deduce from something whose contents are unknown, except for mere accumulation and claim?

It is clear that this inference cannot be relied upon in intellectual and historical research and because of it; well-known and clear transmitted writings would be left out.

Then they mention⁴ that the person that followed him in writing about Uṣūl is Yūnus ibn 'Abd al-Raḥmān (d. 208 AH)—freed slave of the Yaqtīn family—and

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In fact, he and the Imāms of the Ahl al-Bayt continuously denounced practicing on opinion and forbade from it. They announced to their sect and informed the people that the dīn of Allah ﷻ is not understood through intellect and informed them of the harsh punishments that Allah ﷻ has prepared for those who do that.

1 Refer to the following:

The late Shī'ah scholar of reference Sayyid Ḥasan al-Ṣadr (d. 1354 AH): *Ta'sīs al-Shī'ah li 'Ulūm al-Islām*, pg. 310. The contemporary Shī'ah scholar of reference Sayyid Ja'far al-Subḥānī: *Aḍwā' alā 'Aqā'id al-Shī'ah al-Imāmiyyah*, pg. 279. Sayyid 'Alī Naqī al-Ḥaydarī: *Uṣūl al-Istinbāṭ fi Uṣūl al-Fiqh wa Tārīkhīhī bi Uslūb Jadīd*, pg. 42.

2 *Rijāl al-Najāshī*, pg. 433.

3 Contemporary Shī'ah scholar of reference Sayyid Ja'far al-Subḥānī: *Aḍwā' alā 'Aqā'id al-Shī'ah al-Imāmiyyah*, pg. 279.

4 *Aḍwā' alā 'Aqā'id al-Shī'ah al-Imāmiyyah*, pg. 279.

that he wrote a book named *Ikhtilāf al-Ḥadīth wa Masā'ilihī 'an Abī al-Ḥasan Mūsā ibn Ja'far*.¹

It is apparent from the title of the book that the intention is to mention contradictory narrations from Imām Mūsā al-Kāẓim, which in the field of Ḥadīth² is known as the science of *Mukhtalaf al-Ḥadīth*³ (differences in Ḥadīth). Thus, the book is more associated to the science of Ḥadīth, even though its subject overlaps, in some of its aspects, with the subject of contradiction in Uṣūl al-Fiqh, as sciences sometime overlap.

However, the claim that this book is from amongst the books of Uṣūl al-Fiqh has no evidence to support it. You are aware that Imām al-Shāfi'ī is the originator of the science of Uṣūl and similarly he was the first to write in the field of *Mukhtalaf al-Ḥadīth*. So, ponder!

Then they mention⁴ that the person to follow him in writing in the field of Uṣūl is Ismā'īl ibn 'Alī ibn Ishāq ibn Abī Sahl ibn Nawbakht (d. 311 AH). Al-Nadīm

1 Al-Ṭūsī: *al-Fihrist*, pg. 266.

2 The first to write a book in this field is Imām Muḥammad ibn Idrīs al-Shāfi'ī (d. 204 AH). His book *Ikhtilāf al-Ḥadīth* is well known and popular. No one surpassed him in writing in this field. Thereafter, Ibn Qutaybah al-Dīnawarī (d. 276 AH) wrote a book titled *Ta'wīl Mukhtalaf al-Ḥadīth*, then Zakariyyā ibn Yaḥyā al-Sājī (d. 307 AH), then Imām Ibn Jarīr al-Ṭabarī (d. 310 AH), then Abū Ja'far al-Ṭaḥāwī (d. 321 AH) in his book *Sharḥ Mushkil al-Āthār*. Thereafter writings continued in this great science.

3 Sayyid al-Ṣadr (d. 1351 AH) has introduced this science in *Nihāyat al-Dirāyah*, pg. 28 by saying:

وهو العلم الذي يبحث عن الأحاديث المتعارضة أي التي يقع التنافي بين مدلوليها وعن كيفية علاج هذا التعارض ورفع له لأن التعارض بين الأحاديث تارة يكون مستقرا لا تجدي معه قواعد الجمع العرفي المتبعة لعلاج التعارض غير المستقر فيتعذر الجمع بينهما ولا يمكن الأخذ بهما معا ولا ترجيح أحدهما على الآخر وتارة يكون التعارض غير مستقر فتطبق عليه قواعد الجمع العرفي لرفع هذا التعارض إما بالتقييد أو التخصيص أو الحكمة

It is a science that discusses contradictory narrations, i.e., those narrations where contradiction is found in its meanings; and the manner of remedying and removing the contradiction; because contradiction between the narrations can sometimes be constant and the customary strenuous rules of reconciliation are not useful for treating unstable contradictions. Thus, it is impossible to reconcile between them, or to adopt both of them together, nor preferring one over the other. Sometimes the contradiction is not constant. Then the customary rules of reconciliation are applied to remove the contradiction, either by restriction, specification, or judgement.

4 *Aḍwā' alā 'Aqā'id al-Shī'ah al-Imāmiyyah*, pg. 279.

mentions in *al-Fihrist* that from amongst his writings are the books *Naqḍ Risālat al-Shāfi‘ī*, *Ibtāl al-Qiyās*, and *Naqḍ Ijtihād al-Ra’y ‘alā Ibn al-Rāwandī*.

These books were written in refutation of Uṣūl al-Fiqh, starting with refutation of the *al-Risālah* of Imām al-Shāfi‘ī till refuting Qiyās and rebuttal of Ijtihād. Then what remains?

The Imāmiyyah, even though they have declared war on opinion and Qiyās, their stance against practicing on intellectual *Istiḥsān* (applying discretion in rulings) and conjecture is apparent. Their insistence upon adhering to text and confining Fiqhī Ijtihād to understanding it, is too evident to be inferred. However, this rigidity on texts could not withstand the Sunnī Ijtihādī movement, which was at its prime and most radiant at that time, which prompted some of their scholars like Ibn Abī ‘Aqīl al-‘Umānī¹ (d. 369 AH) and Ibn al-Junayd al-Iskāfī (d. 385 AH)² to practice Qiyās, and they based it on what the Imāmiyyah narrate from al-Ṣādiq and al-Riḍā that they said:

علينا إلقاء الأصول وعليكم بالتفريع

Upon us is laying down the principles and upon you is deducing (rulings from it).³

In another narration:⁴

إنما علينا أن نلقي إليكم الأصول وعليكم أن تفرعوا

Our responsibility is to lay down principles and your responsibility is to deduce rulings from them.⁵

1 They mention that he is the first person to introduce Ijtihād, in its known form, to academic discussions and the first to record Fiqhī rulings, furnish evidence for it, and deduce subsidiary rulings from it, after the major disappearance.

2 He was compelled to write a book called *Kashf al-Tamwīh wa al-Ilbās ‘alā Aghmār al-Shī‘ah fī Amr al-Qiyās*.

3 *Wasā’il al-Shī‘ah*, 27/62.

4 *Wasā’il al-Shī‘ah*, 27/61.

5 The amusing aspect here is that al-Ḥurr al-‘Āmilī (d. 1104 AH) reported these two narrations and commented on them saying:

هذان الخبران تضمننا جواز التفريع على المسموعة منهم والقواعد الكلية المأخوذة عنهم لا على غيرها وهذا موافق لما ذكرنا مع انه يحتمل الحمل على التقية

continued...

These two luminaries aroused the resentment of some of the Imāmī scholars such as Muḥammad Bāqir al-Khuwānasārī (d. 1313 AH), who wrote the biography of Ibn al-Junayd in *Rawḍāt* wherein he states:

كان هذا الشيخ أول من أبدع أساس الاجتهاد في أحكام الشريعة وأحسن الظن بأصول فقه المخالفين من علماء الشيعة وتبع في ذلك ظاهرا الحسن بن أبي عقيل العماني المتقدم ذكره السني والمعاصر لشيخنا الكليني إذ قلما تقع المخالفة في

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These two narrations contain the permissibility of deducing from what is heard from them and general rules taken from them only, no one else. This conforms to what we mentioned, even though it is possible to regard it as Taqiyyah.

i.e. taking into consideration that they conform to the Sunnī understanding of Ijtihād.

It is sufficient to direct any narration to the weapon of Taqiyyah to nullify its effect, particularly narrations of this type which are thought to be reported as Taqiyyah, due to their conformance to the Ahl al-Sunnah.

Al-Ḥurr al-ʿĀmilī has embarked on responding to these two narrations in *al-Fawā'id al-Ṭūsiyyah*, pg. 463-464. He has mentioned twelve possibilities. Refer to it if you wish.

Before him, al-Fayḍ al-Kāshānī (d. 1091 AH) responded to some Uṣūlīs for using these texts as evidence for the permissibility of Ijtihād in *al-Ḥaq al-Mubīn fī Taḥqīq Kayfiyyat al-Tafaquḥ fī al-Dīn*, pg. 7-10, by saying:

أولا انهم قالوا علينا أن نلقي إليكم الأصول ولم يقولوا عليكم أن تضعوا أصولا بل فيه تنبيه علي النهي عن ذلك كما يشعر به تقديم الظرف فلا يجوز لنا التفريع إلا على أصولهم
وثانيا أن المراد بالحديثين أن نعمد إلي ما ألقوا إلينا من الأحكام الكلية التي تكون مواردها متحدة فنستخرج منها أحكاما جزئية بالبرهان اليقيني الموافق لأحد الأشكال الأربعة المنطقية لا التي اختلفت مواردها ويحتاج إلى استنباط أحكامها بالظن والتخمين وشتان ما بين الأمرين وبالجملة قد أدنوا في الأخذ بالأخبار والكتب بالتسليم والانقياد ولم يأذنوا في الأخذ بالآراء والاجتهاد بل نهوا عنه فليس لنا إلا الاتباع والاقتصار على السماع من دون ابتغاء الدليل

Firstly, they said that it is our responsibility to lay down principles for you and they did not say that you should lay down principles. In fact, it contains a warning to prohibit that, as the precedence of the adverb indicates to that. Thus, it is not permissible to deduce except through their principles.

Secondly, the meaning of the two narrations is that we should rely on those general rules which they laid down for us, whose sources are united, then extract subsidiary rulings from it through certain evidences which conform to one of the four logical forms, not those whose sources are different and in need of deducing rulings through conjecture and speculation. There is a great difference between the two. In brief, they have permitted adopting transmissions and books through acceptance and subjugation and not through adopting opinion and Ijtihād. Rather, they forbade us from that. Thus, we have no choice but to follow and confine ourselves to hearing without seeking evidence.

الفتاوى والأحكام بين ذينك الفقيهين ومن هذه الجهة يجمع بينهما في الذكر في كلمات فقهائنا بلفظ القديمين إلا أن صاحب الترجمة أفرط في متابعة هذه الآراء الفاسدة وتعدى وزاد في الطنبور نعمة أخرى فعمل صريحا بالقياسات الحنفية واعتمد صبيحا علي الاستنباطات الظنية بحيث قد غمز في حقه من هذه الجهة كثير من أهل الحق ولم يعتنوا بخلافاته التي إليها تطرق

This shaykh was the first to invent the foundation of Ijtihād in the rulings of Sharī'ah and had good thought of the opposing Shī'ī scholars. Al-Ḥasan ibn Abī 'Aqīl al-'Umānī apparently followed him in that, whose lofty mention passed and is the contemporary of our Shaykh al-Kulaynī. Very seldom would any differences occur between these two jurists in fatwā and rulings. From this point of view, they are collectively mentioned, in the speech of our jurists, as *al-Qadīmāyn* (the two former scholars). However, the biographee exaggerated in following these corrupt opinions, went overboard and added another tune to the tambourine. Thus, he clearly practiced on the Ḥanafī Qiyās and gracefully relied on speculative deductions to such an extent that many of the people of truth winked at him from this point of view and did not pay attention to the differences he embarked upon.¹

As for Shaykh al-Mufīd (d. 413 AH), he wrote a book in response to him which he titled *al-Naqḍ 'alā Ibn al-Junayd fī Ijtihād al-Ra'y*. He wrote in *al-Masā'il al-Surūriyyah*:

فأما كتب أبي علي بن الجنيد فقد حشاها بأحكام عمل فيها على الظن واستعمل فيها مذهب المخالفين من القياس الرذل فخلط بين المنقول عن الأئمة وبين من قاله برأيه

As for Abū 'Alī ibn al-Junayd's books, he filled them with rulings wherein he adopted conjecture and used therein despicable Qiyās from the school of the opposition. Thus, he mingled that which is transmitted from the Imāms and that which he said according to his opinion.²

Al-Mufīd's student, al-Sharīf al-Murtaḍā (d. 436 AH), who underestimated the importance of Ibn al-Junayd's academic opinions, followed him. During the course of his response to the opinion of Shaykh Ibn al-Junayd, about the impermissibility for a judge to pass any judgement relating to any right or punishment through his knowledge, he states:

1 *Rawḍāt al-Jannāt*, 6/136.

2 Al-Shaykh al-Mufīd: *al-Masā'il al-Surūriyyah*, pg. 73.

وإنما عول ابن الجنيد فيها على ضرب من الرأي والاجتهاد وخطؤه ظاهر

Ibn al-Junayd relied on a type of opinion and Ijtihād. His error is obvious.¹

He established in his book *al-Dharī'ah* that Ijtihād is invalid and that according to the Imāmiyyah it is not permissible to practice on conjecture, opinion, or Ijtihād.²

Thereafter Shaykh al-Ṭā'ifah Abū Ja'far al-Ṭūsī came—who is the student of both of these scholars—to establish the same principle in *Uddat al-Uṣūl* wherein he states:

وأما القياس والاجتهاد فعندنا أنهما ليسا بدليلين بل محظور استعمالهما

As for Qiyās and Ijtihād, they are not evidence according to us; rather, their usage is prohibited.³

Al-Ṭūsī acquired fiqh from the Shāfi'īs in Baghdād and knew their views and methods in capturing Uṣūl al-Fiqh and deducing from them,⁴ just as he acquired the knowledge of theology and the school from his two teachers, al-Mufīd, and al-Murtaḍā. It seems that the awe of his two teachers and their leadership during their time prevented him from opposing them.

This is noticeable in his stance pertaining to practicing on al-Khabr al-Wāḥid, where he differed with his two teachers, al-Mufīd, and al-Murtaḍā. Al-Mufīd had declared in his book *al-Tadhkirah bi Uṣūl al-Fiqh* that al-Khabr al-Wāḥid does neither necessitate knowledge nor practice.⁵ Similarly al-Murtaḍā, as he states in *Jawābāt al-Masā'il al-Tabāniyyāt*:

1 *Al-Intiṣār*, pg. 488.

2 *Al-Dharī'ah*, 2/636-637; Muḥammad Bāqir al-Ṣadr: *al-Ma'ālim al-Jadīdah lī al-Uṣūl*, pg 25.

3 *Al-'Uddah fī Uṣūl al-Fiqh*, 1/8.

4 Hence, al-Subkī, mentioned him in *Ṭabaqāt al-Shāfi'iyyah al-Kubrā*, 4/126, despite him being one of the senior Imāmī scholars. So be informed.

5 *Al-Tadhkirah bi Uṣūl al-Fiqh*, pg. 38. He states in the booklet, *al-Maṣḥ' alā al-Rijlayn*, in response to Abū Ja'far al-Nasafī al-Ḥanafī:

أنا أسلم لك العمل بأخبار الآحاد تسليم نظر وإن كنت لا اعتقد ذلك استظهارا في الحجة

I accept your practicing on al-Khabr al-Wāḥid, reluctantly, even though I do not believe in that, preserving the argument.

إننا نعلم علما ضروريا لا يدخل في مثله ريب ولا شك أن علماء الشيعة الإمامية يذهبون إلى أن أخبار الآحاد لا يجوز العمل بها في الشريعة ولا التعويل عليها وأنها ليست بحجة ولا دلالة

We have the necessary knowledge, wherein there can be no suspicion or doubt that the Imāmī Shī'ī scholars hold the view that it is not permissible in Sharī'ah to either practice on al-Khabr al-Wāḥid, nor rely on it and that it is neither evidence nor proof.¹

This is a matter that obliged al-Murtaḍā to pay great attention to *Ijmā'* (consensus) to such a degree that one would seldom find a Sharī' ruling which is not inferred by *Ijmā'*.²

The Imāmiyyah state, that the establishment of the first Shī'ī scholarly seminar in history,³ was completed on the hands of Shaykh al-Ṭā'ifah Abū Ja'far al-Ṭūsī, after his alignment far away from the scholarly capital (Baghdād) to a small city, Najaf. They mention that his relocation was after the burning of his library in Baghdād in 447 AH, and in Najaf he, al-Ṭūsī, wrote the last of his books, *al-Mabsūṭ*⁴, which represented a qualitative shift in the Imāmī fiqh that was not known in the first Fiqhī period, which did not go beyond mentioning narrations without deducing or mentioning rulings outside these narrations.

1 *Rasā'il al-Sharīf al-Murtaḍā*, 1/24.

2 Refer to his books *al-Intiṣār* and *al-Nāṣiriyyāt*, you will find his excessive reliance on *Ijmā'* and drawing upon it as evidence.

3 Some people try to attribute the characteristics of the seminary educational system to the era of Ja'far al-Ṣādiq or Imām al-'Askarī or what existed during the era of the Buyids. However, it is clear that the existence of the Imāmī Fiqhī incubator was only completed after that. So, the attribution of the establishment of the scholarly seminar on the hands of al-Ṭūsī at that time, specifically in the land of the Shī'ah, is closer to reason and logic, even though its establishment was completed later.

4 Ibn Idrīs al-Ḥillī, while mentioning his choice with which he judges as being the same as Abū Ja'far al-Ṭūsī, states in *al-Sarā'ir*, 2/232:

وما سطرناه واخترناه مذهب شيخنا أبي جعفر الطوسي واختياره في مسوطه وهذا الكتاب اللهم آخر ما صنفه في الفقه فإنه بعد النهاية، والتهذيب والاستبصار والجمل والعقود ومسائل الخلاف

What we have written and selected is the school of our teacher Abū Ja'far al-Ṭūsī and his selection in *al-Mabsūṭ*. This is the last book which he wrote in fiqh, after *al-Nihāyah*, *al-Tahdhīb*, *al-Istibṣār*, *al-Jamal*, *al-'Uqūd* and *Masā'il al-Khilāf*.

However, they are ignorant of the fact that this shift occurred after the death of the two seniors of the school at that time, al-Mufīd, and al-Murtaḍā. Thus, he gained leadership without any rival, to a degree that he was given the title of *Shaykh al-Ṭāʾifah* (leader of the sect), after his estrangement from one of his companions, whom he did not mention in his book, sufficing by calling him 'esteemed shaykh'.¹ This shaykh had position and authority which prevented al-Ṭūsī from exposing what he possessed.

When al-Ṭūsī relocated to Najaf, he began exhibiting a new role for the Imāmī fiqh, emulating the Sunnī fiqh, which had its own characteristics. That is why he mentions in the forward of his book *al-Mabsūṭ*:

أما بعد فإنني لا أزال أسمع معاصر مخالفينا من المتفكّهة والمنتسبين إلى علم الفروع يستحقرون فقه أصحابنا الإمامية ويستنزرونه وينسبونهم إلى قلة الفروع وقلة المسائل ويقولون إنهم أهل حشو ومناقضة وإن من ينفي القياس والاجتهاد لا طريق له إلى كثرة المسائل ولا التفريع على الأصول لأن جل ذلك وجمهوره مأخوذ من هذين الطريقتين وهذا جهل منهم بمذاهبنا وقلة تأمل لأصولنا ولو نظروا في أخبارنا وفقهنا لعلموا أن جل ما ذكروه من المسائل موجود في أخبارنا ومنصوص عليه تلويحا عن أئمتنا الذين قولهم في الحجة يجري مجرى قول النبي صلى الله عليه وسلم إما خصوصا أو عموما أو تصريحاً أو تلويحا وأما ما كثروا به كتبهم من مسائل الفروع فلا فرع من ذلك إلا وله مدخل في أصولنا ومخرج على مذاهبنا لا على وجه القياس بل على طريقة توجب علما يجب العمل عليها ويسوغ الوصول إليها من البناء على الأصل وبراءة الذمة وغير ذلك

Thereafter, I continuously hear groups of our opposition, the jurists, and those associated to the science of inference, despising, belittling, and attributing scarcity of subsidiaries and rulings to the fiqh of our companions and saying that they are people of tautology and contradiction. They say that

1 Shaykh Muḥammad Bāqir al-Bahbūdī states in *Maʿrifat al-Ḥadīth*, pg. 89:

كان شيخنا أبو جعفر الطوسي وهو ببغداد لا يصدر إلا عن رأي صديقه الفاضل الذي لا يسميه لنا في كتبه وأظنه من زعماء النوبختين السائسين في كرخ ببغداد يومذاك

Our Shaykh, Abū Jaʿfar al-Ṭūsī, while he was in Baghdād, would only issue rulings according to the view of his honourable friend, who he did not name in his books. I think he is one of the Nawbakhtī leaders who were ruling Karkh, Baghdād at that time.

whoever denies Qiyās and Ijtihād has no way to the abundance of rulings and deducing rulings from principles, because the bulk and majority of that is taken through these two ways. This is ignorance of our School and lack of scrutiny in our principles. If they look into our transmissions and fiqh, they would realise that most of the rulings they mention are present in our transmissions and clearly referenced from our Imāms, whose sayings are equivalent to the sayings of the Prophet ﷺ in evidence, either specifically, generally, clearly, and by indication. As for the subsidiary rulings which they have filled their books with, there is no ruling from that except that it has a presence in our principles and an origin in our School; not in the form of Qiyās but in a manner that necessitates knowledge which is obligatory to practice, is accessible by building on the principle and absolves one's responsibility etc.

Then he mentions about his method in his book *al-Nihāyah* which he wrote according to the Imāmī way. Thereafter, he states about this book:

فعدلت إلى عمل كتاب يشتمل على عدد جميع كتب الفقه التي فصلوها الفقهاء وهي نحو من ثلاثين كتاباً أذكر كل كتاب منه علي غاية ما يمكن تلخيصه من الألفاظ واقتصرت على مجرد الفقه دون الأدعية والآداب وأعدت فيه الأبواب وأقسم فيه المسائل وأجمع بين النظائر وأستوفيه غاية الاستيفاء وأذكر أكثر الفروع التي ذكرها المخالفون

So, I deflected to compiling a book which comprises of all the books (chapters) of fiqh, in number, which the jurists divided, which are around 30 chapters. I mention each book to the maximum extent that can be summarised in words. I sufficed on fiqh only without any supplications or etiquettes. I created chapters and distributed the rulings in it. I reconciled between the counterpart rulings and I fulfilled it to the best possible manner. I mentioned most of the subsidiary rulings which the opposition mention.¹

Al-Ṭūsī has acknowledged in this forward that the Imāmiyyah never used to deduce subsidiary rulings from principles till his era and they would suffice on the texts that reached them from the former scholars of Ḥadīth.

¹ *Al-Mabsūt*, 1/2-3.

That he was compelled to write his book, *al-Mabsūṭ*, in this Fiqhī manner, to repel the opposition's taunting of the Imāmiyyah for their School's Fiqhī shortcomings with regards to their inability to deduce Fiqhī rulings or reconciling subsidiaries to the principles in a disciplined and explicit manner.

Sayyid Mundhīr al-Ḥakīm indicated to that by saying:

وقد اعتقد بعض كبار فقهاء الإمامية بأن الفقه الشيعي ناظر في إنجازاته العلمية إلى
الفقه السني ولا يمكن تحقق فهم الفقه الشيعي بشكل تام إلا لمن يفهم الفقه السني
بشكل تام

Some senior Imāmī jurists believe that the Shī'ī fiqh looked into Sunnī Fiqh for its scholarly accomplishments, and understanding the Shī'ī fiqh in a complete way, cannot be possible except for those who understand the Sunnī fiqh in a complete manner.¹

That is so because the features of quotation do not extend to the principles and the method of Fiqhī deduction, rather, it goes beyond that to quoting the method of Fiqhī categorization, as 'Allāmah 'Abd al-Hādī al-Faḍlī (d. 1434 AH) stated that the introduction of the ancient Fiqhī categorization in the field of Imāmī writings only came through the influence of the Sunnī Fiqhī writings.²

Some have tried to justify the influence of Sunnī fiqh and adopting it—on a fundamental and subsidiary level—by claiming that the Sunnī fiqh was the fiqh of the state. However, the reality of the matter belies that, at least during the period of the emergence of deductive Imāmī fiqh.

Al-Ṭūsī and his two teachers, al-Mufīd and al-Murtaḍā lived in the shadow of the Shī'ī Buyid state, wherein the Imāmīs had a great opportunity to spread their writings, in fact, to violate majority of the Sunnī and provoke their feelings through sectarian practices which were carried out on them with the aid of some of the Banī Buwayh leaders, which extended to their Masjids

1 Al-Sayyid Mundhir al-Ḥakīm: *Marāḥil Taṭawwur al-Ijtihād fī al-Fiqh al-Imāmī*, research published in *Majallat Fiqh Ahl al-Bayt*, 13th edition, 4th year, 1420 AH, 1999 CE.

2 *Al-Madhāhib al-Islāmiyyah al-Khamsah - Tārīkh wa Tawthīq*, pg. 184.

and homes.¹ Similarly the celebration of the ruling authority with al-Ṭūsī , at that time, reached such a point that the Khalīfah of the time, al-Qā'im bi Amr Allāh appointed him to the 'post of speech and information'. This post had an indescribable greatness and power at that time.² Similarly, Abū Naṣr Sābūr ibn Ardashīr—minister of Bahā' al-Dawlah al-Buwayhī—had endowed a treasure of books (great library) to the sect in their district in Karkh, Baghdād. He deposited valuable books of the sect and reliable origins in it. There was no

1 Shaykh al-Bahā'ī al-Āmilī (d. 1031 AH), in the biography of Mu'iz al-Dawlah al-Daylamī in *Tawḍīḥ al-Maqāṣid*, pg. 11, states:

وكان شديد التصلب في التشيع حتى أمر أن يكتب على أبواب الدور في بغداد لعن الله معاوية بن أبي سفيان لعن الله من غصب فاطمة فدكا لعن الله من اخرج العباس من الشورى لعن الله من نفى أبا ذر من المدينة إلى الريزة لعن الله من منع دفن الحسن عند جده

He was extreme in Shī'ism to such an extent that he instructed the following to be written on the doors of the houses in Baghdād: May the curse of Allah *سُبْحَانَهُ وَتَعَالَى* be on Mu'āwiyah ibn Abī Sufyān, may the curse of Allah be on the one who usurped Fadak from Fāṭimah, may the curse of Allah be on the one who removed al-Abbās from the *Shūrā* (consultative committee), may the curse of Allah be on the one who expelled Abū Dharr from Madīnah to Rabadhah, and may the curse of Allah be on the one who prevented Ḥasan from being buried next to his grandfather.

Hāfiẓ Ibn Kathīr has mentioned the incident in *al-Bidāyah wa al-Nihāyah*, 11/274:

ثم دخلت سنة إحدى وخمسين وثلاثمائة ... وفيها كتبت العامة من الروافض علي أبواب المساجد لعنة معاوية بن أبي سفيان وكتبوا أيضا لعن الله من غصب فاطمة حقها وكانوا يلعنون أبا بكر ومن أخرج العباس من الشوري يعنون عمر ومن نفى أبا ذر يعنون عثمان رضي الله عن الصحابة وعلى من لعنهم لعنة الله ولعنوا من منع من دفن الحسن عند جده يعنون مروان بن الحكم ولما بلغ ذلك جميعه معز الدولة لم ينكره ولم يغيره ثم بلغه أن اهل السنة محوا ذلك وكتبوا عوضه لعن الله الظالمين لآل محمد من الأولين والآخرين والتصريح باسم معاوية في اللعن فأمر بكتبت ذلك

Then came the year 351 AH... the masses from the Rawāfiḍ wrote on the doors of the Masjids, may the curse of Allah be on Mu'āwiyah ibn Abī Sufyān. They also wrote: May the curse of Allah be on the one who usurped the right of Fāṭimah, they were cursing Abū Bakr; the one who removed al-Abbās from the *Shūrā*, intending 'Umar; the one who expelled Abū Dharr, intending 'Uthmān—may Allah *سُبْحَانَهُ وَتَعَالَى* be pleased with the Companions *رَضِيَ اللَّهُ عَنْهُمْ* and curse those who curse them. They cursed those who prevented al-Ḥasan from being buried next to his grandfather, intending Marwān ibn al-Ḥakam. When all this reached Mu'iz al-Dawlah, he neither despised it nor changed it. Then the news reached him that the Ahl al-Sunnah wiped that out and replaced it with: May Allah *صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ* curse those who oppressed the family of the Prophet from the former and the latter ones, leaving the name of Mu'āwiyah, after which he instructed this to be written.

2 *Taṭawwur Ḥarakat al-Ijtihād 'ind al-Shī'ah al-Imāmiyyah*, pg. 271.

library in the world with better books than this one.¹

Hence, Ḥusayn ibn Shihāb al-Dīn al-Karakī al-‘Āmilī (d. 1072 AH) states in *Hidāyat al-Abrār*, discussing the sect’s history with regards to the science of principles:

ولم يكن للشيعة في أصول الفقه تأليف لعدم احتياجهم إليه لوجود كل ما لا بد لهم منه من ضروريات الدين ونظرياته في الأصول المنقولة عن أئمة الهدى إلى أن جاء ابن الجنيد فنظر في أصول العامة وفروعهم وألف الكتب على ذلك المنوال حتى إنه عمل بالقياس فلذلك أعرض القدماء عن كتبه ولما وصلت النوبة إلي الشيخ المفيد والسيد المرتضى والشيخ أكثروا البحث مع العامة واستدلوا على إثبات بعض أصول المذهب وفروعه بالأدلة العقلية الجدلية الموافقة لطريق العامة

The Shī’ah did not possess any books in the field of Uṣūl al-Fiqh as there was no need for it because of the existence of all the necessities of dīn and its theory in the principles transmitted from the Imāms of guidance, until the emergence of Ibn al-Junayd. He observed the principles and the subsidiary rulings of the masses and wrote books along those lines, to a point that he practiced Qiyās. Therefore, the former scholars avoided his books. When it was the turn of Shaykh al-Mufīd, Sayyid al-Murtaḍā, and the Shaykh², they intensified their discussions with the masses and to establish some of the principles and its subsidiaries, they inferred through dialectic intellectual evidences which conformed to the method of the masses.³

He further states:

اعلم أنه لا خلاف بين الإمامية قاطبة في وجوب التمسك بكلام أئمة الهدى والعمل به في أمور الدين وأن كل اجتهاد خالفه خطأ وأنه ليس عند أحد دلالة قطعية عقلية ولا نقلية على جواز التمسك بغيرهم في شيء من أمور الدين وأن العقل والنقل مطابقان على أن كل طريق يؤدي للاختلاف الموجب للفساد والفتن يحرم ارتكابه وأن التحليل والتحریم خاص بمن لا ينطق عن الهوى ومن تأمل فيما نذكره من الأحاديث في هذا الباب يجزم بأن استنباط أحكامه تعالي بالاجتهاد والرأي بلا نص صريح طريق ابتدعه العامة وأن العمل بالظن المستند إلى البراءة والقواعد الظنية

1 *Al-Dharī’ah ilā Taṣānīf al-Shī’ah*, 8/173.

2 Referring to Shaykh al-Ṭā’ifāh al-Ṭūsī.

3 *Hidāyat al-Abrār*, pg. 233.

الدلالة في إثبات نفس أحكامه تعالى من مخترعاتهم ... وأما القداماء من الإمامية فلم يخرجوا عن النص وكانوا إذا سألوا عما ليس عندهم فيه شيء أمسكوا وإن اضطروا إلي العمل بشيء من ذلك احتاطوا لأن الأئمة أمرهم بذلك ولم يكن لهم رغبة في البحث عما لم يقع ولم يرد فيه نص كما تشهد به مؤلفاتهم في الفتاوى نحو الرسالة لعلي بن بابويه والمقنع لولده الصدوق والمصباح للمرتضى والنهاية للشهي والمراسم لسار فإنهم لم يخرجوا عن النص وإن وقع فيها اختلاف فهو لاختلاف الحديث وأما المبسوط فإن الشيخ ألفه لسبب ذكره في أوله وهو أن بعض العامة شنَّع على الشيعة بأنه ليس لهم تأليف جامع في الفروع وأنهم إنما اقتصروا على العمل بالآخبار لعجزهم عن استنباط الفروع من أصولها فاجابه الشيخ بأن كل ما نحتاج إليه موجود في أخبارنا وكل فرع يفرض يمكننا رده إلى الأحاديث ومعرفة حكمه ومنطوقها أو مفهومها أو غير ذلك وألف الكتاب على ذلك النمط وربما استدل في مسائله أحيانا بما يوافق العامة وإن لم يكن معتقدا لصحتها

واعتماده في ذلك باطنا على ما ظهر له من الأحاديث الشريفة بمقتضى ما وصل إليه فهمه وأداه إليه نظره واقتضاه الحال باعتقاده والأفهام متفاوتة فربما تكلف في إرجاع الفرع الغريب إلى الحديث بوجه بعيد فأوهم ذلك عمله بالرأي والاجتهاد وحكي عنه ابن إدريس ونقله العلامة في المختلف وأشار إليه الشهيد الثاني في شرح الشرائع أنه جمع كتب الشافعية ولخص منه المبسوط وذكر فيه الأقوال والأدلة على اختلافها ورجح ما اختاره ولهذا اضطرب كلامه أحيانا حتى توهم المتأخرون أنه منهم ولو أنه ترك ذلك التكلف ولزم طريق من تقدمه من الأخباريين وأعرض عن البحث عما لا حاجة إليه كما فعله في النهاية لكان خيرا له وأصلح ... إلي أن قال ثم لما تمادى الزمان وكان لا بد لمن أراد التبحر في العلوم من مخالطة العامة وقراءة كتبهم ورأوا ما فيها من المباحث المبنية على الأنظار العقلية فمالت إليها طباعهم وغفلوا عن طريق القداماء وأكد ذلك ما رأوه في كلام السيد المرتضى والشيخ من الأدلة الموافقة لطريق العامة للإلزام وما أحدثه ابن إدريس من رد الأحاديث وحكمه بأنها كلها أو أكثرها آحاد لا تفيد العلم ولا العمل بمجرد فزادت الغفلة

Know well that there are no differences among the Imāmiyyah at all, regarding the obligation of adhering to the words of the Imāms of guidance and practicing upon them in the matters of dīn, that any Ijtihād that contradicts them is wrong, that no one has any definitive intellectual or transmitted evidence on the permissibility of adhering to anyone besides

them in the matters of dīn, that intellect and transmission agree that it is forbidden to adopt any path that leads to differences which cause discord and mischief and that declaring something *Ḥalāl* and *Ḥarām* (lawful and unlawful) is stipulated only for those who do not speak out of desire. Whoever reflects into the narrations that we have been mentioned in this chapter, will ascertain that to infer the commands of Allah ﷻ through Ijtihād and opinion, without any explicit text, is a way which is invented by the masses and that practicing on conjecture based on acquittal and presumptive rules which indicate to the establishment of Allah's commandments itself, are among their innovations. As for the former Imāmīs, they did not deviate from the texts and if they were questioned about something which they had no knowledge of, they would refrain. If they were compelled to practice on any of that, they would be cautious because the Imāms instructed them to do that. They had no desire to discuss that which did not occur and regarding which no text was transmitted, as their writings in fatwās are testament to that such as *al-Risālah* of 'Alī ibn Bābawayh, *al-Muqni'* of his son al-Ṣadūq, *al-Miṣbāḥ* of al-Murtaḍā, *al-Nihāyah* of the Shaykh (al-Ṭūsī), and *al-Marāṣim* of Sallār. They did not deviate from the text and if there were any differences, it was due to the differences in the narrations.

As for *al-Mabsūṭ*, the Shaykh wrote it for the reason he mentioned in the beginning, which is that some of the masses slandered the Shī'ah that they do not possess any comprehensive book in subsidiary rulings and that they sufficed on practicing on transmissions due to their inability in extracting subsidiary rulings from principles. The Shaykh responded to that by saying that whatever we need is present in our narrations and that we are able to refer every subsidiary ruling to the narrations, know its ruling, and the implication and meaning of the narrations etc. He wrote the book on that style. At times he inferred in some rulings through that which conforms to the masses even though he did not believe in its validity. His reliance in that, inwardly, was upon the narrations that appeared to him, in accordance to where his understanding reached, what his consideration led him to, and what he believed the situation demanded. Understandings are different. At times he exerted in referring strange rulings to narrations in a far-fetched manner, which created a perception that he practiced on opinion and Ijtihād. Ibn Idrīs narrated from him which al-'Allāmah quoted

in *al-Mukhtalaf*.¹ Al-Shahīd al-Thānī alluded to that in *Sharḥ al-Sharā'i*² that he gathered the books of the Shāfi'īs and summarised *al-Mabsūṭ* from them, mentioned views and evidences in it, despite the differences and gave preference to what he chose. Hence, at times his speech is confusing, to the point that the latter scholars perceived him to be from amongst them. If he had refrained from that exertion, held onto the path of the previous transmitters and abstained from discussing unnecessary matters, as he did in *al-Nihāyah*³, it would have been better for him...

Then as time passed and it was necessary for those who wanted to delve in knowledge, to mingle with the masses and read their books and they noticed, in them, discussions based on intellectual theories, their feelings inclined toward it and they forgot the way of the predecessors. That is confirmed by the evidences they observed in the speech of Sayyid al-Murtaḍā and al-Shaykh, which conforms to the way of the masses, for argument's sake; and by the denial of narrations which Ibn Idrīs introduced by ruling them to be al-Khabr al-Wāḥid which do not necessitate knowledge nor practice on their own. Thus, the ignorance increased.⁴

Al-Ḥurr al-ʿĀmilī (d. 1104 AH) endorses this theory in *al-Fawā'id al-Ṭūsiyyah* by saying:

1 Ibn al-Muṭahhar al-Ḥillī in *Mukhtalaf al-Shī'ah*.

2 Zayn al-Dīn al-ʿĀmilī in *Masālik al-Afhām ilā Tanqīḥ Sharā'i al-Islām*, which is a commentary of *Sharā'i al-Islām* of al-Muḥaqqiq al-Ḥillī.

3 *Al-Nihāyah fī Mujarrad al-Fiqh wa l-Fatāwā* of al-Ṭūsī. He wrote it before his two books, *al-Mabsūṭ* and *al-Khilāf*. Regarding it, he states in *al-Mabsūṭ*, 1/2:

وكنتم عملت على قديم الوقت كتاب النهاية وذكرت جميع ما رواه أصحابنا في مصنفاتهم وأصولها من المسائل وفرقوه في كتبهم ورتبته ترتيب الفقه وجمع من النظائر ورتبت فيه الكتب على ما رتبت للعلة التي بيئتها هناك ولم أتعرض للتفريع على المسائل ولا لتعقيد الأبواب وترتيب المسائل وتعليقها والجمع بين نظائرها بل أوردت جميع ذلك أو أكثره بالألفاظ المنقولة حتى لا يستوحشوا من ذلك

Some time ago, I wrote the book *al-Nihāyah* and I mentioned all the rulings that our companions narrated in their books and their origins, and scattered it in their books. I arranged it according to fiqhī sequence and combined the corresponding ones. I arranged the books in the way as I did, due to the reasons which I have mentioned there. I did not go into deducing rulings, setting up chapters, arranging rulings, commenting on them, and combining the corresponding rulings. Rather, I reported all or most of it in transmitted words so that they do not object to it.

4 *Hidāyat al-Abrār*, pg. 134-136.

وقد صرح الشيخ في العدة والمرضى في الذريعة وغيرها بأنه لم يصنف أحد من أصحابنا في الأصول شيئاً إلا الشيخ المفيد فإنه ألف رسالة غير وافية بما يحتاج إليه لاختصارها وذكروا أن التصنيف في هذا الفن قبل زمان الشيخ إنما كان من العامة والله أعلم

Al-Shaykh has declared in *al-'Uddah* and *al-Murtaḍā* in *al-Dharī'ah* etc., that none from our companions wrote anything regarding principles except al-Shaykh. He wrote a booklet which was insufficient for the need, due to its conciseness. They mention that before the era of al-Shaykh, writings in this field were only from the masses.¹ Allah ﷻ knows best.

After research, one would come to know that al-Shaykh and Sayyid al-Murtaḍā wrote in refutation of principles and not to establish it, as they have clearly declared the invalidity of *Ijtihād*, practicing on conjecture, and the invalidation of presumptive inference, except in rare cases where they overlooked opposing it due to the Imāms' narrations... till he says that some researches state that the first person to establish *Uṣūl al-Fiqh* is Abū Ḥanīfah. He extracted 100 rules to infer conjecture. From the Imāmiyyah, only al-Mufīd wrote a booklet that al-Shaykh mentioned in *al-'Uddah*, which we have seen. Thereafter, al-Shaykh wrote *al-'Uddah*, which in reality is a refutation of the laws of principles. Some of our latter scholars state that the reason behind the Imāmī scholars lack of writing in the field of *Uṣūl al-Fiqh*; from the time of the Prophet ﷺ till the beginning of the era of the major disappearance, a period that extends to more than 350 years and they only wrote after a long time after the disappearance; is that they believed in the authority of the presumptive perceptions that the scholars of the masses (the *Sunnīs*) laid down and they did not transgress the concepts except when there were lots of evidences indicating to it or they were supported by other texts. They only relied on the *Qur'ān* and the *Sunnah* and the clear apparent implications from it.²

From here on, differences intensified among the Imāmī jurists to such a degree that al-Muḥaqqiq al-Ḥillī (d. 676 AH) said regarding it:

1 The Ahl al-Sunnah.

2 *Al-Fawā'id al-Ṭūsiyyah*, pg. 236, benefit 54.

إننا نجد الفرقة المحقة مختلفة في الأحكام الشرعية اختلافا شديدا حتى يفتي الواحد منهم بالشيء ويرجع عنه إلى غيره فلو لم يرتفع الإثم لعمهم الفسق وشملهم الإثم

We find that the truthful sect differed intensely in Sharῑ rulings, to a point that one would issue a fatwā regarding something and then retract to something else. Thus, if sin had not been removed, lewdness and sin would have engulfed them.¹

An example of that is what ‘Allāmah Ibn al-Muṭahhar al-Ḥillī did when he compiled the controversies of the Imāmī jurists in Fiqhī rulings, from (the chapter of) purity to (the chapter of) blood money, from the beginning of the emergence of Imāmī fiqh till the time he wrote the book in 708 AH² which he titled *Mukhtalaf al-Shī’ah*.

An observer into the book will notice that the Imāmī jurists did not spare any chapter of fiqh except that they differed in it, as situations in some rulings prompted some of them to issue fatwā of its permissibility whilst others issued fatwā of its impermissibility.

Al-Ḥillī states in the forward of his book:

أما بعد فإنني لما وقفت على كتب أصحابنا المتقدمين ومقالات علمائنا السابقين في علم الفقه وجدت بينهم خلافا في مسائل كثيرة متعددة ومطالب عظيمة متبددة فأحببت إيراد تلك المسائل في دستور يحتوي على ما وصل إلينا من اختلافهم في الأحكام الشرعية والمسائل الفقهية دون ما اتفقوا عليه

Thereafter, when I observed the books of our former companions and the articles of our previous scholars, I found differences amongst them in many different rulings and many scattered demands. I intend presenting those rulings in a constitution that encompasses their differences that has reached us, in Sharῑ laws and Fiqhī rulings, not what they agreed upon.³

1 *Ma’ārij al-Qabūl*, pg.181. Refer to al-Fayḍ al-Kāshānī: *al-Uṣūl al-Aṣliyyah*, pg. 115; al-Astarābādī: *al-Fawā’id al-Madanīyyah*, pg. 319.

2 Āghā Buzurg al-Ṭahrānī sought assistance, in *al-Dharī’ah ilā Taṣānīf al-Shī’ah*, from several copies of *al-Mukhtalaf*. He mentions at the end of one of its parts, the date of al-Ḥillī’s completion of the book; that the period for the writing of *al-Mukhtalaf* is about ten years, as he began before 699 AH and the completion was around 708 AH, i.e. 18 years before his death.

3 *Mukhtalaf al-Shī’ah*, 1/173.

What is unique about the matter is that the number of parts of this book has reached nine large volumes,¹ despite the short period of time that al-Ḥillī wrote about, and his sufficing on a small number of Imāmi mujtahids and jurists, in comparison to their number from his time until today.

If it was destined for anyone to take this approach today, and write a book detailing the differences of the Imāmī scholars, from the beginning of the emergence of Imāmī Fiqh till today, he will need hundreds of volumes, because dissenting from the schools of the former jurists and the present one's contradiction with their formers, is continuous without interruption.

Shaykh Ja'far al-Shākhūrī alluded to this by saying:

لو قارنا بين رسالة منهاج الصالحين مثلا وبين رسالة الشيخ الصدوق المقنع أو رسالة الشيخ المفيد المقنعة لوجدنا الفرق شاسعا في الفتاوى

If we compare, for example, between the treatise *Minhāj al-Ṣāliḥīn*² and the treatise of Shaykh al-Ṣadūq, *al-Muqni'* or the treatise of Shaykh al-Mufīd, *al-Muqni'ah*, we would find a vast difference in the fatwās.³

He further states:

إن المتأخرين يمرون على بعض الفتاوى التي صدرت من كبار الأعاضم من القدماء وهم يتسّمون إشفاقا عليها

The latter scholars pass by some of the fatwās issued by the former senior greats, smiling, out of pity for them.⁴

Look at this. The discussion is about comparison between one of the former Mujtahids and one of the contemporaries. So, what will be the condition if the comparison is made with a group or all the Mujtahids?

It cannot be assumed that differences occurred between two different periods of time, between the former and the latter, or between the former and contemporary,

1 This number is according to the print of Markaz al-Nashr al-Tābi' li al-I'lām al-Islāmī, Qum, excluding the contents in the tenth volume.

2 Authored by the late Shīṭī scholar of reference, Abū al-Qāsim al-Khūṭī.

3 Forward of *Āyat Allāh al-'Uẓmā al-Sayyid Muḥammad Ḥusayn Faḍl Allāh wa Ḥarakiyyat al-'Aql al-Ijtihādī*, pg. 13.

4 *Āyat Allāh al-'Uẓmā al-Sayyid Muḥammad Ḥusayn Faḍl Allāh wa Ḥarakiyyat al-'Aql al-Ijtihādī*, pg. 21.

or between Uṣūlīs and Akhbārīṣ only, rather, it occurred between a teacher and his student and between a teacher and his teacher.

From amongst this is what Sayyid Ibn Ṭāwūs (d. 664 AH) mentioned in *Kashf al-Maḥajjah* that Saʿīd ibn Hibat Allāh al-Rawandī (d. 573 AH)—who is one of the foremost commentators *Nahj al-Balāghah*—had written a book¹ pertaining to the differences that occurred between Shaykh al-Mufīd and al-Murtaḍā. They were the greats of their time, particularly al-Mufīd. In this booklet, he mentioned about ninety-five rulings wherein the differences between them occurred due to the science of Uṣūl. In the end he states:

لو استوفيت ما اختلفا فيه لطال الكتاب

If I have to encompass what they differed on, the book would become too lengthy.²

Al-Fayḍ al-Kāshānī (d. 1091 AH) has commented on this text by saying:

ومما يزيد ذلك تأكيدا التعليقات التي كتبها الشيخ المفيد على اعتقادات الصدوق
أبي جعفر بن بابويه فإنه خالفه فيها في كثير من العقائد الدينية وطعن فيه لأجلها
وبالغ في ذلك

What confirms this even more, are the comments which Shaykh al-Mufīd wrote regarding the beliefs of al-Ṣadūq Abū Jaʿfar ibn Bābawayh. He differed with him in many of the religious beliefs and criticised him exaggeratedly.³

When you are aware that Shaykh al-Mufīd is the teacher of Shaykh al-Murtaḍā and that differences occurred between them in principles to this extent; and you are also aware that Abū Jaʿfar ibn Bābawayh al-Qummī is the teacher of al-Mufīd and that he also was not safe from criticism on the level of beliefs, let alone fiqh, then what will be the expected image of the differences among those Imāmī jurists who do not have the teacher-student connection?

1 Āghā Buzurg al-Ṭahrānī mentions in *al-Dharīʿah ilā Taṣānīf al-Shīʿah*, 1/361-362, that its name is *al-Ikhtilāfāt*.

2 *Kashf al-Maḥajjah li Thamarat al-Muhjah*, pg.20.

3 *Tashīl al-Sabīl bi al-Ḥujjah*, Pg. 25, researched by Ḥāmid al-Khaffāf, Muʿassasah Āl al-Bayt li Ḥyāʾ al-Turāth, Beirut, first print, 1413 AH – 1993 CE.

It becomes clear from research that contradictions are not the products of the era of the Imāmī Fiqh's emergence—after the disappearance of the awaited Mahdī—rather, they are deep contradictions which are continuing from the era of the Twelve Imāms till present day, as Shaykh Ja'far al-Shākhūrī expressed it by saying:

ومن مسائل الفقه إلى تفاصيل العقيدة نجد أن جذور الخلاف بين أعظم علمائنا من عمق عصور الأئمة إلى الوقت المعاصر ...

From Fiqhī rulings to details of beliefs, we find that the root of contradictions among most of our scholars, from the depths of the Imāms' year till present day...¹

Sayyid Abū al-Qāsim al-Khū'ī alluded to this in his book *al-Ijtihād wa al-Tablīgh* where he states that the differences among the companions of the Imāms in fatwās—let alone others—were plenty, rather, it is the prevailing issue. Despite this, they are all considered—in his opinion—as evidence, as long as the people do not know of the differences among them.²

Thus, every Imāmī Mujtahid is an established school on his own, who has followers who are not permitted to follow any other Mujtahid besides him.

This is what the late Shī'ī scholar of reference, Sayyid Muḥammad Ḥusayn Faḍl Allāh (d. 1431 AH) acknowledged to by saying:

إن المشكلة التي نواجهها في تعدد المرجعيات هي المشكلة التي نواجهها في تعدد المذاهب الفقهية لأن المرجعيات هي مذاهب فقهية متعددة من خلال طبيعة تنوع الفتاوى وتنوع النظريات في هذا المجال

The problem we face in multiple religious authorities is the same problem we face in multiple Fiqhī schools because the religious authorities are multiple Fiqhī schools through the nature of diverse fatwās and theories in this field.³

1 *Āyat Allāh al-'Uzmā al-Sayyid Muḥammad Ḥusayn Faḍl Allāh wa Ḥarakiyyat al-'Aql al-Ijtihādī*, pg. 181.

2 Al-Khū'ī: *al-Ijtihād wa al-Tablīgh*, pg. 137.

3 *Al-Ma'ālim al-Jadidah li al-Marja'iyyah al-Shī'iyyah*, pg. 117.

The reality of Imāmī fiqh or what is known presently as *al-Madhab al-Jaʿfarī* (Jaʿfarī School), is no more than views and fatwās of jurists and Mujtahids. In reality, the fiqh which is known as the Jaʿfarī fiqh is not views or fatwās of Jaʿfar al-Ṣādiq or any of the Twelve Imāms of the Ahl al-Bayt, to whom this fiqh is firmly attributed to.

Thus, a jurist does not transmit the view of an Imām. Every jurist has an academic treatise and fatwās which represent his opinion and his Ijtihād, not the Imām’s opinion or view. Every jurist has a group of followers who are not permitted to follow anyone else.

If the views of the jurists represented the view of the Imām, or if it were the Imām’s actual view, there would be unity. Then they would neither differ and nor forbid their follower from following anyone other than their mentor.

You would hardly browse through any practical treatise of any of the sect’s religious authorities and you would be confronted in it; through amazing phrases in another issue from the book of Ijtihād and Taqlīd, in almost the same sequence as all the jurists; with the statement of the religious authority:

عمل العامي بلا تقليد ولا احتياط باطل

The practice of any layman without Taqlīd and caution is invalid.¹

A Shīʿī layman, no matter how great he is, has no choice but to follow a religious authority, or else his actions will be void and will not be accepted by Allah ﷻ. This ruling is established in all the practical treatises which the religious authorities wrote for their followers.

Worst than this, is that they grant the same sanctity to the fatwās of the Mujtahids as the views of the infallible Imāms—according to their belief—because it is forbidden to refute a jurist just as it is forbidden to refute an Imām.

The verbal slogan hurled in the Shīʿī arena is:

1 Al-Khūṭī: *Minhāj al-Ṣāliḥīn*, 1/5; al-Sīstānī: *Minhāj al-Ṣāliḥīn*, 1/9; al-Rūḥānī: *Minhāj al-Ṣāliḥīn*, 1/7; al-Fayyāḍ: *Minhāj al-Ṣāliḥīn*, 1/7.

إن الراد على المجتهد راد علي الإمام والراد علي الإمام راد علي رسول الله صلى الله عليه وسلم والراد علي رسول الله راد علي الله تعالي

Indeed, anyone who refutes a Mujtahid, refutes an Imām, one who refutes an Imām, refutes the Prophet ﷺ, and one who refutes the Prophet ﷺ refutes Allah ﷻ.

Hence, Shaykh Muḥammad Riḍā al-Muẓaffar states:

وعقيدتنا في المجتهد الجامع للشرائط أنه نائب للإمام في حال غيبته وهو الحاكم والرئيس المطلق له ما للإمام في الفصل في القضايا والحكومة بين الناس والراد عليه راد على الإمام والراد على الإمام راد على الله تعالي وهو على حد الشرك بالله كما جاء في الحديث عن صادق آل البيت

Our belief in a Mujtahid who fulfils all the conditions is that he is the representative of the Imām in his absence. He is the ruler and the absolute leader. He has the same rights to judge in cases and leadership among the people as the Imām. One, who refutes him, refutes the Imām; and one who refutes the Imām, refutes Allah ﷻ, and he is on the verge of polytheism, as reported in a narration from a truthful person from the Ahl al-Bayt...¹

This is what the contemporary Shīʿī scholar of reference Muḥammad Saʿīd al-Ḥakīm confirms in his practical treatise, *Minhāj al-Ṣāliḥīn*, by saying:

الحاكم الشرعي هو المجتهد العادل فإنه هو المنصوب من قبل أئمة أهل البيت للحكم والقضاء فيجب الترافع إليه عند النزاع والتخاصم وينفذ حكمه في فصل الخصومة ولا يجوز رد حكمه بل الراد عليه كالراد على الأئمة الذي هو كالراد على الله تعالي وهو على حد الشرك بالله كما في الحديث الشريف

The Sharī ruler is the just Mujtahid, as he is appointed by the Imāms of the Ahl al-Bayt for rule and judgement. Thus, it is necessary to raise all disputes and arguments to him. His ruling will be implemented in judging disputes. It is not permissible to refute his ruling. In fact, refuting him is like refuting the Imāms which is like refuting Allah ﷻ and that is on the verge of polytheism, as reported in a Ḥadīth.²

1 'Aqā'id al-Imāmiyyah, pg.34.

2 Minhāj al-Ṣāliḥīn, 1/9.

However, these jurists (authorities of Taqlīd) differ greatly amongst themselves and their practical treatises¹ clearly attest to that.

The differences amongst their followers reached to such point that they do not perform ṣalāh behind those who follow another religious authority and the religious authorities differ amongst themselves to such an extent that each one claims to be the most learned and that it is not permissible to follow anyone besides him, if that person's superiority in knowledge is proven to the follower.

This is contrary to the unsatisfactory competition among the authorities of Taqlīd regarding religious or political leadership sometimes. That is why crossfire and accusations of deviation, misguidance, collaborating with regimes and usurping the wealth of Khums corruptly became common amongst them.²

1 *Al-Risālah al-'Amaliyyah* (practical treatise) refers to that book which contains both type of Shar'ī rulings (act of worship and dealings), issued by the religious authority of the sect (authority of Taqlīd) to his followers to practice upon, in their religious and worldly affairs. These treatises are generally given a specific name through which they are recognised such as *Minhāj al-Ṣāliḥīn* or *Wasīlat al-Najāt* or *Ajwibat al-Istiftā'āt* etc.

2 Some examples of that are:

1. Issuance of a collection by some professors of the academic seminary in Qum, who are: Ḥusayn al-Shāhrūdī, Aḥmad al-Mūdī, Muṣṭafā al-Harandī, 'Alī Riḍā al-Ḥāḍirī, Muḥammad Hādī Āl Rāḍī, Ḥusayn al-Najātī, Bāqir al-Īrawānī, Ḥasan al-Jawāhirī, clearly denouncing in it the views of the late Shī'ī scholar of reference, Sayyid Muḥammad Ḥusayn Faḍl Allāh, which they described to be contradictory to accepted essentials of the Imāmī sect. They asked the believers to be aware and alert and abstain from established necessary aspects of the sect which they are required to and stay away from what they called suspicions and doubts.

Āyat Allāh al-Muḥaqqiq al-Sayyid Ja'far Murtaḍā al-'Āmilī has compiled, in his book *Khalafiyyāt Ma'sāt al-Zahrā'*, in five volumes, what he considers as fatal historical, Fiqhī and belief errors of Faḍl Allāh with regards to Allah ﷻ, the prophets ﷺ, Imāms of the Ahl al-Bayt, Fāṭimah al-Zahrā', the Shī'ah etc. So, ponder!

The late Shī'ah scholar of reference al-Mīrẓā Jawād al-Tabrīzi and the contemporary Shī'ī scholar of reference Shaykh Ḥasan Waḥīd al-Khurāsānī have described Muḥammad Ḥusayn Faḍl Allāh, in their vast lessons in the great Masjīd in the city of Qum, as deviated and misguided. They warned the people from falling into his doubts and deviations. Al-Tabrīzi prohibited following him, reading his books and promoting them.

continued...

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The contemporary Shīṭ scholar of reference, Sayyid Kāzim al-Ḥarā'irī issued a fatwā regarding Muḥammad Ḥusayn Faḍl Allāh, negating his knowledge and that following him does not absolve one of his responsibility. Then after his demise, he moved away from criticising him and permitted anyone following him to remain on that. He said in a statement mourning him:

قد شكل رضوان الله عليه ظاهرة بين أقرانه في الدفاع عن الإسلام ورفد الوعي المتنامي في أوساط مفكري الأمة
ومتقفيها فأدى مسؤولياته

He (may Allah be pleased with him) became a phenomenon among his peers in defending Islam and supporting its growing awareness among thinkers and intellectuals. Thus, he fulfilled his responsibilities.

2. The late Shīṭ scholar of reference Sayyid Muḥammad ibn Mahdī al-Ḥusaynī al-Shīrāzī (d. 1422 AH), during his leadership of the religious authority of al-Shīrāziyyah, was subjected to a campaign of questioning his eligibility for the rank of Ijtihād and eventually the eligibility of religious authority. I have come across some answers to referendums issued by some Shī'ah of Kuwait about al-Shīrāzī's stability, wherein the late Shī'ah scholar of reference Shaykh Murtaḍā Āl Yāsīn al-Kāzimī (d. 1398 AH) and the late Shīṭ scholar of reference Abū al-Qāsim al-Khūṭī have declared his ineligibility for Ijtihād, let alone him ascending to the rank of religious authority.

As for Iran (the republic ruled by the system of Guardianship of the Jurist), the Shīrāzīs report in their articles and forums that al-Shīrāzī, after announcing 'the Shūrā of the Jurists', was subjected to a lot of harassment in his life like surveillance and house arrest. In fact, they say that his son Sayyid Murtaḍā—before he was smuggled from Iran to Kuwait—was arrested for spreading his father's theory (Shūrā of the jurists) and his criticism of the Guardianship of the Jurist. He was sentenced to more than one year in prison with his brother Mahdī al-Shīrāzī and his body and neck was burnt with nitric acid. The Shīrāzīs claim that their religious authority, al-Shīrāzī was killed by the intelligence services in Kulbāyilkān hospital, through an injection which was administered to him whilst he was in coma. He was forcefully buried in Qum, in the shrine of Fāṭimah bint Mūsā al-Kāzim—known by the sect as the sanctuary of the infallible lady—against his will that he should be buried temporarily in his house until it is possible to bury him in Karbalā'.

Continuing on the oppression that befell him, the authorities of the Iranian regime buried his body in one of the corridors of the noble sanctuary so he could be trampled and covered it with a carpet so that no one would notice it. Thereafter, this corridor was attached to the women prayer area so that no men could visit it.

The assault was completed on the 'Alawī women from al-Shīrāzī's family through severe beating, arrest and imprisonment, if they visited their father's grave.

continued...

If these jurists were following the school of Ja‘far al-Şādiq in reality, they would not have differed amongst themselves in one Fiqhī ruling, because the views of the infallible do not multiply or contradict, let alone differing in this astonishing way.

Yes, it is possible to differ in new Fiqhī issues¹ and developments; however, in essence, our discussion does not entail this. Our discussion is with regards to many Fiqhī rulings wherein it is assumed that the view is that of the infallible Imām.

Perhaps the clearest evidence that the Imāmīs do not follow the school of Ja‘far al-Şādiq, rather, they follow the schools of their jurists and Mujtahids, is that it

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Then the authorities poisoned his son, the jurist Āyat Allāh al-Sayyid Muḥammad Riḍā al-Shīrāzī, hoping to cut off the continuity of the Shīrāzī authority.

Āyat Allāh al-Sayyid Mujtabā Mahdī al-Shīrāzī, in video footage, declared infidelity for the contemporary Shīī scholar of reference Sayyid ‘Alī Khamenei and considered him to be a Nāşibī who hated the Ahl al-Bayt.

3. If it were not for the fear of prolongation and digression into what is outside the discussion, I would have reviewed the great dispute raging among the following:
 - » Between the late Shīī scholar of reference Rūḥ Allāh Khomeini (d. 1410 AH) and the late Shīī scholar of reference Muḥammad Ṭāhir al-Khāqānī (d. 1406 AH).
 - » Between Khomeini and the late Shīī scholar of reference, Sayyid Muḥammad Kāẓim Sharī‘atmadārī (d. 1406 AH).
 - » Between the contemporary Shīī scholar of reference Sayyid ‘Alī Khamenei and the late Shīī scholar of reference, Shaykh Ḥusayn ‘Alī al-Muntaẓirī (d. 1431 AH).
 - » Between the late Shīī scholar of reference, Muḥammad ibn Muḥammad Şādiq al-Şadr (d. 1419 AH) and the contemporary Shīī scholar of reference, Sayyid ‘Alī al-Sīstānī and all the mutual accusations in this regard.
 - » Between al-Sīstānī also and the contemporary Shīī scholar of reference, Sayyid Aḥmad al-Ḥusaynī al-Baghdādī.
 - » Between al-Sīstānī also and his student, the contemporary Shīī scholar of reference, Muḥammad Mūsā al-Ya‘qūbī, in addition to the stance of the religious authorities regarding ‘Shaykhism’ and the authority of the late Shīī scholar of reference, al-Mīrzā Ḥasan al-Ḥā’irī (d. 1421 AH) and his son ‘Abd al-Rasūl (d. 1424 AH). Discussions in this regard are lengthy.

1 New Fiqhī issues here can be defined as: Rulings that were deduced by later jurists when they were asked about them, and they did not find any narration from the Twelve infallible Imāms or any transmission from the companions of the Imāms and those after them, whether in word or in action.

is prohibited, according to them,¹ for a layman to follow a deceased jurist from inception, unless he had followers during his life time.² If the school and fiqh of this deceased jurist was in actual fact the fiqh and school of Ja‘far al-Şādiq, it would not have been prohibited to follow him after his death because the fiqh and knowledge of an infallible Imām does not die off or change due to his death. Either the fiqh which they left behind, corresponds to the school of Ja‘far al-Şādiq, in that case, what was left behind after the death of the jurist, is the school of Ja‘far al-Şādiq or it is not like that, then in this case they were not on his school from the beginning. Both the matters confirm that Imāmī fiqh is in one valley and fiqh of Ja‘far al-Şādiq is in another valley.

7. Problems in applying rules of ḥadīth and narrators on the Shī‘ī School’s narrations

The science of *isnād*³ and narrations is a distinguished characteristic of the Ummah of the Prophet ﷺ, which was not bestowed to any other nation.

Allah ﷻ has honored and favored this Ummah with *isnād*. None of the other nations, old or new, had *isnād*. They merely had scriptures with them and they mingled their transmissions with their books, as a result they could not distinguish between what was revealed in the *Tawrāh* and *Injīl* (Gospel) from what their Prophets brought and from the transmissions that they added to their books which were taken from unreliable people.

This Ummah only narrates ḥadīth from a reliable person, known in his time and famous for truthfulness and trustworthiness, who narrates from similar persons till the end of the narration. Then they research most diligently, till they find the best in memorizing, the most accurate, and the one who accompanied those above him the longest from those who accompanied less...⁴

1 Referring to the Uşūlīs who represent the greatest and dominant movement on the Imāmī scene, to whom all the known Shī‘ī religious authorities are attributed to.

2 In other words, there is a difference between following a deceased jurist from inception and between following him during his lifetime, thereafter continuing to follow him after his death.

3 Science related to the chain of narrations.

4 Al-Khaṭīb al-Baghdādī reported it in *Sharaf Aşḥāb al-Ḥadīth*, pg. 41, though his chain from al-Ḥāfiẓ Muḥammad ibn Ḥātim ibn al-Muẓaffar.

Regarding the importance of isnād and the diligence about its narrators, Ibn al-Mubārak stated:

الإسناد من الدين لو لا الإسناد لقال من شاء ما شاء

Isnād is from dīn. If there was no isnād, anyone would say whatever he wished.¹

He also stated:

مثل الذي يطلب أمر دينه بلا إسناد كمثل الذي يرتقي السطح بلا سلم

The example of a person who seeks the matter of his dīn without isnād is like the one who climbs the rooftop without a ladder.²

Al-Ḥākim al-Naysābūrī (d. 405 AH) states:

لو لا الإسناد وطلب هذه الطائفة له وكثرة مواظبتهم علي حفظه لدرس منار الإسلام ولتمكن أهل الإلحاد والبدع فيه بوضع الأحاديث وقلب الأسانيد فإن الأخبار إذا تعرت عن وجود الأسانيد فيها كانت بتراء

If there was no isnād, the desire of this group for it and their perseverance upon preserving it, the landmarks of Islam would become extinct and the atheist and the innovators would be able to fabricate aḥādīth and change the chains (of narrations). Any narration that is free of isnād is incomplete.³

Thus, obtaining isnād and seeking superiority in it and research about the evaluation of its people, i.e. narrators of ḥadīth, is one of the most obligatory responsibilities to preserve the blessed Sunnah of the Prophet ﷺ and Ḥadīth.⁴

1 Reported by Muslim in the Foreword of his *Ṣaḥīḥ*.

2 *Sharaf Aṣḥāb al-Ḥadīth*, pg. 41.

3 *Ma'rifat 'Ulūm al-Ḥadīth*, pg. 6

4 From the nature of sciences is that they overlap in some areas and diverge in other. The science of ḥadīth is also just like these sciences. It does not deviate from them. It is in touch with some of the other Shar'ī sciences. Whatever is said about it, the same is said about the science of *Dirāyah* (methodology of Ḥadīth), and *Rijāl* (biographical evaluation of narrators of Ḥadīth) as it includes them, as the overlap between them is deep. The unifying element between the two sciences of *Dirāyah* and *Rijāl* is *Sanad* (chain of narrations). Hence, the definition of an authentic ḥadīth is: that whose chain is continuous through the narration of a just, accurate person, who narrates from a similar person till the end, from the beginning of the chain till the end without any abnormality or reason for criticism.

Ibn Sīrīn (d. 110 AH) has alluded to the obligation of scrutinizing the condition of the narrators from whom ḥadīth is narrated, by saying:

إِن هَذَا الْعِلْمَ دِينَ فَانظُرُوا عَمَّن تَأْخُذُونَ دِينَكُمْ

This knowledge is dīn, so see who you take your dīn from.¹

The Muḥaddithīn from the Ahl al-Sunnah made a tremendous effort in preserving the noble Sunnah of the Prophet صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ, in narration and methodology. They set out laws and scrutinized the conditions of narrators who transmitted the narrations, until this knowledge, in its entirety and in detail, was considered to be their knowledge to which no one had preceded them. Whoever came after them, from the Imāmiyyah and others, based their knowledge on them, immaterial of whether they attributed the credit to them or attributed it to their predecessors.

Muḥammad ibn Idrīs al-Shāfi‘ī (d. 204 AH), in his book *al-Risālah*, took precedence in mentioning the most important topics of *Uṣūl al-Ḥadīth* (principles of Ḥadīth)², meanwhile Ḥasan ibn ‘Abd al-Raḥmān al-Rāmahurmuzī (d. 360 AH) is considered to be the first to write an exclusive book in the science of Ḥadīth which he titled *al-Muḥaddith al-Fāṣil bayn al-Rāwī wa al-Wā‘ī*.

1 Reported by Muslim in the Foreword of his *Ṣaḥīḥ*.

2 The researcher of the book, Shaykh Aḥmad Shākir states:

إِن أَبْوَابَ الْكِتَابِ وَمَسَائِلَهُ الَّتِي عَرَضَ الشَّافِعِيُّ فِيهَا لِلْكَلَامِ عَلَى حَدِيثِ الْوَاحِدِ وَالْحُجَّةِ فِيهِ وَإِلَى شُرُوطِ صِحَّةِ الْحَدِيثِ وَعَدَالَةِ الرَّوَاةِ وَرَدِّ الْخَبْرِ الْمُرْسَلِ وَالْمَنْقَطِعِ إِلَيَّ غَيْرَ ذَلِكَ مِمَّا يَعْرِفُ مِنَ الْفَهْرَسِ الْعِلْمِيِّ فِي آخِرِ الْكِتَابِ هَذِهِ الْمَسَائِلُ عِنْدِي أَدَقُّ وَأَعْلَى مَا كَتَبَ الْعُلَمَاءُ فِي أَصُولِ الْحَدِيثِ بَلْ إِنْ الْمَتَّفِقَةُ فِي عُلُومِ الْحَدِيثِ يَفْهَمُ أَنَّ مَا كَتَبَ بَعْدَهُ إِنَّمَا هُوَ فُرُوعٌ مِنْهُ وَعَالَةٌ عَلَيْهِ وَإِنَّهُ جَمَعَ ذَلِكَ وَصَنَفَهُ عَلَيَّ غَيْرَ مِثَالِ سَبَقَ لَهُ أَبُوهُ

The chapters of the book and the rulings which al-Shāfi‘ī has presented to discuss al-Khabr al-Wāḥid and evidence for it, as well as the conditions for the authenticity of ḥadīth and the narrators, the refutation of *Mursal* (narrations where a non-Companion narrates from the Prophet صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ) and *Munqaṭi‘* (narrations wherein one or more narrators are missing) etc., which are known from the academic index at the end of the book, these rulings, according to me, are the most precise and valuable of what the scholars have written regarding Uṣūl al-Ḥadīth. In fact, any one well versed in the science of Ḥadīth will understand that whatever was written after him was deduced and dependant on it and that he compiled and wrote that in an unparallel manner.

Regarding the importance of the science of Dirāyah,¹ the late Shīī scholar of reference Sayyid ‘Alī al-Fānī al-Iṣfahānī (d. 1409 AH) states:

وأهمية بحوث دراية الرجال لا تقل أهمية عن البحوث الأصولية لتوقف الاستنباط عليها كما يتوقف على غيرهما وذلك لأن جل الأحكام التي بين أيدينا وصلت عبر الروايات المسندة بأسانيد غير مقطوعة الصحة والاعتبار ويحتاج تنقيح الصحيح منها إلى نظر دقيق وعناية فائقة لمعرفة صحة الطريق إلى الرواية ليُصحح إسنادها إلى المعصوم جائزا والعمل بمقتضاها مقبولا

The importance of the research of the knowledge of narrators is no less than the research of principles, as deduction is based on it just as it is based on others. This is because most of the rulings that are before us, reached us through narrations supported by chains whose authenticity and consideration is not certain. Revising the authentic ones requires careful consideration and great care, to know the correct path to the narration so that its attribution to the infallible Imām is correct and practicing on its demand is acceptable.²

1 Definitions have differed in determining the meaning of this terminology. Perhaps it is appropriate for me to suffice on the definition of Zayn al-Dīn al-‘Āmilī (d. 965 AH) that:

علم يبحث فيه عن متن الحديث وطرقه من صحيحها وسقيمها وعللها وما يحتاج إليه ليعرف المقبول منه والمردود

It is a science in which the text and chain of the ḥadīth is discussed, whether it is authentic or unauthentic, its defects and whatever is needed to recognise the accepted ones and the rejected ones.

As for the science of *Rijāl* (narrators), which is based on it, the contemporary Shīī scholar of reference Shaykh Ja‘far al-Subḥānī defines it by saying:

علم يبحث فيه عن أحوال الرواة من حيث اتصافهم بشرائط قبول أخبارهم وعدمه ... والمطلوب المهم في هذا العلم حسبما يكشف عنه التعريف هو التعرف على أحوال الرواة من حيث كونهم عدولا أو غير عدول موثقين أو غير موثقين ممدوحين أو مذمومين أو مهملين أو مجهولين والاطلاع على مشايخهم وتلاميذهم وحياتهم وأعمارهم وطبقاتهم في الرواية حتى يعرف المرسل عن المسند ويميز المشترك إلى غير ذلك مما يتوقف عليه قبول الخبر

It is the science which discusses the conditions of narrators in terms of them possessing the conditions of accepting their narrations or not... the important requirement in this science—as the definition reveals—is to identify the conditions of the narrators in terms of them being just or unjust, reliable or unreliable, praised or criticised, disregarded or anonymous, and information about their teachers, students, their life, their era and their status in narration so that one distinguish which is Mursal, or Musnad or Mushtarak, etc., on which the acceptance of the narration depends.

2 *Buḥūth fī Fiqh al-Rijāl*, pg. 41.

The late Shīī scholar of reference Sayyid Shihāb al-Dīn al-Mar‘ashī al-Najafī states:

إن من أشرف العلوم الإسلامية علم الدراية الذي هو بمنزلة المقدمة لعلم الرجال
وكلاهما من أهم علوم الحديث وعليهما تدور رحي استنباط الأحكام ورد الفروع
إلى الأصول

From amongst the noblest of Islamic sciences is the science of Dirāyah, which is like an introduction to the science of Rijāl. Both these sciences are amongst the most important sciences of Hadīth. Deriving of rules and referring subsidiaries to the principles revolves around them.¹

Despite this importance that al-Fānī al-Iṣfahānī and al-Mar‘ashī al-Najafī spoke about, anyone who examines the history of the emergence and development of the science of Dirāyah among the Imāmī Shī‘ahs would realize—without the slightest doubt—that the Imāmīs did not have, in the era of the formation of the Imāmī Ḥadīth, any concern about this science or great knowledge of it. Hence, they did not have any special book in Uṣūl al-Ḥadīth and its sciences, until the time of Shaykh Zayn al-Dīn al-‘Āmilī (d. 965 AH), known as *al-Shahīd al-Thānī* (the second martyr), as stated by a group of Imāmī scholars.²

The reason for this, as Ghulām Ḥusayn Qayṣariyyah states, is that:

لما كانت الشيعة في زمن الأئمة غير محتاجة إلى علم الدراية لأنهم مرتبطون بالأئمة
ومعتمدون على الأصول المصنفة وعندهم قرائن كانوا يعولون عليها وكانت القرائن
لا تزال موجودة عند المتقدمين من الأصحاب لم يهتموا بهذا العلم ولم يدونوا
أصوله ولم يؤلفوا فيه تأليفا

Since the Shī‘ahs, in the time of the Imāms, had no need for the science of Dirāyah—as they were linked to the Imāms and relied on the written principles and had evidences which they depended on, and the evidences were always present among the former companions—they neither cared about this science nor compiled its principles, nor wrote any books about it.³

1 Foreword of *Sharḥ al-Bidāyah*, pg. 9, researched by Muḥammad ‘Alī al-Baqqāl.

2 Al-Karakī: *Hidāyat al-Abrār*, pg. 104; al-Ḥurr al-‘Āmilī: *Amal al-Āmil*, 1/86; Kāzīm Mudīrshānīh: *‘Ilm al-Ḥadīth*, pg. 167.

3 *Rasā’il fī Dirāyat al-Ḥadīth*, pg. 108, (*Risālat al-Bidāyah fī ‘Ilm al-Dirāyah*)

Ḥusayn ibn Shihāb al-Dīn al-Karakī al-‘Āmilī (d.1076 AH)—during the course of his criticism of the approach of some of the Imāmī scholars who preceded him—disclosed the method in which the rules of sciences of Ḥadīth and its terminology were quoted from the Sunnīs by stating:

ولم يكن للإمامية تأليف في الدراية لعدم احتياجهم إليها ومخالفة عمدة مقاصدها لطريق القدماء وكون العمل بها يوجب سوء الظن بالسلف الصالح وعدم الاعتماد عليهم وتخطئتهم فيما شهدوا بصحته وما أشبه ذلك بالماء الصافي يلقي فيه التراب فيكدره وأول من ألف في الدراية من أصحابنا الشهيد الثاني اختصر دراية ابن الصلاح الشافعي في رسالته ثم شرحها وحيث لم يطلع على عدة الشيخ ولا علي أصول المحقق ليعرف الفرق بين طريق القدماء والمتأخرين كما عرفه ولده الشيخ حسن أخذته الحيرة وأكثر الاعتراض على الشيخ وغيره في العمل بالأخبار

The Imāmīyyah did not have a compilation in Dirāyah due to their lack of need for it and the contradiction of its primary objectives from the way of the formers, and the fact that practising on it necessitates having bad thoughts about the righteous predecessors, not trusting them, and error in what they testified to be true. How similar is that to pure water in which dirt is thrown and it becomes dirty. The first to write in the science of Dirāyah, from among our companions, is al-Shahīd al-Thānī who summarized the Dirāyah of Ibn al-Ṣalāḥ al-Shāfi‘ī in his treatise and then commentated on it. Since he was not aware of Shaykh’s ‘*Uddah*¹ or al-Muḥaqqiq’s *al-Uṣūl*,² he did not know the difference between the way of the formers and the latter ones, as his son Shaykh Ḥasan knew it. He was confused and objected excessively on Shaykh and others for practicing on the transmissions.³

The Imāmīyyah are unanimous that dividing Ḥadīth into four categories (i.e. Ṣaḥīḥ, Ḥasan, Muwaththaq, and Ḍa‘īf) was invented by ‘Allāmah Ibn al-Muṭahhar al-Ḥillī (d. 726 AH),⁴ according to the popular view, or his teacher Sayyid Aḥmad ibn

1 i.e., ‘*Uddat al-Uṣūl* of Shaykh al-Tā‘īfah al-Ṭūsī.

2 i.e., *Ma‘ārij al-Ūṣūl* of Muḥaqqiq al-Ḥillī.

3 *Hidāyat al-Abrār*, pg. 104.

4 The official birth of the new terms and the official announcement of the Ḥadīth’s categorization was in the book *Muntahā al-Maṭlab fī Taḥqīq al-Madḥab*, 1/9-10, of Ibn al-Muṭahhar al-Ḥillī. It is mentioned that he applied or tried to apply the new terms to the sect’s narrations in two books attributed to him.

continued...

Ṭāwūs (d. 673 AH). They are unanimous that this categorization and terminology was not known to the sect before. It was taken from the sciences of the Ahl al-Sunnah to a point that it became a path which the Imāmī Uṣūlīs emulated till today.

Regarding this, Shaykh Ḥasan ibn Zayn al-Dīn al-‘Āmilī (d. 1011 AH) states in *Muntaqā al-Jumān*:

أكثر أنواع الحديث المذكورة في دراية الحديث من مستخرجات العامة بعد وقوع معانيها في حديثهم فذكروها بصورة ما وقع واقتفي جماعة من أصحابنا في ذلك أثرهم واستخرجوا من أخبارنا في بعض الأنواع ما يناسب (مصطلحهم) وبقي منه كثير على حكم محض الفرض ولا يخفى أن البحث عما ليس بواقع واتباعهم في إثبات الاصطلاح له قليل الجدوى بعيد عند الاعتبار ومظنة للإيهام

Most of the types of ḥadīth mentioned in *Dirāyat al-Ḥadīth* are extracted from the laymen,¹ after their meanings occurred in their narrations. Thus, they mentioned them as they occurred. A group of our companions followed their footsteps in that and extracted from our narrations, in some types, that which conforms to their terminology and much of it remained

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They are, *al-Durr wa al-Marjān fī al-Aḥādīth al-Ṣiḥāh wa al-Ḥisān* and *al-Nahj al-Waḍḍāḥ fī al-Aḥādīth al-Ṣiḥāh*. However, Sayyid Muḥammad al-Amīn declares in *A’yān al-Shī’ah*, 5/406, that there is no source or trace of these two books. It is possible that he did not complete them or they were destroyed by the events of time.

1 It is title which the Imāmī scholars use for the opposition who are not from the Shī’ah sect, particularly the Ahl al-Sunnah, in contrast to calling themselves ‘the special ones’. It has been reported in *Dā’irat al-Ma’ārif al-Shī’iyyah*, 17/122:

الخاصة في اصطلاح بعض أهل الدراية الإمامية الاثنا عشرية والعامة أهل السنة والجماعة

Al-Khāṣṣah (the special ones), in terminology of the people of knowledge are the Ithnā ‘Asharī Imāmīs and *al-‘Āmmah* (the laymen) are Ahl al-Sunnah.

Sayyid Muḥsin al-Amīn (d. 1371 AH) states in *A’yān al-Shī’ah*, 1/21, regarding the title of *al-Khāṣṣah*:

وهذا يطلقه أصحابنا على أنفسهم مقابل العامة الذين يسمون بأهل السنة لأن أصحابنا يرون أنفسهم أحق من أخذ بالسنة ولأنهم فرقة خاصة بين عموم فرق المسلمين المتكثرة

Our companions apply this on themselves as opposed to *al-‘Āmmah* to the Ahl al-Sunnah, because our companions see themselves to be more observant of the Sunnah and that they are the special group from amongst the many Muslim groups.

as pure presumption. It is no secret that discussing something which has no reality and following them in establishing terminology for it, is of little use, far from consideration, and suspicious of being deception.¹

Muḥammad ibn Ḥasan ibn Zayn al-Dīn al-‘Āmilī, the son of the aforementioned Shaykh Ḥasan, expressed astonishment at his grandfather, Zayn al-Dīn al-‘Āmilī (al-Shahīd al-Thānī), Muḥammad ibn Makkī al-‘Āmilī (al-Shahīd al-Awwal), and ‘Allāmah Ibn al-Muṭahhar al-Ḥillī for their excessive studying under the Sunnīs, researching their books, and quoting from them to such an extent that al-Ḥurr al-‘Āmilī (d. 1104 AH) stated in his biography in *Amal al-Āmil*:

ولم يؤلف كتابا مدونا لشدة احتياطه ولخوف الشهرة وكان يقول قد أكثر المتأخرون التأليف وفي مؤلفاتهم سقطات كثيرة عفا الله عنا وعنهم وقد أدى ذلك إلى قتل جماعة منهم وكان يتعجب من جده الشهيد الثاني ومن الشهيد الأول ومن العلامة في كثرة قراءتهم على علماء العامة وكثرة تتبع كتبهم في الفقه والحديث والأصولين وقراءتها عندهم وكان ينكر عليهم ويقول قد ترتب على ذلك ما ترتب عفا الله عنهم

He did not compile a written book due to his great caution and fear of fame. He used to say, “The latter scholars wrote a lot, and there were many lapses in their writings. May Allah سُبْحَانَهُ وَتَعَالَى forgive us and them. This led to the killing of a group of them. He used to be astonished at his grandfather, al-Shahīd al-Thānī, al-Shahīd al-Awwal, and al-‘Allāmah at their frequent studying under the scholars of the al-‘Āmmah, and the frequent research of their books in fiqh, Ḥadīth, principles, and studying it under them. He would disapprove of them and say, “Whatever resulted from that, has taken place. May Allah forgive them.”²

Al-Ḥurr al-‘Āmilī (d. 1104 AH) realised that applying the critical Ḥadīth approach to the Imāmī legacy, wherein some of the senior Imāmī scholars emulated the footsteps of the Ahl al-Sunnah, would quite simply mean overthrowing the school completely because:

1 As reported from him by al-Karakī in *Hidayat al-Abrār*, pg. 104; and Ḥasan al-Ṣadr in *Nihāyah al-Dirāyah*, pg. 151; it appears originally in *Muntaqā al-Jumān*, 1/10.

2 *Amal al-Āmil*, 1/93.

إنه يستلزم ضعف أكثر الأحاديث التي قد علم نقلها من الأصول المجمع عليها لأجل ضعف بعض رواتها أو جهالتهم أو عدم توثيقهم فيكون تدوينها عبثا بل محرما وشهادتهم بصحتها زورا وكذبا ويلزم بطلان الإجماع الذي علم دخول المعصوم فيه أيضا كما تقدم واللوازم باطلة وكذا الملزوم بل يستلزم ضعف الأحاديث كلها عند التحقيق لأن الصحيح عندهم ما رواه العدل الإمامي الضابط في جميع الطبقات ولم ينصوا على عدالة أحد من الرواة إلا نادرا وإنما نصوا على التوثيق وهو لا يستلزم العدالة قطعا بل بينهم عموم من وجه كما صرح به الشهيد الثاني وغيره ودعوى بعض المتأخرين أن الثقة بمعنى العدل الضابط ممنوعة وهو مطالب بدليلها وكيف وهم مصرحون بخلافها حيث يوثقون من يعتقدون فسقه وكفره وفساد مذهبه

This necessitates rendering *ḍaʿīf* most of the *aḥādīth* which are known to have been transmitted from the agreed-upon primary works. This is on account of the weakness of a few of their narrators, or their *jahālah* (being unknown), or the fact that no one has made *tawthīq* (approbation) of them, thereby rendering their documentation futile. This would mean their documentation was done in vain. In fact, *ḥarām*. Their testimony in favour of their authenticity would be false, a lie, and necessitate the invalidity of the *ijmaʿ* (consensus) which, as mentioned, is also known to include the infallible—as mentioned above. The *lawāzim* (antecedents) and the *malzūm* (consequent) are invalid. In fact, a critical examination would necessitate that all the *aḥādīth* are *ḍaʿīf* since a *ṣaḥīḥ ḥadīth* is, according to them “that which is narrated by an upright and precise Imāmī on all levels.” Very rarely do they document the uprightness of any of the narrators; they merely stipulated reliability, and this does not definitively necessitate uprightness. In fact, there is a generality between them in a sense, as stated by al-Shahīd al-Thānī and others. The claim by some latter-day scholars that the term *thiqah* means “*al-ʿadl al-ḍābiṭ* (upright precise)” is invalid and needs to be proven. How can that be possible whereas they declare contrary to it, as they declare reliability to those who they believe to be sinners, disbelievers, and corrupted in their school?¹

Applying the four terminological divisions (*Ṣaḥīḥ*, *Ḥasan*, *Muwaththaq*, and *Ḍaʿīf*) to the School’s narrations would lead to discarding most of them, and this

1 *Wasāʿil al-Shīʿah*, 20/101; *Kitāb al-Wasāʿil*, which is one of the eight *Ḥadīth* origins of the sect, as is known.

is also confirmed by Muḥaqqiq al-Baḥrānī (d. 1186 AH)—despite his well-known neutralism between the Akhbārīs and the Uṣūlīs¹—when he states in *al-Ḥadā'iq al-Nāḍirah*:

وانت خبير بأنا في عويل من أصل هذا الاصطلاح الذي هو إلى الفساد قرب من الصلاح حيث أن اللازم منه لو وقف عليه أصحابه فساد الشريعة وربما انجر إلى البدع الفظيعة فإنه متي كان الضعيف باصطلاحهم مع إضافة الموثق إليه كما جرى عليه في المدارك ليس بدليل شرعي بل هو كذب وبهتان مع أن ما عداهما من الصحيح والحسن لا يفيان لهما إلا بالقليل من الأحكام فالأم يرجعون في باقي الأحكام الشرعية ولا سيما أصولها وفضائل الأئمة وعصمتهم وبين فضائلهم وكراماتهم ونحو ذلك وإذا نظرت إلى أصول الكافي وأمثاله وجدت جله وأكثره إنما هو من هذا القسم الذي أطرحوه ولهذا ترى جملة منهم لضيق الخناق خرجوا من اصطلاحهم في مواضع عديدة وتستروا بأعذار غير سديدة وإذا كان الحال هذه في أصل الاصطلاح فكيف الحال في اصطلاح صاحب المتقي وتخصيصه الصحيح بما ذكره ما هذه إلا غفلة ظاهرة

والواجب إما الأخذ بهذه الأخبار كما هو عليه متقدمو علمائنا الأبرار أو تحصيل دين غير هذا الدين وشريعة أخرى غير هذه الشريعة لنقصانها وعدم تمامها لعدم الدليل علي جملة من أحكامها ولا أراهم يلتزمون شيئاً من الأمرين مع أنه لا ثالث لهما في البين وهذا بحمد الله ظاهر لكل ناظر غير متعسف ولا مكابر

And you are aware that we are lamenting at the origin of this term² which is closer to corruption than righteousness, as it necessitates—if its

1 He stated in the twelfth Foreword of his book *al-Ḥadā'iq al-Nāḍirah*, 1/167-168:

بأنه كان في أول أمره ممن ينتصر لمذهب الأخباريين حتي ظهر له بعد تأمل وإمعان نظر إغماض النظر عن هذا الباب وإرخاء الستر دونه والحجاب بعد أن ثبت لديه أن ما ذكره الفريقان في وجوه الفرق بينهما جله بل كله عند التأمل لا يثمر فرقا في المقام That he was initially one of those who supported the school of the Akhbārīs until it became clear to him, after contemplation and careful consideration, that he should close his eyes on this door and draw the curtain and veil behind it and, after it became clear to him that what the two groups mention in the aspects of the difference between them, most of it, in fact all of it upon contemplation, does not make any difference in reality.

2 Sayyid Muḥsin al-Amīn (d. 1371 AH) in *A'yān al-Shī'ah*, 5/94:

أراد بالاصطلاح تقسيم الخبر إلى أقسامه المشهورة من الصحيح والضعيف والحسن والموثق

By terminology he refers to his popular categorization of Ḥadīth i.e. Ṣaḥīḥ, Ḥasan, Muwaththaq and Ḍa'īf.

companions stay upon it—the corruption of Sharī‘ah and perhaps lead to terrible innovations, because if, according to their terminology, the *Ḍa‘īf* (weak narration) as well as the *Muwaththaq*¹ (trusted narration) is not a Sharī‘ evidence—as is the case in *al-Madārik*²—but rather a lie and slander—despite the fact that besides them, the *Ṣaḥīḥ* (authentic) and *Ḥasan* (good) narrations only suffice for a few rulings—so what would they refer to in the rest of the Sharī‘ rulings, especially in principles, the virtues of the Imāms and their infallibility, their virtues and miracles, etc.? If one looks at *Uṣūl al-Kāfī* and others like it, one will find that most of it is from this type, which they have discarded. Hence, one would see a group of them, due to the tightness of the noose, discard their terminology in many places and hide behind invalid excuses. If this is the situation in the original terminology, then what will be the situation of the terminology of the author of *al-Muntaqā*³ and his specification of *Ṣaḥīḥ* with what he has mentioned? This is nothing but an apparent oversight.

1 A narration which has in its chain, a narrator who was declared reliable but held incorrect beliefs.

2 i.e. Sayyid Muḥammad ibn ‘Alī al-Mūsawī al-‘Āmilī (d. 1009 AH) in *Madārik al-Aḥkām fī Sharḥ Sharā‘ī al-Islām*. Al-Baḥrānī states while criticizing him on pg. 45:

فإن جملة من علمائنا وإن أكثروا التصنيف إلا أن مصنفاتهم عارية عن التحقيق كما هو حقه والتحبير مشتملة علي المكررات والمجازفات والمساهلات وهو أجود تصنيفا وأحسن تحقيقا وتأليفا ممن تقدمه إلا انه مع السيد محمد قد سلكا في الأخبار مسلكا وعرا ونهجا منهجا عسرا أما السيد محمد صاحب المدارك فانه رد أكثر الأحاديث من الموثقات والضعاف باصطلاحه وله فيها اضطراب كما لا يخفى علي من راجع كتابه فيما بين أن يردها تارة وما بين أن يستدل بها اخرى وله أيضا في جملة من الرجال - مثل ابراهيم بن هاشم ومسمع بن عبد الملك ونحوهما - اضطراب عظيم فيما بين أن يصف أخبارهم بالصحة تارة وبالحسن أخرى وبين أن يطعن فيها ويردها يدور في ذلك مدار غرضه في المقام مع جملة من المواضع التي سلك فيها سبيل المجازفة

A number of our scholars, even though they have authored a lot, are devoid of research, as is ought to. The inscriptions contain repetitions, frivolous matters, and leniencies. He is the best in writing, researching, and compiling than those who preceded him. However, he and Sayyid Muḥammad took a rough path in narrating and a difficult methodical approach. As for Sayyid Muḥammad, the author of *al-Madārik*, he rejected most of the reliable and weak narrations through his terminology. He was confused in them, as it is clear to those who reviewed his book that he sometimes rejected them and sometimes he inferred through them. He also had, among a number of narrators — such as Ibrāhīm bin Hāshim, Masma‘ bin ‘Abd al-Malik etc. — great confusion in that he describes their narrations as authentic at times and good at other times, whilst sometimes he criticizes it and rejects it. He revolves around according to the objective of the situation, along with a number of instances in which he took a risky path.

3 i.e. Shaykh Ḥasan ibn Zayn al-Ḍīn al-‘Āmilī (d. 101 AH) in *Muntaqā al-Jumān*.

What is obligatory is, either to accept these narrations—as our righteous scholars did—or to acquire a dīn other than this dīn and a Sharīah other than this Sharīah, due to its deficiencies and being incomplete because of the lack of evidence for a number of its rulings. I do not see them adhering to any of the two matters, even though there is no third option among them. This—with the praises of Allah سُبْحَانَهُ وَتَعَالَى—is apparent to every observer, without being abusive or arrogant.¹

He further states:

إنه لو تم ما ذكروه وصرح ما قرروه للزم فساد الشريعة وإبطال الدين لأنه متى اقتصر في العمل علي هذا القسم الصحيح أو مع الحسن خاصة أو بإضافة الموثق أيضا ورُمي بقسم الضعيف باصطلاحهم من البين والحال أن جل الأخبار من هذا القسم كما لا يخفي على من طالع كتاب الكافي أصولا وفروما وكذا غيره من سائر كتب الأخبار وسائر الكتب الخالية من الأسانيد لزم ما ذكرنا وتوجه ما طعن به علينا العامة من أن جل أحاديث شريعتنا مكذوبة مزورة

If what they mentioned was fulfilled and what they established was correct, then this would necessitate the corruption of the Sharīah and the invalidation of dīn, because if one sufficed on practicing upon this kind of Ṣaḥīḥ or Ḥasan narration specifically, in addition to the Muwatḥthaq narrations, and the weak narrations—according to their terminology—are removed from the scene, whereas the situation is such that most of the narrations are of this type, as it is not hidden from anyone who reads the book *al-Kāfi*—whether *al-Uṣūl* or *al-Furūʿ*—as well as other books of ḥadīth and books that are devoid of *isnād*,² then this would necessitate what we have mentioned and attract what the laymen (Sunnīs) have accused us of, that most of the narrations in our Sharīah are lies and fabrications.³

Al-Baḥrānī alludes to the causes which caused him to reject the application of the new terminology, which he considers to be a destructive axe for the school.

1 *Luʿluʿat al-Baḥrayn*, pg. 46-47.

2 Foremost is *Nahj al-Balāghah* of al-Sharīf al-Murtaḍā (d. 406 AH), then the most important book of Tafsīr through transmissions, *Tafsīr al-ʿAyyāshī* (d. 320 AH) and *Tafsīr Furāt al-Kūfī* (d. 352 AH), then the books of *al-Manāqib* (virtues of personalities), *Tuḥaf al-ʿUqūl* of Ibn Shuʿbah al-Ḥarrānī (4th century), *al-Iḥtijāj* of al-Ṭūsī (d. 548 AH), and *Manāqib Āl Abī Ṭālib* of Ibn Shahr Āshūb (d. 588 AH).

3 *Al-Ḥadāʾiq al-Nāḍirah*, 1/21.

He states:

أن طريقة القدماء موجبة للعلم مأخوذة عن أهل العصمة لأنهم قد أمروا باتباعها وقرروا العمل بها فلم ينكروه وعمل بها الإمامية في مدة تقارب سبعمائة سنة منها في زمان ظهور الأئمة قريب من ثلاثمائة سنة والاصطلاح الجديد ليس كذلك قطعا فالعمل بالاصطلاح الجديد يستلزم تخطئة عمل الطائفة منذ زمن الأئمة إلى زمن ابن المطهر الحلي

وأن أصحاب الاصطلاح قد اتفقوا على أن مورد التقسيم إلى الأنواع الأربعة المذكورة إنما هو خبر الواحد العاري عن القرائن بينما يرى القدماء أن أخبار كتبهم المشهورة محفوفة بالقرائن الدالة علي صحتها فكيف أمكن تجاهل هذا؟

The method of the former scholars necessitates knowledge,¹ taken from the infallible people, because they were commanded to follow it and they approved practice upon it, and they did not prevent them. The Imāmiyyah practiced upon it during a period of approximately seven hundred years, from that, the time of the appearance of the Imāms is close to three hundred years. The new terminology is not like that at all. Thus, practicing upon the new terminology will necessitate the error of the sect's practice, from the time of the Imāms until the time of Ibn al-Muṭahhar al-Ḥillī.

The people of terminology are unanimous that the source of the division into the mentioned four types, is the report of a solitary person, devoid of any evidence, while the former scholars see that the narrations of their famous books are fraught with evidence which indicate to their authenticity. So how was it possible to ignore this?²

However, the evidence that al-Baḥrānī speaks about and which the Imāmīs used for nearly three hundred years is considered baseless by the late Shīṭī scholar of reference, Sayyid Abū al-Qāsim al-Khūṭī (d. 1413 AH), as he says:

ودعوى القطع بصدقهم في خصوص روايات الكتب الأربعة لقرائن دلت على ذلك لا أساس لها فإنها بلا بينة وبرهان فإن ما ذكره في المقام وادعوا أنها قرائن تدلنا على صدور هذا الروايات من المعصوم لا يرجع شيء منها إلى محصل

1 i.e., to practice on transmissions reported in the Imāmī books, considering the author's testimony on the authenticity of all the narrations.

2 *Al-Durar al-Najafiyah*, 2/335-336.

The claim of certainty of their truthfulness regarding the narrations of the four books specifically—due to evidence that indicates to that—has no basis, as it is without any evidence and proof. What they mentioned in this situation—and claimed that they are evidences that indicate to the issuance of these narrations from the infallible Imāms—none of it leads to any outcome.¹

Al-Baḥrānī also alludes to a point worthy of attention during the course of his criticism of the science of Dirāyah, which is:

أن أهل الاصطلاح متناقضون فما اعتمدوه من ذلك الاصطلاح غير منضبط القواعد والبنيان ولا مشيد الجوانب والأركان ومن ذلك أنهم حكموا بصحة جملة من الأحاديث التي هي ضعيفة بمقتضي اصطلاحهم كمراسيل ابن أبي عمير وصفوان بن يحيى وغيرهما زعما منهم أن مثل هؤلاء لا يرسلون إلا عن ثقة ومثل بعض الأحاديث الضعيفة المشهور عمل المتقدمين بها فيستترون لأجل العمل بها بكونها مجبوة بالشهرة ومثل أحاديث جملة من مشايخ الإجازة الذين لم يذكروا في كتب الرجال بمدح ولا قدح زعما منهم أن هؤلاء مشايخ الإجازة وهم مستغنون عن التوثيق وأمثال ذلك كثير يظهر بالتبع

The people of the terminology are contradictory. The terminology which they have adopted is not disciplined in its rules and structure, nor have its corners and pillars been firmly constructed. From amongst that is that they have ruled the authenticity of a number of narrations that are weak according to their terminology, such as the *Mursal* narrations of Ibn Abī ‘Umayr and Ṣafwān bin Yaḥyā and others, claiming that such people do not narrate *Mursal* narrations except from trustworthy people, and like some of the weak narrations that the former scholars are known to have practiced upon. Thus, they cover up practicing on them by claiming that they are inspired by fame. Similarly, like the narration of a group of *Mashāyikh al-Ijāzah*² who are not mentioned in the books of narrators with praise or criticism, claiming that these are the *Mashāyikh al-Ijāzah* and they are exempted from approval. Examples like these are plenty which become clear through research.³

1 *Mu‘jam Rijāl al-Ḥadīth*, 1/22.

2 Those who were given permission to transmit ḥadīth but did not recite or hear the ḥadīth directly from the teacher.

3 *Al-Durar al-Najafīyah*, 2/335.

For this and other reasons, al-Baḥrānī believes that the neutralism that al-Muḥaqqiq al-Ḥillī adopted in his book *al-Mu‘tabar*, while criticising immoderation in practicing on narrations, is the best and safest. However, al-Muḥaqqiq al-Ḥillī, despite his neutralism between the two warring factions, reveals a dangerous point of partial agreement that one can hardly expect, as he states:

أفرط الحشوية في العمل بخبر الواحد حتي انقادوا لكل خبر وما فطنوا ما تحته من التناقض فإن من جملة الأخبار قول النبي صلى الله عليه و سلم: ستكثر بعدي القالة علي وقول الصادق: إن لكل رجل منا رجلا يكذب عليهه واقتصر بعض عن هذا الإفراط فقال: كل سليم السند يعمل به وما علم أن الكاذب قد يصدق والفاستق قد يصدق ولم يتنبه أن ذلك طعن في علماء الشيعة وقدح في المذهب إذ لا مصنف إلا وهو قد يعمل بخبر المجروح كما يعمل بخبر الواحد المعدل وأفرط آخرون في طرف رد الخبر حتي أحال استعماله عقلا ونقلا واقتصر آخرون فلم يروا العقل مانعا لكن الشرع لم يأذن في العمل به وكل هذه الأقوال منحرفة عن السنن والتوسط أصوب فما قبله الأصحاب أو دلت القرائن علي صحته بعمل به وما أعرض الأصحاب عنه أو شذ يجب إطراره لوجوه

The Ḥashawiyah¹ went to extremes in practicing on al-Khabar al-Wāḥid, to such an extent that they submitted to every transmission and did not realize the contradiction beneath it, because among the transmissions is the saying of the Prophet ﷺ, “After me, there will be many people speaking against me.”

and the saying of al-Ṣādiq, “Every man among us has a man who attributes lies to him.”

Some of them confined themselves to this exaggeration and said that every narration that has a sound chain of transmission should be practiced, because who knows that a liar may speak the truth,² and a sinner may be truthful, without noticing that this is an attack on the Shī‘ī scholars and a slander to

1 A group that adhered to apparent meanings and adopted anthropomorphism, etc.

2 In the manuscript it is written as (قد يلصق) and I questioned it while establishing it because of the trust of quotation, but I came across the text in more than one Imāmī source and it contains what I have proven above. See, *Manhaj al-Maqāl fī Taḥqīq Aḥwāl al-Rijāl* by al-Istarābādī, 1/77. He indicated in the footnote that it contains a source similar to what we have mentioned; and *al-Fuṣūl al-Gharawiyah fī al-Uṣūl al-Fiqhiyyah*, pg. 294.

the school, as there is no author except that sometimes he practices on a controversial transmission, just as he practices on an approved al-Khabar al-Wāḥid. Others went to extremes in rejecting the transmission to a point that they made it impossible to use it logically and by transmission. Others restricted themselves and did not regard it to be impermissible logically; however, the Sharīah did not permit practicing upon it. All these views are deviated from the Sunnah, and moderation is more correct. Hence, whatever the companions accept, or evidence indicated its validity, will be practiced, and whatever the companions turned away from it or is problematic, it is necessary to discard due to reasons.¹

Al-Baḥrānī commented on it by saying:

وهو قوي متين وجوهر ثمين وإن كان صاحبه قد خالفه في مواضع من كتابه المذكور

It is strong, durable, and a valuable gem, even though the author contradicted it in some instances in the above-mentioned book.²

But assuming that a liar may speak the truth at times, that he is not a liar all the time, and raising that in the context of discussing about judging narrations, is nothing but a clear evasion of applying the rules of ḥadīth to the School's narrations. As if the matter is an instrument for the scholars of the School after him, through which any narration of a liar or a sinner can be passed on, on the pretext of the possibility of their truthfulness in this particular transmission and the existence of sectarian evidence that satisfies him. So what strength and durability is this that al-Baḥrānī saw, and what precious gem is this that he boasts about?

The practical translation of this strength and durability in the science of Dirāyah is among the endorsements of the late Shīrī scholar of reference, Sayyid Abū al-Qāsim al-Khūṭī (d. 1413 AH), as he states in his biography of Aḥmad ibn Ḥammād al-Marwazī:

إن ظهور الكذب أحيانا لا ينافي حسن الرجل فإن الجواد قد يكبو

1 *Al-Mu'tabar*, 1/29.

2 *Al-Durar al-Najafiyah*, 2/333.

The appearance of lies, sometimes, does not contradict the goodness of a man, for the good horse may stumble at times.¹

If issuance of lies does not contradict the goodness of a man, and his lies are like the stumbling of a horse, then what is the benefit of the science of narrators? What is the difference between a trustworthy person and a liar? What is the benefit of the chains of transmission, then? What is the need to know the interrupted narrations from the uninterrupted ones, or the occurrence of errors in them? Here is the answer.

Al-Muḥaddith Muḥammad Amīn al-Astarābādī (d. 1033 AH) states:

من تأمل فيما ذكره المحقق الحلبي في أوائل كتاب المعبر وفي كتاب الأصول في مبحث العمل بخبر الواحد وفي فهرستي الشيخ والنجاشي وفيما ذكر رئيس الطائفة في مبحث العمل بخبر الواحد من كتاب العدة وما ذكره في آخر كتابي الأخبار وغيرها بعين الاعتبار والاختبار يقطع بأن أحاديث الكتب الأربعة وغيرها من الكتب المتداولة في زماننا مكتوبة من أصول قدمائنا التي كانت مرجعهم في عقائدهم وأعمالهم ويقطع بأن الطرق المذكورة في تلك الكتب إنما ذكرت لمجرد التبرك باتصال السند وباتصال سلسلة المخاطبة اللسانية إلى مؤلفي تلك الأصول ولدفع تعبير العامة أصحابنا بأن أحاديثهم مأخوذة من أصول قدمائهم وليست بمعنونة

Whoever ponders on what al-Muḥaqqiq al-Ḥillī mentioned in the beginning of the book *al-Mu'tabar*, in the book *al-Uṣūl* under the subject of practicing on al-Khabar al-Wāḥid, in the *Fihrist* of al-Shaykh and the *Fihrist* of al-Najāshī, in what the leader of the sect mentioned under the subject of practicing on al-Khabar al-Wāḥid in the book *al-'Uddah* and what he mentioned at the end of the two books called *al-Akḥbār* and others, with eyes of consideration and test, will ascertain that the narrations of the four books and other books circulating in our time are written from the principles of our former scholars, which were their reference in their beliefs and actions; and will ascertain that the chains mentioned in those books were mentioned merely to seek blessing from the connection of the chain of transmission and the connection of the chain of verbal communication to the authors of those principles and to ward off criticism from the laymen, of our companions,

1 *Majma' Rijāl al-Ḥadīth*, 2/113.

that their narrations are taken from the origins of their former scholars and are not transmitted.¹

Al-Ḥurr al-Āmilī (d.1104 AH) states in *Wasā'il al-Shī'ah*—which is considered to be the richest book of Ḥadīth in Fiqhī narrations and therefore the Imāmī's rely on it in the field of deducing rulings as it contains approximately 36 000 narrations—the reason for which he mentioned the chains of transmission of the narrations of his book, as he says:

والفائدة في ذكره أي الراوي في السند مجرد التبرك باتصال سلسلة المخاطبة
اللسانية ودفع تعبير العامة الشيعة بأن أحاديثهم غير معنونة بل منقولة من أصول
قدمائهم

The benefit in mentioning him— i.e., the narrator in the chain—is merely to be blessed by the continuity of the chain of verbal communication and to ward off the reproach by the laymen of the Shī'ah by saying that their narrations are not transmitted, but rather quoted from the origins of their former scholars.²

For this reason, Mīrza Abū al-Ḥasan al-Sha'rānī (d. 1393 AH), with all literary courage, explaining his position towards the sect's narrations states:

ولم يكن دأبي في هذه التأليف التعرض لأحوال الرجال لأن أمثال هذه المباحث
غنية عن ذكر الأسانيد وإنما الاعتماد فيها على المعني فما وافق أصول المذهب
ودليل العقل فهو صحيح وإن ضعف إسناده وما خالف أحدهما كان ضعيفا وإن
صح بحسب الإسناد ولذلك نرى أكثر أحاديث الأصول ضعافا وهو من أهم كتب
الشيعة وأصحها معني وأوفقها لأصول المذهب

It is not my habit, in these writings, to address the conditions of narrators, because such topics do not need to mention the chains of transmission. The reliance in this is on the meaning. Whatever conforms to the principles of the school and the evidence of intellect, is correct, even if its chain of transmission is weak, and whatever contradicts one of them is weak, even if it is authentic according to the chain of transmission. Hence, we see that

1 *Al-Fawā'id al-Madaniyyah*, pg. 118-119.

2 *Wasā'il al-Shī'ah*, 30/258.

most of the narrations in *al-Uṣūl*¹ are weak, whereas it is among the most important Shīʿī books, the most correct in meaning, and the most consistent with the principles of the school.²

With greater clarity, Sayyid ‘Alī al-Ṭabāṭabā’ī al-Burūjirdī (d. 1313 AH) expressed his general opinion regarding the narrations of the four books on which the Imāmī’s transmissions revolve,³ as the application of the rules of the sciences of narration and Dirāyah had not been completed to them:

وإخبار المحمدين بصحة ما في كتبهم جميعا في حيز المنع سيما مع ملاحظة
إدراجهم الضعاف فيها بل هي أكثر ولعل الصحيح المعتبر المدرج في تلك الكتب
كالشعرة البيضاء في البقرة السوداء

And information by the Muḥammads⁴ of the authenticity of what is in their

1 Referring to *Uṣūl al-Kāfi*.

2 Footnote of *Sharḥ Uṣūl al-Kāfi* by al-Māzandarānī, 3/228.

3 The main books, which are regarded as the source of narrations according to the Imāmīs are eight: *al-Kāfi*, *Man Lā Yaḥḍuruhu al-Faqīh*, *Tahdhīb al-Aḥkām*, *al-Istibṣār*, *Wasā’il al-Shī’ah*, *al-Wāfi*, *Biḥār al-Anwār*, and *Mustadrak al-Wasā’il*.

The contemporary Shīʿī scholar of reference, Shaykh Ja’far al-Subḥānī states in *Kulliyāt fī ‘Ulūm al-Rijāl*, pg. 355:

الكتب الأربعة التي عليها تدور رحى استنباط مذهب الإمامية فإن أدلة الأحكام وإن كانت أربعة (الكتاب والسنة والعقل والإجماع) على ما هو المشهور بين الفقهاء إلا أن الناظر في فروع الدين يعلم أن العمدة في استعمال الفرائض والسنن والحلال والحرام هو الحديث وأن الحاوي لجلها هو الكتب الأربعة

There four books on which the millstone of the deduction of the Imāmī School revolves around. Although the sources for rulings are four (Qur’ān, Sunnah, Intellect, and Consensus), as is well known among the jurists; however, an observer into the subsidiaries of dīn will realise that the main pillar for the information of *Farā’iḍ* (compulsory acts), Sunnah, Ḥalāl and Ḥarām is Ḥadīth and most of it is contained in these four books.

Four of the books are compiled by the former four Muḥammads, thereafter the three by the three latter Muḥammads and the eighth by Ḥusayn al-Nūrī.

4 The three former Muḥammads that al-Burūjirdī refers to in his narration are:

1. Muḥammad ibn Ya’qūb al-Kulaynī, known as *Thiqat al-Islām*, (d. 329 AH), author of *al-Kāfi*.
2. Muḥammad ibn Bābawayh al-Qummī, known as *al-Shaykh al-Ṣadūq*, (d. 381 AH), author of *Man Lā Yaḥḍuruhu al-Faqīh*.
3. Muḥammad ibn al-Ḥasan al-Ṭūsī, known as *Shaykh al-Ṭā’ifah*, (d. 360 AH), author of both *Tahdhīb al-Aḥkām* and *al-Istibṣār*.

These are the three Muḥammads whose four books are relied upon in the school. *continued....*

books is in the realm of prohibition, especially noting their inclusion of weak narrations in them. In fact, they are more. The reliable authentic narrations listed in those books are like a white hair in a black cow.¹

The occurrence of this confession from one of the sect's experts in the science of *Jarḥ* and *Ta'dīl* (approval and disapproval of narrators) expresses the true—inevitably—reality of its narrations.

8. Disorder and confusion in the standards of *Jarḥ* and *Ta'dīl* (ḥadīth narrator criticism)

Their authentications and the weakening of narrators lack established and solid criterion that can be relied upon when judging narrators and distinguishing trustworthy ones from weak ones. The former Imāmīs and their latter ones did not agree on the ceiling of exaggeration and its meaning. Therefore, what some see as exaggeration and infidelity is, according to other scholars of the sect, evidence of honour and signs of faith.

Muḥammad Bāqir al-Wahīd al-Bahbahānī (d. 1205 AH), the leader of the Uṣūlī movement, says in his book *Fawā'id al-Rijāliyyah*:

واعلم أن الظاهر أن كثيرا من القدماء سيما القميين منهم وابن الغضائري كانوا يعتقدون للأئمة منزلة خاصة من الرفعة والجلالة ومرتبة معينة من العصمة والكمال بحسب اجتهادهم ورأيهم وما كانوا يجوزون التعدي عنها وكانوا يعدون التعدي عنها ارتفاعا وغلوا علي حسب معتقدهم حتي أنهم جعلوا مثل نفي السهو عنهم غلوا بل ربما جعلوا مطلق التفويض أو التفويض الذي اختلف فيه أو المبالغة في معجزاتهم ونقل خوارق العادة عنهم أو الإغراق في شأنهم وإجلالهم وتنزيههم عن كثير من النقائص وإظهار كثير قدرة لهم وذكر علمهم بمكنونات السماوات

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The latter four Muḥammads, who are the authors of the remaining books are:

1. Muḥammad ibn al-Ḥasan al-Fayḍ al-Kāshānī (d. 1091 AH), author of *al-Wāfī*.
2. Muḥammad Bāqir al-Majlisī (d. 1111 AH), author of *Bihār al-Anwār*,
3. Muḥammad ibn al-Ḥasan al-Ḥurr al-Āmilī (d. 1104 AH), author of *Wasā'il al-Shī'ah ilā Taḥṣīl Masā'il al-Sharī'ah*.
4. Ḥusayn al-Nūrī (d. 1320 AH), author of *Mustadrak al-Wasā'il*.

1 Ṭarā'if al-Maqāl, 2/308.

والأرض ارتفاعا أو مورثا للتهمة سيما بجهة أن الغلاة كانوا مختلفين في الشيعة مخلوطين بهم مدلسين وبالجملة الظاهر أن القدماء كانوا مختلفين في المسائل الأصولية أيضا فربما كان شيء عند بعضهم فاسدا أو كفرا أو غلوا أو تفويضا أو جبرا أو تشبيها أو غير ذلك وكان عند آخر مما يجب اعتقاده أو لا هذا أو ذلك

Know well that it is apparent that many of the formers—especially the Qummīs and Ibn al-Ghaḍā'irī—believed that the Imāms had a special status of honour and majesty and a specific level of infallibility and perfection in accordance to their Ijtihād and opinion. They would not allow transgression from it. They considered transgressing from it to be extremism and exaggeration according to their belief, to such an extent that they regarded something like denying error from them, as exaggeration. In fact, they regarded absolute delegation, or the delegation in which there was differences, or exaggerating about their miracles and transmitting supernatural acts from them, or exaggerating about them, glorifying them, and clearing them of many shortcomings, and showing their great ability and mentioning their knowledge of the components of the heavens and the earth , as extremism, or a source of accusation, especially in the sense that the extremists were hidden among the Shī'ah, mixing with them as fraudsters. In brief, it is apparent that the formers differed on fundamental rulings as well. Sometimes, something would be corrupt, disbelief, exaggeration, delegation, coercion, comparison, etc, and for others it would be something that necessary to believe in or neither this nor that.¹

After reflecting on this statement properly and reading it again and again, we will come to know one of the most important problems of authenticating and weakening narrations in the school.

Rulings pertaining to beliefs which some Imāmī scholars consider to be exaggeration and disbelief are, according to another group, monotheism and faith, virtues and miracles, from which the fragrance of faith can be detected.

Therefore, what will be the outcome when the extreme trend that accepts extremism, delegation, and disbelief overpowers the other trend and the

1 *Al-Fawā'id al-Rijāliyyah*, pg. 38.

denounced beliefs become, overnight, the beliefs of the family of Muḥammad صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ and their followers until the Day of Judgment?

Mīrza Muḥammad bin ‘Alī al-Māmaqaṇī (d. 1028 AH) states:

إن القدماء كانوا يعدون ما نعهه اليوم من ضروريات مذهب الشيعة غلرا وارتفاعا
وكانوا يرمون بذلك أوثق الرجال كما لا يخفي على من أحاط خبرا بكلماتهم

The former scholars¹ considered what we consider today to be the necessities of the Shī‘ī School, to be extremism and exaggeration. They would use it to accuse the most trustworthy narrators of this, as is obvious to those who have encompassing knowledge of their words.²

This is how the former scholars were. As for those who came after them, the later and contemporary ones, they followed the school of al-Māmaqaṇī in authenticating the extremists and their narrations, because what was discarded has become one of the necessities of the school today.

This is why it is not surprising that Muḥammad Bāqir al-Majlisī (d. 1111 AH) said in his response to the weakening of al-Ḥasan ibn al-‘Abbās ibn al-Ḥuraysh:

لكن يظهر من كتب الرجال أنه لم يكن لتضعيفه سبب إلا رواية هذه الأخبار العالية
الغامضة التي لا يصل إليها عقول أكثر الخلق والكتاب كان مشهورا عند المحدثين
وأحمد بن محمد روى هذا الكتاب مع أنه أخرج البرقي عن قم بسبب أنه كان يروي
عن الضعفاء فلو لم يكن هذا الكتاب معتبرا عنده لما تصدى لروايته والشواهد علي
صحته عندي كثيرة

However, it appears from the books of narrators that there was no reason for his weakening other than the narration of these lofty and mysterious narrations, which the minds of most people could not comprehend. The book was famous among the scholars of Ḥadīth. Aḥmad ibn Muḥammad narrated this book even though he expelled al-Barqī from Qum because he used to narrate from weak narrators. Thus, if this book was not reliable according to him, he would not embark on narrating it. I have many evidences of its authenticity.³

1 Referring to the Qummīs, Ibn al-Ghaḏā’irī and other former Imāmī scholars.

2 *Tanqīḥ al-Maqāl*, 3/23.

3 *Mir’āt al-‘Ūqūl*, 2/61-62.

It is also not surprising that Shaykh Aḥmad bin ‘Abd al-Ḥasan al-Māhūzī¹ states in response to the weakening of Sahl ibn Ziyād:

أما شهادة أحمد بن محمد بن عيسى الأشعري علي سهل بالغلو والكذب فهو في الواقع مدح وليس بدم بتقريب ما قاله الوحيد البهبهاني خريت هذا الفن الظاهر أن كثيرا من القدماء سيما القميين منهم وابن الغضائري كانوا يعتقدون للأئمة منزلة خاصة من الرفعة ...

As for the testimony of Aḥmad ibn Muḥammad ibn ‘Īsā al-Ash‘arī against Sahl regarding his exaggeration and lies, it is, in fact, praise and not criticism, close to what al-Waḥīd al-Bahbahānī—the most skilled in this field—said, that it is clear that many of the former scholars—particularly the Qummīs and Ibn al-Ghaḍā’irī—believed in the Imāms’ special status of exaltation...²

It is astonishing how the concepts have changed to this degree. How can the accusation of exaggeration and lying to the Ahl al-Bayt become evidence of praise for its perpetrator?

Waḥīd al-Bahbahānī (d. 1205 AH), the leader of the Uṣulī movement, discusses the overwhelming chaos surrounding the authenticating of the Shī‘ī School’s narrators among the former scholars as well as the later ones, by saying:

مع أنهم يوثقون الإمامي بمثل ما يوثقون غيره حتي إنهم يوثقون الغالي وامثاله كتوثيق الإمامي وكثيرا ما لا يتعرضون لرداءة مذهب الرواة اتكالا علي الظهور أو غيره بل هذه طريقتهم في الغالب مع أنه قلما يسلم جليل عن قدح أو خبر يدل على ذمه فلا بد من الترجيح أو الجمع ولا يتأنيان إلا بظنون المجتهد وكذا الحال في تعيين المشترك إلى غير ذلك مثل أنه ربما يقع في الطريق سقط أو تبديل أو تصحيف وأمثال ذلك والعلاج غالبا بالظنون بل ربما كانت ضعيفة كما لا يخفي على المطلع بل لا نسبة بين هذه الظنون وبين ما هو مثل الشهرة بين الأصحاب

1 It is mentioned in his biography that he attended the ‘external research’ phase of the seminary study for a period of up to 8 years and his apprenticeship at the hands of some of the greatest Imāmī scholars, such as Āyat Allāh Shaykh Muḥammad Bāqir al-Īrawānī, ‘Allāmah al-Shaykh al-Ramaḍānī, Āyat Allāh al-Shaykh Ḥasan al-Rumaythī, and Āyat Allāh al-Faqīh al-Shaykh Muḥammad Sanad.

2 *Fawā'id Rijāliyyah*, pg. 157-158. (Authority of weak supported al-Khabar al-Wāḥid)

Although they authenticate the Imāmīs in the same way they authenticate others, to such a degree that they authenticate an extremist and others like him, just as they authenticate an Imāmī. Many a times they do not expose the mediocrity of the narrators' school, relying on the appearances or other things. Rather, this is their method in most cases; even though it is rare that a noble is safe from slander or transmission that indicates his criticism. Therefore, it is necessary to give preference or combine, and this cannot be possible except by the opinion of a Mujtahid. Similar is the case in specifying the combined etc. For example, sometimes there is deficiency, or change, or misrepresentation in the chain, and the remedy is mostly through conjecture and sometimes they may even be weak, as is not hidden from the informed person. In fact, there is no relationship between these conjectures and that which is famous amongst the companions.¹

The Muḥaddith, Muḥammad Amīn al-Astarābādī (d. 1033 AH) indicates in *al-Fawā'id al-Madaniyyah* to the contradiction into which some of the luminaries fell in practicing on the narrations of the weak and liars. He states:

إن رئيس الطائفة كثيرا ما في كتابي الأخبار يتمسك بأحاديث ضعيفة بزعم المتأخرين بل بروايات الكذابين المشهورين مع تمكنه من أحاديث أخرى صحيحة مذكورة في كتابه بل كثيرا ما يعمل بالأحاديث الضعيفة عند المتأخرين ويترك ما يضادها من الأحاديث الصحيحة عندهم فعلم من ذلك أن تلك الأحاديث مأخوذة من الأصول المجمع على صحتها كما صرح به في كتاب العدة وكتاب الاستبصار والفهرست وغيرها

Ra'īs al-Ṭā'ifah (leader of the sect) often holds on to weak narrations in both the books of narrations,² as claimed by the latter ones; in fact, even to the narrations of famous liars, even though he had access to other authentic narrations mentioned in his book. In fact, he often practices on the weak narrations according to the latter scholars and leaves out the authentic narrations that contradict them, according to them. Thus, it is known from this that those narrations are taken from the origins, whose authenticity is agreed upon, as stated in the books *al-Uddah*, *al-Istibṣār*, *al-Fihrist*, etc.³

1 *Al-Fawā'id al-Ḥā'iriyyah*, pg. 490.

2 *Tahdhīb al-Aḥkām* and *al-Istibṣār*.

3 *Tanqīḥ al-Maqāl*, 3/23.

But the matter has gone beyond this insurmountable obstacle, heading towards a bigger problem and more dangerous turn, and that is when the incriminating evidences in the narrator are considered to be the same evidence of his honesty and high ability.

The Shī'ī scholar of reference Sayyid 'Alī al-Fānī al-Iṣfahānī (d. 1409 AH), in endorsing this, states:

وأيضاً فقد يكون الدم تارة أحد قرائن صدق الرجل وعلو مقامه وشموخ شأنه مع ملاحظة سائر ظروفه وما قيل فيه فهذا زرارة بن أعين مثلاً ممن ورد فيه اللعن والذم والتشهير مع أنه من أجل الأصحاب وأبرزهم والذي ورد فيه أنه من أحب الناس إلى المعصوم وإن الجنة تشتاق له وأن الشريعة كادت تندرس لولاه فإنه بالنظر إلي جميع ما ورد فيه وبتأمله يظهر وجه القدح فيه خصوصاً في تلك الظروف التي يؤخذ فيها الرجل على الظن والتهمة ولمجرد احتمال ارتباطه بالأئمة الطاهرين صلوات الله عليهم أجمعين فإنه ليس إلا لأجل حفظهم ودرء المخاطر عنهم نظراً لجلالة أمرهم وأهميتهم العليا بالنسبة لأمر المذهب بحيث أريد من إبراز المذمة والقدح إيهام السلطة الحاكمة بعدم ارتباطه بالأئمة بينما لو أريد أن يُتعامل مع هذه النصوص معاملة قانونية لأمكن دعوى وقوع التعارض بين هذه الروايات والتوقف في العمل بروايات عظيمة من قبيل زرارة بن أعين

Also, criticism may sometimes be one of the evidences of a man's truthfulness, high position, and status, taking into account all of his circumstances and what was said about him. This is Zurārah ibn A'yan, for example, who is among those about whom curse, criticism, and defamation were reported, despite the fact that he was one of the greatest companions, the most prominent of them, regarding whom it is reported that he was one of the most beloved people to the infallible Imām and that Paradise longed for him, and that the Sharī'ah would have almost been extinct had it not been for him. By looking at all that was mentioned regarding him and contemplating on it, the reasons for criticism become clear regarding him, especially in those circumstances in which a man is criticised because of suspicion and accusation, and the mere possibility of his association with the pure Imāms. This is only for the sake of protecting them and warding off dangers from them, taking into consideration the loftiness of their affairs and their great importance regarding matters of school. The

intention for exposing criticism and slander is to make the ruling authority believe that he is not associated to the Imāms. Meanwhile, if these texts were to be practiced upon in a legislative manner, it would enable the claim of contradiction between these narrations and cessation on practicing on great amount of narrations from Zurārah ibn A‘yan.¹

More heinous than this is what the late Shī‘ī scholar of reference Sayyid Abū al-Qāsim al-Khū‘ī (d. 1413 AH) declared in *Majma‘ Rijāl al-Ḥadīth* that disbelief is not a reason to weaken narrator. Al-Khū‘ī states in his biography of al-Ḥasan ibn ‘Alī ibn Abī ‘Uthmān Sajjādah:

قال أبو عمرو (الكشي): علي السجادة لعنة الله ولعنة اللاعنين والملائكة والناس أجمعين، فلقد كان من العليائية الذين يقعون في رسول الله وليس لهم في الإسلام نصيب

أقول- الكلام هنا للخوئي- الرجل وإن وثقه علي بن إبراهيم لوقوعه في إسناد تفسيره إلا أنه مع ذلك لا يمكن الاعتماد علي رواياته لشهادة النجاشي بأن الأصحاب ضعفوه وكذلك ضعفه ابن الغضائري نعم لو لم يكن في البين تضعيف لأمكننا الحكم بوثاقته مع فساد عقيدته بل مع كفره أيضا

Abū ‘Amr (al-Kashshī) said, “May the curse of Allah be upon al-Sajjādah and the curse of those who curse, the angels and all people. He was one of the ‘Alīyā’iyyah² who criticise the Prophet ﷺ and have no share in Islam.”

I say—the words here are from al-Khū‘ī—The man, even though ‘Alī ibn Ibrāhīm authenticated him due to his appearance in the chain of transmission of his *Tafsīr*, nevertheless, it is not possible to rely on his narrations because on the testimony of al-Najāshī that the companions weakened him, and likewise Ibn al-Ghaḍā’irī declared him weak. Yes, if there had been no apparent weakening, we would have been able to rule on his trustworthiness despite the corruption of his belief, in fact with his disbelief too.³

1 *Buḥūth fī Fiqh al-Rijāl*, pg. 38.

2 This is a sect who claims that ‘Alī ﷺ is Allah—Allah ﷻ is far beyond this—and that Prophet Muḥammad ﷺ is his servant.

3 *Mu‘jam Rijāl al-Ḥadīth*, 6/78, Ḥadīth no. 2941.

9. Problem of revealing the conditions of the senior narrators of the school

If we turn the pages of the books of *Jarḥ* and *Ta'dīl*, specifically of this sect, forgetting the books of the Sunnīs, we will notice that the senior narrators from the Imāms, particularly from Ja'far al-Ṣādiq, are accused by the Imāms of the Ahl al-Bayt or the Imāmī scholars, of serious allegations that are sufficient to discredit them as well as their narrations, along with the large number of unknown narrators that fill their books of *Jarḥ* and *Ta'dīl*, especially the two books, *Mu'jam Rijāl al-Ḥadīth* of Abū al-Qāsim al-Khū'ī and *Mustadrakāt Rijāl al-Ḥadīth* of al-Namāzī al-Shāhrūdī.

The most important reality that should be given attention when contemplating on the conditions of the senior narrators of the School and those who narrate abundantly from the Imāms is that which al-Sharīf al-Murtaḍā spoke about by stating:

إن معظم الفقه وجمهوره لا يخلو مستنده ممن يذهب مذهب الواقعة إما أن يكون أصلا في الخبر أو فرعا راويا عن غيره ومرويا عنه وإلى غلاة وخطابية ومخمسة وأصحاب حلول كفلان وفلان ومن لا حصى أيضا كثرة وإلي قمي مشبه مجبر وإن القميين كلهم من غير استثناء لأحد منهم إلا أبا جعفر بن بابويه بالأمس كانوا مشبهة مجبرة وكتبهم وتصانيفهم تشهد بذلك وتنطق به فليت شعري أي رواية تخلص وتسلم من أن يكون في أصلها وفرعها واقف أو غال أو قمي مشبه مجبر والاختبار بيننا وبينهم الفتيش

Most of the fiqh is such that their narrators are not devoid of those who adhere to the school of the Wāqifah; either as the source of the narration or a subsidiary, narrating from others or narrated from him; and to extremist, Khaṭṭābīs, *Mukhammisah* (those who believe that Allah handed over the affairs of the world to five people) and the people of *Hulūl* (those who believe 'Alī رَضِيَ اللَّهُ عَنْهُ to be Allah incarnate) like so and so other countless people; and adhere to the *Mushabbih* (anthropomorphist) *Mujabbir* (those who believe that man has no free will) Qummīs. All the Qummiyīn, without exception, besides Abū Ja'far ibn Bābawayh, were previously *Mushabbih*s and *Mujabbir*s. Their books and literature bear witness and expose that. If only I knew of any narration whose source or subsidiary is free and

safe from a Wāqifī, extremist, or a Mushabbih Mujabbir Qummī. The test between us and them is in research.¹

Thereafter he states:

وفي رواتنا ونقله أحاديثنا من يقول بالقياس ويذهب إليه في الشريعة كالفضل بن شاذان ويونس وجماعة معروفين ولا شبهة في أن اعتقاد صحة القياس في الشريعة كفر لا تثبت معه عدالة فمن أين يصح لنا خبر واحد يروونه ممن يجوز أن يكون عدلا مع هذه الأقسام التي ذكرناها حتي ندعي أنا تعبدنا بقوله

In our narrations and the transmitters of our narrations there are those who practice Qiyās and adopt it in Sharīah, such as al-Faḍl ibn Shādhān, Yunus, and a group of well-known people. There is no doubt that believing in the validity of Qiyās in the Sharīah is disbelief, with which justice is not established. Therefore, how can we have a single narration that they narrate from someone who may be just, with these categories that we have mentioned so that we can claim that we practiced on his view?²

In fact, Shaykh al-Ṭūsī also raised suspicions that most of the narrators in Shīrī books are from the Mujabbirs, Mushabbihs, Muqallids, extremists, Waqifīs, and Faḥḥīs etc. He discussed some of what was mentioned and acknowledged to the existence of the narrations of Jabr and Tashbīh, but he considered that they do not necessarily indicate that their transmitters are among those who believe in them. Despite this, he acknowledged that most of the narrations, especially regarding rulings, lack evidences that indicate to their authenticity.

A question is posed that the Ahl al-Sunnah also narrate from those who they regard to be innovators like the Khawārij, Rawāfiḍ, Murji'ah, Qadariyyah etc., then what makes that which al-Murtaḍā and al-Ṭūsī mentioned defective in itself and a reason to refrain from accepting the School's narrations while accepting the narrations of others?

In answer to this it can be said that there is a clear difference between the two issues, even if may appear to some that there is similarity between them.

1 *Rasā'il al-Sharīf al-Murtaḍā*, 3/310-311.

2 *Rasā'il al-Sharīf al-Murtaḍā*, 3/310-311.

We summarise it in two ways:

First: Sunnī scholars differentiate between innovation that leads to disbelief and innovation that does not, as stated by ‘Allāmah al-Mu‘allimī in *al-Tankīl* by saying:

لا شبهة أن المبتدع إن خرج ببدعته عن الإسلام لم تقبل روايته لأن من شروط قبول
الرواية الإسلام وأنه إن ظهر عناده أو إسرافه في اتباع الهوى والإعراض عن حجج
الحق ونحو ذلك مما هو أدل على وهن التدين من كثير من الكبائر كشرب الخمر
وأخذ الربا فليس يعدل فلا تقبل روايته لأن من شرط قبول الرواية العدالة وأنه إن
استحل فإما أن يكفر بذلك وإما أن يفسق فإن عذرناه فمن شرط قبول الرواية الصدق
فلا تقبل روايته

There is no doubt that if the innovator deviates from Islam through his innovation, his narration will not be accepted because one of the conditions for accepting his narration is Islam. If his stubbornness or extravagance in following his desires and turning away from the proofs of truth etc., becomes apparent, which indicates more to the weakness of dīn than many major sins such as drinking alcohol and taking usury, then he is not just and his narration is not accepted, because one of the conditions for accepting the narration is justice. If he deems it permissible, then he will either be committing disbelief or sin. Thus, if we excuse him, then from the condition of accepting the narration is honesty, hence, his narration will not be accepted.¹

The Murji’ah, Khawārij,² Shī’ah, Rawāfiḍ, Qadariyah, Nāṣibī and others are regarded as Muslims according to them who are involved in innovation. Therefore, their narrations are accepted primarily because of their Islam and for other considerations, the most important of which is honesty. Whoever goes to extremes in his innovation to the point of denying one of the essentials of Islam or committing one of its forbidden acts, he will neither be narrated from nor honoured.

Yes, there are scholars who have doubts about the narration from some sects, either because of the severity of their innovation and doubt regarding the

1 *Al-Tankīl*, 1/228.

2 This is the view of the majority.

condition of some of those affiliated to it, such as the Khawārij,¹ or because of

1 Taking into consideration what was mentioned by the scholar al-Mu'allimī, i.e. even if they are free from disbelief, then they are not safe from sin due to them leaving the Sharī'ah. Thus, they are not on par with other interpreting sects. Those scholars who accepted their narration only accepted it because the requirement of justice in the narrator is determining his truthfulness and accuracy, considering his condition. The Khawārij—despite their misguidance and their audacity against innocent blood—they refrain from lying and all other major sins. People like them consider honesty in narrating to be dīn. Hence, their narrations were accepted.

Therefore, Abū Dāwūd al-Sijistānī (d. 275 AH) said about them:

ليس في أهل الأهواء أصح حديثا من الخوارج

From the people of desires, no one is more authentic in narrating than the Khawārij.

Then he mentioned 'Imrān ibn Ḥaṭāṭ and Abū Ḥassān al-A'raj. (See *al-Kifāyah* of al-Khaṭīb, pg. 130.)

Abū Dāwūd is the author of the famous *al-Sunan*, and it has been said that his grandfather 'Imrān was one of those who fought with 'Alī رضي الله عنه in Ṣiffīn.

He settled in Baṣrah, which was the homeland of the Qadariyyah. Along with the Qadariyyah there are other sects such as the Jabariyyah, the Murji'ah, the Jahmiyyah, the Nāṣibīs, and the Mu'tazilah. So this statement, in addition to its issuance from the great Imām, emerged after investigation of the people's narrations.

Al-Mubarrad (d. 285 AH) states in *al-Kāmil fī al-Lughah wa al-Adab*, 3/122:

والخوارج في جميع أصنافها تبرأ من الكاذب ومن ذي المعصية الظاهرة

The Khawārij, in all their types, are free from the liars and open sinners.

Ibn Taymiyyah (d. 728 AH) said in *Minhāj al-Sunnah al-Nabawiyyah*, 7/36 regarding the comparison between them and some of the sects:

لا نعرف عنهم أنهم يتعمدون الكذب بل هم من أصدق الناس

We do not know that they intentionally lie; rather, they are among the most honest people.

'Allāmah Ibn al-Wazīr al-Ḥasanī al-Yamānī (d. 840 AH) stated in *al-'Awāṣim wa al-Qawāṣim*, 2/409, about the senior Zaydī luminaries such as al-Hakim Al-Jashamī (d. 494 AH) in *Sharḥ 'Uyūn al-Masā'il*, Aḥmad al-Raṣṣāṣ in *Jawharat al-Uṣūl*, al-Imām al-Zaydī al-Manṣūr bi Allāh (d. 614 AH) in *Ṣafwat al-Akḥbār*, that they authenticated the narrations of the Khawārij and claimed the Zaydī's consensus on this and they would say:

شهادة من يكفر بكذبه أولى من شهادة من لا يرى ذلك

The testimony of one who becomes a disbeliever because of his lie is better than the testimony of one who does not believe that.

This is reference to the belief of the Khawārij that lying is disbelief which expels one from the religion, and their abstinence from lies is for that reason.

continued...

their audacity to lie, such as the Rawāfiḍ.¹

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I said that there is another reason for doubting them, because of what has been attributed to one of them—he was among them, then he repented from his belief—that he stated:

إن هذه الأحاديث دين فانظروا عمّن تأخذون دينكم فإننا كنا إذا هوينا أمرا صيرناه حديثا

These aḥādīth are a dīn, so see from who you take your dīn, for when we used to like something, we would make it a ḥadīth.

(See al-Rāmahurmuzī: *al-Muḥaddith al-Fāṣil*, pg. 415; al-Khaṭīb: *al-Jāmi‘ li Akhlāq al-Rāwī*, 1/137.)

It appears to me—and Allah ﷻ knows best—that this is the action of intruders against them, or that the narrator’s intention, when referring to them as Khawārij, is anyone who holds the view of taking up arms, even if he is from others, such as the Mu‘tazilah or some of the Shī‘ī sects, as this is not the case of these people as we have learned. In fact, the aforementioned narration, in addition to being contrary to what is known of their condition, is weak in its chain.

1 The former Shī‘ah would not narrate from the Rawāfiḍ and they rejected the authenticity of their narrations. From amongst them are:

» Sulaymān ibn Mahrān al-A‘mash (d. 148), who used to say:

أدرکت الناس وما يسمونهم إلا الكذابين

I found that people would only call them liars.

Referring to the followers of al-Mughīrah ibn Sa‘īd, who were from the Rawāfiḍ.

» Sharīk ibn ‘Abd Allāh al-Nakha‘ī (d. 178 AH) who used to say:

احمل العلم عن كل من لقيت إلا الرافضة فإنهم يضعون الحديث ويتخذونه دينا

I take knowledge from whoever I meet, except the Rawāfiḍ, for they fabricate ḥadīth and regard it as dīn.

This is the opinion of the senior *Huffāz* (preservers of Ḥadīth) and the Imāms of dīn. It has been narrated about al-Hāfiẓ Yazīd ibn Hārūn al-Wāsiṭī (d. 117 AH) that he said:

نكتب عن كل صاحب بدعة إذا لم يكن داعية إلا الرافضة فإنهم يكذبون

We write from all those innovators who do not invite to their innovation, except the Rawāfiḍ because they lie.

When Imām Mālik was asked about them, he replied:

لا تكلمهم ولا ترو عنهم فإنهم يكذبون

Do not speak to them and do not narrate from them for they lie.

He used to say:

نزلوا أحاديث أهل العراق منزلة أحاديث أهل الكتاب لا تصدقوهم ولا تكذبوهم

They made the narrations of the people of Irāq like the narrations of the people of the Book. Do not verify them nor falsify them.

continued...

Ḥāfiẓ Ibn Ḥajar (d. 852 AH) has stated this in *Lisān al-Mīzān* by saying:

فالمنع من قبول رواية المبتدعة الذين لم يكفروا ببدعتهم كالرافضة والخوارج
ونحوهم ذهب إليه مالك وأصحابه والقاضي أبو بكر الباقلاني وأتباعه والقبول
مطلقاً إلا فيمن يكفر ببدعته وإلا فيمن يستحل الكذب ذهب إليه أبو حنيفة وأبو
يوسف وطائفة وروي عن الشافعي أيضاً

The prohibition of accepting narrations of innovators, who are not regarded to be infidels because of their innovation, is the view of Mālik, his followers, Qāḍī Abū Bakr al-Bāqillānī, and his followers. Accepting their narrations generally, except those who are regarded to be infidels because of their innovation and those who regard lying to be permissible, is the view of Abū Ḥanīfah, Abū Yūsuf, and a group of scholars. This view is narrated from al-Shāfiʿī also.¹

This is the reality of how Sunnī scholars deal with gauging Muslims from the various sects. None of these interpreters harbour enmity to the Prophet صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ, otherwise they will be counted among the disbelievers or deny any of the essentials of the dīn, whose deniers are regarded as disbelievers. Rather, their differences in belief and other matters are based on the difference in some sources of acquisition or the establishment of the text or apparent desire that leads its

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Imām Muḥammad ibn Idrīs al-Shāfiʿī states:

لم أر أحد أشهد بالزور من الرافضة

I have not seen anyone who bears false witness more than the Rawāfiḍ.

Ibn Abū al-Ḥadīd al-Muʿtazilī (d. 656 AH), in his *Sharḥ Nahj al-Balāghah*, 11/49, believes that—despite him being a well-known Shīʿī—the Rawāfiḍ, even though they are called Shīʿah, are:

أصل الأكاذيب في أحاديث الفضائل فإنهم وضعوا في مبدأ الأمر أحاديث مختلقة في صاحبهم وحملهم على وضعها عداوة
خصوصهم نحو حديث السطل وحديث الرمانه وحديث غزوة البئر التي كان فيها الشياطين وتعرف كما زعموا بذات العلم
وحديث غسل سلمان الفارسي وطبي الأرض وحديث الجمجمة ونحو ذلك

They are the source of lies in narrations of virtues. From the beginning, they fabricated various narrations regarding their leader. Their enmity towards their opposition provoked them to fabricate narrations such as the narration of the bucket, narration of the pomegranate, narration about the battle of the well wherein there were devils, which is known as ‘actual knowledge’ according to them, narration about the bathing of Salmān al-Fārsī, narration about the folding up of the earth, narration about the skull etc.

1 *Lisān al-Mīzān*, 1/203.

owner to innovation and not to disbelief that expels him from the religion. This is contrary to the Imāmī Shī'ah, because anyone who opposes them is considered, in their view, among those who harbour enmity towards their Imāms. Thus, he is judged to be a disbeliever whose blood, wealth, and honour is permissible (to be taken), and that he is worse than a Jew, Christian, and a polytheist, in fact worse than a dog,¹ or he is an opposition who is judged to be a sinner according to some, and a disbeliever according to most,² or he is a weak opposition

1 Al-Muḥaqqiq al-Karakī (d. 940 AH) states in *Jāmi' al-Maḥāsib*, 12/135:

والناصب شر من اليهودي والنصراني على ما روي في أخبار أهل البيت ولا خلاف في ذلك عندنا

A Nāṣibī is worse than a Jew and a Christian, as narrated in transmissions from the Ahl al-Bayt and there are no differences in that according to us.

Also see Zayn al-Dīn al-Āmilī (d. 964 AH): *al-Rawḍat al-Bahiyyah*, 5/234; Yūsuf al-Baḥrānī: *al-Ḥadā'iq al-Nāḍirah*, 5/178; *al-Tanqīḥ fi Sharḥ al-Makāsib*, book on transactions (from the encyclopaedia of Imām al-Khū'ī), pg. 203.

Whilst discussing their impurity, the late Shī'ah scholar of reference, al-Mīrzā Jawād al-Tabrīzī (d. 1427 AH) states in *Tanqīḥ Mabānī al-'Urwah*, 2/207:

ولعل كون الناصب أنجس من الكلب أن اعتبار النجاسة للكلب لا لخبيثه الباطني بخلاف الناصب لهم وعلى الجملة ظاهرها أن النجاسة المعروفة في الكلب هي الثابتة للناصب بنحو يوصف بالأشد

Perhaps the reason for a Nāṣibī being more impure than a dog is taking into consideration that a dog's impurity is not because of his internal impurity, contrary to a Nāṣibī. In brief, the apparent meaning is that the impurity known in a dog is found in a Nāṣibī in a more severe manner.

2 Considering a vast expansion of the definition of Naṣb according to the Imāmī scholars, merely giving the three Khalīfahs (Abū Bakr, 'Umar and 'Uthmān رضي الله عنهم) preference over 'Alī رضي الله عنه is regarded to be Naṣb, even if the one who holds this view loves and is loyal to 'Alī رضي الله عنه, like the statement of Husayn Āl 'Uṣfūr al-Darāzī al-Baḥrānī in *al-Maḥāsini al-Nafsanīyyah fi Ajwibat al-Masā'il al-Khurāsāniyyah*, pg. 1157:

على أنك قد عرفت سابقاً أنه ليس النصب إلا عبارة عن التقديم على علي ومن المعلوم أن أهل السنة يقدمون أبا بكر وعمر على علي بن أبي طالب

As you already know that Naṣb is to give preference over 'Alī and it is well known that the Sunnīs give preference to Abū Bakr and 'Umar over 'Alī.

'Allāmah Yūsuf al-Baḥrānī has declared this also in *al-Ḥadā'iq al-Nāḍirah*, 5/186:

والمستفاد من هذه الأخبار أن مظهر النصب المترتب عليه الأحكام والدليل عليه إما تقديم الجبوت والطاغوت أي أبي بكر وعمر أو بغض الشيعة من حيث التشيع فكل من اتصف بذلك فهو ناصب تجري عليه أحكام النصب نعم يجب أن يستثنى من خبر تقديم الجبوت والطاغوت المستضعف كما عرفت من الأخبار المتقدمة وغيرها أيضاً فيختص الحكم بما عداه وعموم ذلك لجميع المخالفين بعد إخراج هذا الفرد مما لا يعتره الريب والشك بالنظر إلى الأخبار المذكورة كما عليه أكثر أصحابنا المتقدمين الحاكمين بالكفر وكثير من متأخري المتأخرين كما قدمنا نقل كلام بعضهم

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What can be learnt from these narrations is that the manifestations of Naṣb, on which rulings are applied. The evidence for it is giving preference to Jibt and the *Ṭāghūt* (idols)—that is, Abū Bakr and ‘Umar—or hatred of the Shī‘ahs because of their Shī‘ism. So, whoever is characterized by that is a Nāṣibī and the rulings of Naṣb will be applied to him. Yes, it is necessary to exclude from the narration of the precedence of Jibt and Ṭāghūt, the oppressed ones, as you have learned from the above-mentioned reports and others as well. Thus, the ruling is specific to others. The generality of that to all opposition, after excluding this individual, is something beyond uncertainty and doubt, taking into consideration the aforementioned reports, as was the case with most of our former companions who issued the ruling of disbelief, as well as many of the latter scholars, as we have quoted their statements before.

This view is not confined to a group of Akhbārīs, as it can be claimed. In fact, the practical application of this belief is apparent in the statements of a group of scholars from the Uṣūlī school, as the contemporary Shī‘ī scholar of reference, ‘Alī Āl Muḥsin al-Qaṭīfī considered a group of senior Sunnī scholars from amongst the Naṣibīs, as he states in *Kashf al-Ḥaqā’iq*, pg. 204:

وأما النواصب من علماء أهل السنة فكثيرون أيضا منهم ابن تيمية وابن كثير الدمشقي وابن الجوزي وشمس الدين الذهبي وابن حزم الأندلسي وغيرهم وهؤلاء وإن نفوا عن أنفسهم النصب إلا أن المتأمل في كتبهم يحصل له الجزم بما قلناه

As for the Nāṣibīs from the Sunnīs, they are plenty. Amongst them are: Ibn Taymiyyah, Ibn Kathīr al-Damishqī, Ibn al-Jawzī, Shams al-Dīn al-Dhahabī, Ibn Jazm al-Andalusī etc. Although these scholars deny Naṣb on themselves; however, an observer into their books will ascertain what we have mentioned.

Muḥsin al-Mu‘allim embarked on enumerating more than 200 people from amongst the Companions رَضِيَ اللَّهُ عَنْهُمْ, the Tābi‘īs, and other scholars, who he considered to be Naṣibīs. Some of them are:

From the Companions رَضِيَ اللَّهُ عَنْهُمْ:

Abū Bakr al-Ṣiddīq, ‘Umar ibn al-Khaṭṭāb, ‘Uthmān ibn ‘Affān, Umm al-Mu‘minīn ‘Ā’ishah, Anas ibn Mālik, Ḥassān ibn Thābit al-Anṣārī, al-Zubayr ibn al-‘Awwām, Sa‘d ibn Abī Waqqās, Ṭalḥah ibn ‘Ubayd Allāh, Abū Mūsā al-Ash‘arī, Abū Hurayrah, ‘Abd Allāh ibn al-Zubayr, Jarīr ibn ‘Abd Allāh al-Bajalī, and Ḥanzalah ibn al-Rabī‘ al-Tamīmī.

From the Tābi‘īn:

Al-Ḥasan al-Baṣrī, Sa‘d ibn al-Musayyib, ‘Urwah ibn al-Zubayr, ‘Abd Allāh ibn Ḥabīb al-Sulamī, Muṭarrif ibn ‘Abd Allāh al-Shikhkhīr, ‘Abd Allāh ibn Shaqīq, and al-Ḥakam ibn ‘Utaybah.

From the Imāms and luminaries of the Ahl al-Sunnah:

Al-Zubayr ibn Bakkār, Muḥammad ibn Muslim al-Zuhrī, Imām Ṭāwūs ibn Kaysān, Imām al-Awzā‘ī, Imām Mālik, Imām Thawr al-Kalā‘ī, Ḥusayn ibn ‘Alī al-Karābīsī, al-Aṣma‘ī, Ibn Qutaybah al-Dīnawarī, Abū Bakr al-Bāqillānī, Imām Ibn Ḥazm, Imām Ibn Taymiyyah, al-Ḥāfiẓ al-Dhahabī, Ibn Ḥajar al-Haytamī, al-Ḥāfiẓ Ibn Kathīr and Ibn Khaldūn. (Refer to *al-Naṣb wa al-Nawāṣib*, under the heading: *al-Nawāṣib fī al-‘Ibād*, pg. 259 and thereafter.)

who is excused because of his ignorance, or he is considered to be from amongst the deviated groups of the Shī'ahs, like the various types of extremists, such as the Khaṭṭābīs,¹ the Mufawwīḍah,² 'Aliyyā'iyyah, Mughīriyyah, the Ismā'īlīs,³

1 They are the followers of Abū al-Khaṭṭāb Muḥammad ibn Abī Zaynab al-Asadī al-Ajda'. They are five sects and all of them claim that the Imāms are inspired prophets, messengers of Allah, and His evidence on His creation. There will always be two messengers present; one talking and the other silent. Thus, Prophet Muḥammad ﷺ is the talking one and 'Alī ibn Abī Ṭālib is the silent one. They claim that the prophets of Allah come in succession, i.e. there will always be two at any given time and that obedience to them is compulsory on everyone. They have knowledge of the past and the future. The two messengers during the time of the Khaṭṭābīs were Ja'far al-Ṣādiq and Abū al-Khaṭṭāb al-Asadī. (Refer to al-Ash'arī: *Maqālāt al-Islāmiyyīn*, pg. 10; al-Ḥimyarī al-Zaydī: *al-Ḥūr al-'Ayn*, pg.166; al-Qummī: *al-Maqālāt wa al-Firaq*, pg. 51.)

They say that Abū Khaṭṭāb claimed prophethood first, then he claimed to be a messenger, then he claimed to be from among the angels and that he is Allah's messenger to the people of the earth and evidence against them.

It appears to me that reporting of this statement from him is based on ignorance regarding the concept of Imāmah according to the Imāmīs, because they believe an Imām to be greater than all the prophets and the messengers except Prophet Muḥammad ﷺ, and he is the evidence of Allah ﷻ against his servants and protected from major and minor sins, in fact from forgetfulness and mistake also (this parallels the infallibility of the angels, in fact is more). Hence, the meaning of his claim of Imāmah with Ja'far al-Ṣādiq is all that has been mentioned above.

However, they report that he went beyond that after some time, i.e. the view of deification of the Imāms. Hence, he claimed divinity and subsequently discarded some obligatory acts from his followers to make it easier for them and he permitted some unlawful acts for them. (Refer to: al-Nawbakhtī: *Firaq al-Shī'ah*, pg. 58; al-Nu'mān: *Da'ā'im al-Islām*, 1/49-50.)

2 They are a group of extremists who separated from those extremists who believe in the divinity of 'Alī ﷺ and other Imāms from his progeny, by professing that the Imāms are transient, created by Allah ﷻ and refuting eternity for them. However, they attached creation and sustenance to them and claimed that Allah ﷻ created them exclusively and handed over the creation of the universe, with all its contents, as well all actions to them. (Refer to al-Mufīd: *Taṣṣiḥ I'tiqādāt al-Imāmiyyah*, pg. 133-134; *Rasā'il al-Murtaḍā*, 4/21.)

3 This is the biggest Shī'ī Imāmī sect, after the Ithnā 'Ashariyyah, found today. They share the concept of Imāmah with the Ithnā 'Ashariyyah; however, a split occurred between them and the remaining Imāmīs after the demise of the sixth Imām, Ja'far al-Ṣādiq. A group from the majority of the Imāmīs believe that Imāmah was transferred to his eldest son, for whom he bequeathed it, Ismā'īl al-Mubārak. Another group believes that the Imāmah was transferred to his brother Mūsā al-Kāẓim, because of the death of Ismā'īl during his father's lifetime. Meanwhile the Ismā'īlīs believe that Imāmah, after Ismā'īl, was transferred to his son Muḥammad.

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Beneficial Note:

The Khaṭṭābīs shaped a suitable landscape for the foundation of the Ismāʿīlī School, as it can be clearly seen in the inner beliefs of the Ismāʿīlīs and its closeness to the beliefs and those of the Khaṭṭābīs at that time. Al-Nawbakhtī alludes to that clearly by saying:

فاما الإسماعيلية فهم الخطابية أصحباب أبي الخطاب محمد بن أبي زينب الأسدي الأجدع وقد دخلت منهم فرقة في فرقة محمد بن إسماعيل وأقروا بموت إسماعيل بن جعفر في حياة أبيه وهم الذين خرجوا في حياة أبي عبد الله جعفر بن محمد فحاربوا عيسى بن موسى بن محمد بن عبد الله العباسي وكان عاملا على الكوفة فبلغه عنهم انهم أظهروا الإباحات ودعوا إلى نبوة أبي الخطاب

As for the Ismāʿīlīs, they are the Khaṭṭābīs, the followers of Abū al-Khaṭṭāb Muḥammad ibn Abī Zaynab al-Asadī al-Ajdaʿ. A group from them merged with the group of Muḥammad ibn Ismāʿīl and confirmed the death of Ismāʿīl ibn Jaʿfar during the lifetime of his father. They are the group that revolted during the life Abū ʿAbd Allāh Jaʿfar ibn Muḥammad, and fought against ʿIsā ibn Mūsā Ibn Muḥammad ibn ʿAbd Allāh al-ʿAbbāsī, who was the governor of Kūfah. He received information that they spread immorality and called to the prophethood of Abū al-Khaṭṭāb.

Then, al-Nawbakhtī mentions the battle and the killing, crucifixion and burning of Abū al-Khaṭṭāb's body. Thereafter, he states:

ثم خرج من قال بمقاتته من أهل الكوفة وغيرهم إلى محمد بن إسماعيل بن جعفر بعد قتل أبي الخطاب فقالوا بإمامته وأقاموا عليها
Thereafter, those who held his view from the people of Kūfah and others went to Muḥammad ibn Ismāʿīl ibn Jaʿfar, after the death of Abū al-Khaṭṭāb, believed in his Imāmah and abided by it. (Refer to *Firaq al-Shīʿah*, pg. 69-71)

It is reported in *Rijāl al-Kashshī*, 2/612, from Ḥammād ibn ʿUthmān who says:

سمعت أبا عبد الله جعفر الصادق يقول للمفضل بن عمر الجعفي يا كافر يا مشرك مالك ولا بني يعني إسماعيل بن جعفر وكان منقطعاً إليه يقول فيه مع الخطابية ثم رجع بعد

I heard Abū ʿAbd Allāh —Jaʿfar al-Ṣādiq—say to Mufaḍḍal ibn ʿUmar al-Juʿfī, “O infidel, O polytheist, what is wrong with you and [what do you want with] my son?”

He was cut off from him and believed in the Khaṭṭābīs. He later retracted.

Hence, Saʿd ibn ʿAbd Allāh al-Ashʿarī al-Qummī (d. 299 AH) states *al-Maḡālāt wa al-Firaq*, pg. 83:

إن اتباع أبي الخطاب لما قتل معظمهم خرج الجماعة الباقون ممن قال بمقالة أبي الخطاب إلى محمد بن إسماعيل فقالوا بإمامته وأقاموا عليها

When most of Abū al-Khaṭṭāb's followers were killed, the remainder of the group who adopted the views of Abū al-Khaṭṭāb went to Muḥammad ibn Ismāʿīl believed in his Imāmah and abided to it.

It becomes clear to one who studies the principles of Ismāʿīlīs and their belief structures that there is a great similarity between some of the beliefs and ideologies of the Khaṭṭābīs and the Ismāʿīlīs. The Khaṭṭābīs invented the belief of the talking Imām and the silent Imām, a belief that later became specific to Ismāʿīlīs.

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Similarly, one of their opinions that they expressed openly is the claim of the equality of the Imāms (initially) or giving them preference over the messengers of firm resolve. This is an established belief among the Ismā'īlīs, especially regarding their Imam Muḥammad ibn Ismā'īl, who they consider to be in the status of the messengers of firm resolve, as recorded in their books of realities. (Refer to al-A'zamī: *al-Ḥaqā'iq al-Khaḥfiyyah*, pg. 126.)

As for the claim of divinity for their Imāms and leaders, the Khaḥṭṭābīs, in their final stages, claimed divinity for Ja'far al-Ṣādiq and Abū al-Khaḥṭṭāb. The Ismā'īlīs also had similar beliefs regarding their Imām Muḥammad ibn Ismā'īl.

Indicating to all that has been mentioned above, Dr Muḥṭafā al-Nashshār states:

ولا شك أن الكثير من أصول الخطابية قد دخلت في عقائد الإسماعيلية فيما بعد ولكن تم هذا بعد مقتل أبي الخطلاب واعتناق كثير من أتباعه للإسماعيلية في عهد عبد الله بن ميمون القداح

There is no doubt that many of the Khaḥṭṭābī principles merged with the beliefs of the Ismā'īlīs later and this was completed after the killing of Abū al-Khaḥṭṭāb and many of his followers embracing the Ismā'īliyyah during the era of 'Abd Allāh ibn Maymūn al-Qaddāh.

Bernard Lewis states in *Uṣūl al-Ismā'īliyyah*, pg. 71-72:

ولما مات أبو الخطاب تحول أتباعه إلى محمد بن إسماعيل حفيد جعفر وأعلنوا ولائهم له وكانت فرقة الإسماعيلية هي الخطابية نفسها

When Abū al-Khaḥṭṭāb passed away, his followers turned to Muḥammad ibn Ismā'īl, the grandson of Ja'far and declared loyalty to him. The Ismā'īlī sect is in fact the Khaḥṭṭābī sect.

He further states:

وفضلا عن ذلك فإن لدينا مجموعتين من التصانيف حفظت لنا اسم أبي الخطاب وعقائده وفيها إشارة وافية إلى الدور الحاسم الذي اضطلع به أولاهما أم الكتاب الشهيرة وهي عبارة عن كتاب سري مقدس عند الإسماعيليين في آسيا الوسطى يمثل كما يشير العلامة الذي أشرف على طبعه مرحلة قديمة جدا لتطور أفكار الشيعة الثورية وهذا الكتاب يجعل لأبي الخطلاب مقاما خطيرا في هذه الحركة فيعتبره مؤسس المذهب ويقرنه بسلامان في عظيم أهميته وعبارته في ذلك واضحة صريحة إذ يقول: إن المذهب الإسماعيلي هو ما أوجده ذرية أبي الخطاب وأتباعه الذي شروا أنفسهم بحب أحفاد جعفر الصادق وإسماعيل

In addition to that, we have two groups of collections that have preserved the name of Abū al-Khaḥṭṭāb and his beliefs for us. It contains ample indication to the decisive role played by, the first of them, the famous Umm al-Kitāb (the main book). This is a secret book, sacred to the Ismā'īlīs in Central Asia that represents, as indicated by the learned scholar who undertook its printing, a very ancient stage of the development of the revolutionary Shī'ī ideologies. This book gives Abū al-Khaḥṭṭāb a serious position in this movement, considering him the founder of the sect and linking him to Salmān in his great importance. His statement in that is clear and explicit as he states, "The Ismā'īlī School is what was invented by the descendants of Abū al-Khaḥṭṭāb and his followers who sold themselves for the love of the grandchildren of Ja'far al-Ṣādiq and Ismā'īl."

the Nuṣayriyyah,¹ and others—they are disbelievers and all are judged to impure—and sects of the Shī'ahs who oppose the Ithnā 'Ashariyyah in the fundamental or subsidiary rulings of Imāmah like the Kaysāniyyah,² Zaydiyyah,³

1 It is an extinct Imāmī sect who believed in the prophet hood of Muḥammad ibn Nuṣyr al-Fihri al-Numayrī. He claimed to be a prophet and that Imām 'Alī ibn Muḥammad al-Ḥādī sent him. He believed in reincarnation and extremism regarding Abū al-Ḥasan—'Alī al-Ḥādī—and believed in his divinity. He believed in permitting unlawful things and permitted homosexuality and sodomy. He used to say:

إنه من الفاعل والمفعول به أحد الشهوات والطيبات وإن الله لم يحرم شيئاً من ذلك

It is one of the pleasures and pure things from the doer and the one on whom it is done, and Allah ﷻ has not prohibited any of that.

Muḥammad ibn Mūsā ibn al-Ḥasan ibn Furāt used to strengthen his reasons and support him. It is mentioned that some people saw Muḥammad ibn Nuṣayr with his own eyes and a servant of his on his back. When he saw him in that way he said, “This is one of the pleasures and it is a form of humility to Allah and abandoning arrogance. (Refer to: al-Nawbakhtī: *Firaq al-Shī'ah*, pg. 93; *Rijāl al-Kashshī*, 2/805.)

Some mention that he was a companion of al-Ḥasan al-'Askarī and that he said about him what they mentioned that he said about his father. Allah ﷻ knows best.

2 It is an extinct school which was founded after the martyrdom of al-Ḥusayn ibn 'Alī in Karbalā'. They believed in the Imāmah of 'Alī, Ḥasan, and Ḥusayn ﷺ, then Muḥammad ibn 'Alī ibn Abī Ṭālib, known as Ibn al-Ḥanafiyah. The Kaysāniyyah believed that Muḥammad was the awaited Mahdī who will fill the earth with fairness and justice and that he is alive who did not and will not die until truth prevails.

3 It a sect that is attributed to Zayd ibn 'Alī ibn al-Ḥusayn ibn 'Alī ibn Abī Ṭālib ﷺ. They believe that he was the Imām after 'Alī and his two sons, al-Ḥasan and al-Ḥusayn. They also believed in the Imāmah of the non-preferential ones, i.e., Abū Bakr and 'Umar despite giving preference to 'Alī over them. They believe that after Ḥasan and Ḥusayn, Imāmah will remain in their progeny. Thus, Imāmah will be for the one who calls to himself, if his lineage from his father descends to one of them, when the qualities of Imāmah are found in him. No one besides them can be an Imām. They mention that this is the school of all the Ahl al-Bayt, as mentioned by the Zaydī Imām, al-Manṣūr bi Allāh 'Abd Allāh ibn Ḥamzah in *Sharḥ al-Risālat al-Nāṣiḥah*, 1/283:

مذهبنا بكماله في أن الإمامة بعد علي وولديه الحسن والحسين مقصورة على من قام ودعا من أولادهما المنتسبين بأبائهم إليهما

Our complete school is that Imāmah, after 'Alī and his two sons, al-Ḥasan and al-Ḥusayn, is confined to one who rises and calls to it, from amongst their progeny who are attributed to them through their fathers.

As for the Imāmī stance on the Zaydīs, it manifests itself from what Sulṭān al-Wā'iẓīn al-Shīrāzī said in *Layālī Beshāwar* (*Peshawar nights*), which is the most famous propaganda book of the school after *al-Murāja'āt*:

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ظهرت مذاهب كثيرة بدواع دينية وسياسية زعمت أنها من الشيعة وتبعهم كثير من الجهال فاعتقدوا بأباطيلهم وكفرياتهم وحسبهم الجاهلون الغافلون بأنهم من الشيعة ونشروا كتباً علي هذا الأساس الباطل من غير تحقيق وتدقيق واما المذامب التي انتسبت إلي الشيعة عن جهل أو عمد لأغراض سياسية ودنيوية فهي أربع (كذا بالأصل والصحيح أربعة) مذاهب أولية وقد اضمحل منها مذهبان وبقي مذهبان تشعبت منهما مذاهب أخرى والمذامب الأربعة هي الزيدية الكيسانية القداحية الغلاة

Many schools sprung up for religious and political reasons, claiming to be from the Shī'ah. Many ignorant people followed them and believed in their corrupt views and infidelity. The negligent ignorant people thought that they were from the Shī'ah and spread their books on this corrupt basis, without investigation and scrutiny. The schools that are attributed to the Shī'ah, either intentionally or unintentionally, for political or worldly purposes, are four primary schools. Two of them have become extinct and the other two remain, wherefrom other schools branch out. The four schools are: the Zaydīs, the Kaysāniyyah, Qaddāhiyyah, and the extremist. (Refer to *Layālī Beshāwar*, third council, pg. 130.)

‘Allāmah al-Majlisī states in *Bihār al-Anwār*, 37/34:

كتب أخبارنا مشحونة بالأخبار الدالة على كفر الزيدية وأمثالهم من الفطحية والواقفة وغيرهم من الفرق المضلة المبتدعة

Our books of narrations are fraught with narrations that indicate to the disbelief of the Zaydīs and other similar deviate innovated sects like the Faṭḥīs, Wāqifīs etc.

‘Allāmah Yūsuf al-Baḥrānī states in *al-Kashkūl*, 3/307:

وأما الزيدية القائلون بإمامته أي الإمام زيد فهم عند الأئمة في عداد النصاب بلا شك ولا ارتياب كما صرحت به أخبارهم المنقولة في كتاب الكشي وغيره

As for the Zaydīs who believe in his—Imām Zayd—Imāmah, they are undoubtedly counted amongst the Naṣībīs according to the Imāms, as is clearly declared by their narrations transmitted in *Kashshī* and other books.

Despite the political proximity which we see today between the Imāmīs and the Zaydīs, the senior Imāmī scholars have declared their impurity along with declaring them to be disbelievers, as stated by the late Shī'ah scholar of reference, Rūḥ Allāh al-Khumaynī (d. 1410 AH) in *Kitāb al-Ṭahārah*, 3/459:

وأما سائر الطوائف من المنتحلين للإسلام أو التشيع كالزيدية والواقفة والغلاة والمجسمة والمجبرة والمفوضة وغيرهم إن اندرجوا في منكري الأصول أو في إحدى الطائفتين فلا إشكال في نجاستهم

As for all the groups impersonating Islām of the Shī'ah such as the Zaydīs, Wāqifīs, the extremists, the Mujassimah, the Mujabbirah, the Mufawwiḍah etc, if they fall into the deniers of fundamentals or in one of the two sects, then there is no objection to their impurity.

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Faṭḥiyyah,¹ Wāqifiyyah (Wāqifah),² are also disbelievers according to

1 They believe in the Imāmah of the Twelve Imāms including ‘Abd Allāh al-Aftāḥ, the son of Ja‘far al-Ṣādiq, who they insert between his father and brother, Mūsā al-Kāẓim. They differ in the reason for calling him al-Aftāḥ. Is it because of his broad head or broad feet or both? Sometimes it is interpreted as crookedness in the leg.

‘Abd Allāh claimed Imāmah and *Wiṣāyah* (appointment by bequest) after the demise of his father. He was the eldest of Ja‘far’s children after the demise of his brother Ismā‘īl who passed away during his lifetime.

2 In the books of narrators and history, the singular form of the word ‘Wāqifa’ is used for a group of people who hold specific religious trends. This name is repeated many times in the books of schools and sects, particularly among the Shī‘ahs. It refers to those who adhere to—in many historical stages—one of the Shī‘ī Imāms like the Kaysāniyyah and the Nāwūsiyyah.

Ibn Bābawayh al-Qummī has used this phrase, for example, the Wāqifah of Amīr al-Mu‘minīn, the Wāqifah of Mūsā al-Kāẓim, the Wāqifah of Abū ‘Abd Allāh—Ja‘far al-Ṣādiq—during the course of narrating the debates between Ibn Qubbaḥ and Abū Zayd al-‘Alawī.

In another place it comes as ‘the Wāqifah of al-Ḥasan ibn ‘Alī ibn Muḥammad’ indicating to those who believe that al-Ḥasan al-‘Askarī is the Mahdī, who did not die, rather, he disappeared and will return later. From amongst those who used the singular form of this word (Wāqifah) is al-Nawbakhtī in his book *Firaq al-Shī‘ah* believing it to mean ‘adherence to any of the Imāms’; however, it is used specifically for those who adhere to the Imāmah of Mūsā ibn Ja‘far. He states:

كل من مضى منهم يعني من الأئمة فله واقفة قد وقفت عليه وهذا اللقب أي الواقفية لأصحاب موسى بن جعفر خاصة

From the Imāms that passed, each one had adherents that adhered to him. This title, i.e., al-Wāqifiyyah, is specifically for the followers of Mūsā ibn Ja‘far. (Refer to *Firaq al-Shī‘ah*, pg. 82.)

The Wāqifāh had a great influence on the Imāmī legacy. It is sufficient to know that its followers reached 64 in number from the total number of Mūsā al-Kāẓim’s followers, which were 273. This total represents a great trend which cannot be underestimated in the co-existence of the Imāmī Shī‘ah who constitute a minority that suffered from severe censorship after the imprisonment of their Imām and subsequently his death in prison.

These Imāmīs wrote several books in support of their beliefs, which did not reach us due to the school’s extinction and the survival of their opposition. The most important ones are: *Nuṣrat al-Wāqifah* and *al-Ṣifah fī al-Ghaybah ‘alā Madhhab al-Waqifah*. Their activities and actual existence continued till later times as the Shī‘ī sources mention that Imām Ḥasan al-‘Askarī used to dispute with them.

The Ithnā ‘Asharī Imāmīs gave the Wāqifah the title of *al-Kilāb al-Mamṭūrah* (wet dogs) to degrade and criticise them because ‘Alī ibn Ismā‘īl al-Maythamī and Yūnus ibn ‘Abd al-Raḥmān debated with some of the Wāqifiyyah. When confronted with the stubbornness and aggression of the Wāqifah and their non-compliance with the evidences presented, ‘Alī ibn Ismā‘īl said, when the conversation became heated between them, “You are nothing but wet dogs.”

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them,¹ or the Mujassimah, Mushabbihah or the Mujabbirah—referring to the

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He meant that you smell worse than a corpse because when a dog gets wet in the rain, it smells worse than a corpse.

Subsequently, this sect is known as al-Kilāb al-Mamṭūrah among the Qaṭ'iyyah (they are those who broke away after the demise al-Kāẓim and the Imāmah of al-Riḍā after him). Wherever the phrase al-Kilāb al-Mamṭūrah is mentioned in any narration or book, it refers to the Wāqifiyyah. (Refer to al-Nawbakhtī: *Firaq al-Shī'ah*, pg. 81.)

1 The Imāmī consensus is on this. Do not be deceived by anyone who deviates from this consensus or by the distracting Taqiyyah, because the views of the leaders of the school are collaborative in this regard. The following transmissions would be sufficient for you:

» Ibn Bābawayh al-Qummī states in *al-I'tiqādāt*, pg. 104:

واعتقادنا فيمن جحد إمامة أمير المؤمنين علي بن أبي طالب أنه كمن جحد نبوة جميع الأنبياء واعتقادنا فيمن أقر بأمر المؤمنين وأنكر واحدا من بعده من الأئمة أنه بمنزلة من أقر بجميع الأنبياء وانكر نبوة محمد

Our belief regarding one who denies the Imāmah of Amīr al-Mu'minīn 'Alī ibn Abī Ṭālib is that he is like the one who denies the prophet hood of all the prophets, and the one who confesses to the Imāmah of Amīr al-Mu'minīn but denies any of the Imāms after him, is like who confesses to the prophet hood of all the prophets but denies the prophethood of Muḥammad ﷺ.

» Al-Shaykh al-Mufīd (d. 413 AH) states in *Awā'il al-Maqālāt*, pg. 44:

واتفقت الإمامية علي أن من أنكر إمامة أحد الأئمة وجحد ما أوجبه الله تعالى من فرض الطاعة فهو كافر ضال مستحق للخلود في الناد

The Imāmiyyah are unanimous that whoever denies the Imāmah of any of the Imāms and he denies any act of worship that Allah ﷻ has ordained on him, is a deviate disbeliever, worthy of perpetual entry into Hellfire.

» Al-Sharīf al-Murtaḍā (d. 436 AH) states in *Rasā'il al-Murtaḍā*, 2/251-252:

مما يدل أيضا على تقديمهم أي الأئمة الإثني عشر وتعظيمهم علي البشر أن الله تعالى دلنا علي أن المعرفة بهم كالمعرفة به تعالى في أنها إيمان وإسلام وان الجهل والشك فيهم كالجهل به والشك فيه في أنه كفر وخروج من الإيمان وهذه منزلة ليس لأحد من البشر إلا لنبينا صلي الله عليه وآله وبعده لأمر المؤمنين والأئمة من ولده علي جماعتهم السلام

And that which indicates to their—the Twelve Imāms—superiority and reverence over the human beings is that Allah ﷻ has showed us that recognising them is like recognising Allah, in that this is īmān (faith) and Islam. Ignorance and doubt regarding them is like ignorance and doubt in Allah, which is disbelief and exit from īmān. This status is not afforded to any human except the Prophet ﷺ, thereafter Amīr al-Mu'minīn and the Imāms from his progeny.

» Shaykh al-Ṭā'ifah al-Ṭūsī states in *Talkhīṣ al-Shāfi*, 4/131:

دفع الإمامة كفر كما أن دفع النبوة كفر لأن الجهل بهما علي حد واحد

continued....

Ashā'irah. Both sects, according to them, are impure disbelievers.

However, you will not find any of the Muslim sects declaring any sect of the Muslims as impure, neither figuratively nor physically, as the Imāmīs do.

The Imāmī's authentication of a narrator, who is regarded (according to them) to be a disbeliever or impure,² due him falsifying an infallible Imām, who is appointed by Allāh سُبْحَانَهُ وَتَعَالَى—keeping in mind what is found in the Imāmī literature that Imāmāh is a divine position like prophet hood,³ rather, higher than that⁴—can never, in any condition, compare to the stance of the Ahl al-Sunnah regarding interpreting Muslims who got embroiled in such innovations that does not reach the level of enmity for the Prophet صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ, falsifying him or doubting any of the essentials of dīn.

Second: The narrations reported from Imāmī narrators are narrations from the companions of the Imāms and their elite ones, in the first stage, and then

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Rejecting Imāmāh is disbelief just as rejecting prophet hood is disbelief because ignorance regarding both of them is the same.

» Al-Qāḍī Nūr Allāh al-Tustarī (d. 1019 AH) states in *al-Ṣawārim al-Muhriqah*, pg. 86:

إن إنكار الإمامة كإنكار النبوة وإنكار النبوة كإنكار ألوهية الله تعالى فَعُلِمَ أن معرفة الإمام والاعتراف بحقه شرط الإيمان رغما لأنف من يتأنف عن ذلك ولولا ذلك لم يحكم الله على منكر بالارتداد

Rejecting Imāmāh is like rejecting prophethood and refuting prophethood is like refuting the divinity of Allah. Thus, it is understood that recognising the Imām and confessing to his rights is a condition of īmān, despite those who complain about that. If it was not so, Allah would not have declared apostasy for the one who denies it.

» Yūsuf al-Baḥrānī (d. 1186 AH) states in *al-Ḥadā'iq al-Nāḍirah*, 18/153:

وليت شعري أي فرق بين من كفر بالله ورسوله وبين من كفر بالائمة مع ثبوت كون الإمامة من أصول الدين

If only I knew what difference is there between the person who rejects Allah سُبْحَانَهُ وَتَعَالَى and His Prophet صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ and the one who rejects the Imāms after establishing that Imāmāh is from the fundamentals of dīn.

2 Considering that there is no correlation between disbelief and impurity. Hence, some sects issue ruling of disbelief but not of impurity.

3 Refer to Muḥammad Āl Kāshif al-Ghiṭā': *Aṣl al-Shī'ah wa Uṣūluhā*, pg. 211; Āyat Allāh Muḥammad Āṣif Muḥsinī: *Ṣirāṭ al-Haqq*, 3/155.

4 Refer to al-Khumaynī: *al-Hukūmah al-Islāmiyyah*, pg. 52; Kāẓim al-Ḥā'rī: *al-Imāmāh wa Qiyādat al-Mujtama'*, pg. 26, in addition to the many Imāmī writings in this regard, which Āghā Buzurk al-Tahrānī has mentioned in *al-Dharī'ah ilā Taṣānif al-Shī'ah*, 4/358-360.

from their followers in the second stage and very seldom after these two stages. Thus, accusation of lies, apostasy, and deviation from the Imāms and others, would destroy the origin of the narration more than the branches, contrary to the controversial Sunnī narrators, because the overwhelming majority of the narrators are from the *Tab‘ al-Tābi‘īn* and those who came after them. Sometimes it surpasses to the junior *Tābi‘īn*. There is a great difference between the two.

Similarly, most of the Sunnī narrators who are involved in innovation do not differ in their basic beliefs except to the extent of the innovation they are involved in. Hence, a Murji’ah does not differ with them in *Tawḥīd* (oneness of Allah), pillars of faith, prophethood, the Hereafter etc. He merely differs in the meaning of *īmān* (faith), whether it is fixed or does it increase and decrease? Are actions included in it or is ratification and utterance, without practice, sufficient?

Similarly, a Qadarī does not differ in any of the beliefs besides actions of men, which is one of the major rulings of beliefs, we do not underestimate its importance, but it does not mean that it contradicts the rest of principles of beliefs such as *Tawḥīd*, prophethood, Hereafter etc. Therefore, in accepting his narration, what will be taken into consideration is—after knowing his position in truthfulness—that no narration regarding his innovation will be accepted if he narrates it isolated from other narrators.

Other than them, like the Mu‘tazilah, Zaydiyyah, Rāfiḍah etc., even though they differed with the Ahl al-Sunnah in many of the fundamentals; however, they appear very little in the chains of the Ahl al-Sunnah and cannot be compared to the large numbers of people we have indicated to.

Despite this, all that we have mentioned is not accepted by the Imāmīs because the foundation of their school is on Imāmah. Imāmah is the main principle according to them.¹ Their accused narrators—who we are discussing about—are

1 That is why Imāmah is regarded as the greatest pillar of Islam according to them, because of their many and extensive narrations in *al-Kāfi* and other books, that Islam was built on five pillars and Wilāyah is counted from amongst it, and that nothing was called for as Wilāyah was called for, and it is the greatest and most honorable of them.

Mawlā Muḥammad Ṣāliḥ al-Māzindarānī (d. 1081 AH) states in *Sharḥ Uṣūl al-Kāfi*, 5/223:

continued....

not involved in innovation, despite them actually being considered as Imāmīs, they differ in something which is the foundation of their school, despite them being the companions of the Imāms or narrating from them either directly or through close companions. This is another great difference which one should be alerted to.

But we say it quite frankly that it is noticeable from what we read that the Imāmī scholars did not make the necessary effort needed in investigating and exploring the narrations that their schools narrators transmitted, in revealing the condition of the fabricators and the accused ones and in paying attention to identify the inserted and the fabricated narrations, like the constant and early effort that the Ahl al-Sunnah made in looking into the conditions of narrators and exploring their narrations.

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ومن البين أن أمر الإمامة من أعظم أركان الإسلام فلا يجوز اختيار الخلق له بمجرد الرأي من غير سند

It is clear that the matter of Imāmah is one of the greatest pillars of Islam, thus, it is not permissible for people to choose it based on mere opinion without any chain.

Shaykh Muḥammad Ḥusayn Āl Kāshif al-Ghiṭā' (d. 1373 AH) states in *Aṣḥ al-Shī'ah wa Uṣūluha*, pg. 211-212:

الإمامة منصب إلهي كالنبوة فكما أن الله سبحانه يختار من يشاء عباده للنبوة والرسالة ويؤيده بالمعجزة التي هي كنص من الله عليه وَرَبُّكَ يَخْلُقُ مَا يَشَاءُ وَيَخْتَارُ مَا كَانَ لَهُمُ الْخِيَرَةُ يَخْتَارُ لِلْإِمَامَةِ من يشاء ويأمر نبيه بالنص عليه وأن ينصبه إماماً للناس من بعده للقيام بالوظائف التي كان على النبي أن يقوم بها

Imāmah is a divine position just like prophethood. Just as Allah سُبْحَانَهُ وَتَعَالَى selects whoever He wills from His servants for prophethood and apostleship, and assists him with miracles which are like a text from Allah سُبْحَانَهُ وَتَعَالَى upon him.

Your Lord creates and chooses whatever He wills—the choice is not theirs. (Surah al-Qaṣaṣ: 68)

He chooses for the Imāmah whoever He wills and commands His Prophet to declare it and appoint as an Imām for the people after him to carry out the duties that the prophet would do.

Shaykh Muḥammad Ḥasan al-Muẓaffar states in *Dalā'il al-Ṣidq li Nahj al-Ḥaq*, 4/217:

ويشهد لكون الإمامة من أصول الدين أن منزلة الإمام كالنبي في حفظ الشرع ووجوب اتباعه والحاجة إليه ورئاسته العامة بلا فرق

The evidence for Imāmah being one of the foundations of dīn is that the status of the Imām is like that of the prophet in preserving the Sharī'ah, the obligation of following him, the need for it, and its general leadership, without any difference.

This is what was acknowledged —shamefully—by some of the Imāmī scholars like ‘Allāmah ‘Abd al-Ḥādī al-Faḍlī (d. 1434 AH) in his book *Uṣūl al-Ḥadīth*.¹

The teacher Ḥaydar Ḥubb Allāh states:

يبدو من المؤكد تقريبا أن الشيعة لم يعرفوا تصنيفا أو علما أو اهتماما خاصا بظاهرة الموضوعات في الأحاديث لهذا لم نعثر بعد تفتيشنا على مصنفاتهم وكتبهم علي تصنيف لهم بهذا العنوان أو ما يشبهه وفق ما تتبعناه وذلك على خلاف الحال مع أهل السنة حيث وجدنا هذا الموضوع مفردا عندهم بالدرس والتنقيب والبحث والتصنيف فالكتب السننية في هذا المجال عديدة تبدأ من القرون الهجرية الأولى وحتى الفترات الأخيرة فقد صنفوا كتباً عديدة تحت هذا العنوان كان منها الموضوعات للمقدسي (٥٠٧هـ) والموضوعات لابن الجوزي (٥٩٧هـ) والدر الملتقط في تبيين الغلط للصاغاني (٦٥٠هـ) والمنار المنيف لابن قيم الجوزية (٧٥١هـ) واللالي المصنوعة في الأحاديث الموضوعية لجلال الدين السيوطي (٩١١هـ) وتنزيه الشريعة لابن عراق (٩٦٣هـ) والموضوعات الكبير للملا علي قاري (١٠١٤هـ) والمصنوع في معرفة الحديث الموضوع للمؤلف نفسه والفوائد المجموعة للشوكاني (١٢٥٥هـ)

It almost certainly seems that the Shī‘ah do not know of any book, possess knowledge or pay attention to the phenomenon of *Mawḍū‘āt* in Ḥadīth. Hence, we have not come across—after researching their literature and books—any literature on this or similar topic, according to our research. Contrary to the Ahl al-Sunnah, where we see this topic being taught, explored, researched, and written about exclusively. Thus, Sunnī literatures in this field are plenty which begin from the first century after Hijrah until recent times. They wrote many books on this topic. Some of them are:

- *Al-Mawḍū‘āt* of al-Maqdisī (d. 507 AH).
- *Al-Mawḍū‘āt* of Ibn al-Jawzī (d. 597 AH).
- *Al-Durr al-Multaqī fī Tabyīn al-Ghalaṭ* of al-Ṣāghānī (d. 650 AH).
- *Al-Manār al-Munīf* of Ibn al-Qayyim al-Jawziyyah (d. 751 AH).
- *Al-La‘ālī al-Maṣnū‘ah fī al-Aḥādīth al-Mawḍū‘ah* of Jalāl al-Dīn al-Suyūṭī (d. 911 AH).

1 *Uṣūl al-Ḥadīth*, pg. 165.

- *Tanzīh al-Sharī'ah* of Ibn 'Irāq (d. 963 AH).
- *Al-Mawḍū'āt al-Kabīr* of Mullā 'Alī Qārī (d. 1014 AH).
- *Al-Maṣnū' fī Ma'rifat ah-Ḥadīth al-Mawḍū'* of Mulla 'Alī Qārī (d. 1014 AH).
- *Al-Fawā'id al-Majmū'ah* of al-Shawkānī (d. 1255 AH).¹

How will it be possible to write about fabricated narrations and tear down the curtains of the fabricators when the former scholars have intense differences among themselves in stipulating the limit for extremism? The latter scholars regard that which the formers regarded to be extremism, as part of their beliefs and essentials of dīn.

How is it possible, whereas they have confessed that those who gained their trust, so they declared their authenticity and succeeded through their good opinion, are the same ones who became—whether they knew or not—the tools for transferring narrations of liars, unknown and weak narrators, as attested by Muḥaddith al-Ḥurr al-'Āmilī in his *Wasā'il* wherein he states:

والثقات الأجلاء من أصحاب الإجماع وغيرهم يروون عن الضعفاء والكابيين
والمجاهيل حيث يعلمون حالهم ويشهدون بصحة حديثهم

The eminent trustworthy ones from the people of Ijmā' and others narrate from weak, liars, and unknown narrators whilst being aware of their condition and they give testimony to the authenticity of their narrations.²

If this is the condition of the people of Ijmā' and all the trusted narrators, then what will be the condition of the others? What will be condition of those who narrate excessively from them?

To answer this, it would be good to look into two aspects:

1. To look into the initial Imāmī *al-Ūṣūl al-Rijāliyyah* (books regarding approval and disapproval of narrators) and extract the first part of the answer from it.
2. To review the examples applied by some of those who narrate excessively from those who are likely to be weak or accused of lies, along with presenting some

1 *Naẓariyyat al-Sunnah fī Fikr al-Imāmī al-Shī'i*, pg. 527.

2 *Wasā'il al-Shī'ah*, 30/206.

of their narrations found in the sect's four primary Ḥadīth compilations (*al-Kāfī*, *Man lā Yaḥḍuruhu al-Faqīh*, *Tahdhīb al-Kamāl*, and *al-Istibṣār*), which are considered to be the most trusted and important narrations of the sect, in addition to those that cannot be enumerated from the remaining primary compilations such as *Wasā'il al-Shī'ah*, *Mustadrak al-Wasā'il*, *Biḥār al-Anwār*, and other reliable books of the sect.

We will create special headings for each part of the answer to increase clarification.

The Imāmī's First al-Uṣūl al-Rijāliyyah

The Imāmiyyah call the books of *Jarḥ and Ta'dīl* that deal with the narrators of the school, *al-Uṣūl al-Rijāliyyah*, as they are the origins that the latter scholars relied upon when identifying narrators and their conditions. There are five Uṣūl according to the popular view:

1. *Rijāl al-Kashshī* of Muḥammad ibn 'Umar ibn 'Abd al-'Azīz, known as al-Kashshī (d. 385 AH)
2. *Rijāl al-Najāshī* of Aḥmad ibn 'Alī al-Najāshī al-Kūfī (d. 450 AH).
3. *Al-Fihrist* of Muḥammad ibn al-Ḥasan al-Ṭūsī (d. 460 AH).
4. *Rijāl al-Ṭūsī* of Muḥammad ibn al-Ḥasan al-Ṭūsī (d. 460 AH).
5. *Rijāl Ibn al-Ghaḍā'irī* of Aḥmad ibn al-Ḥusayn ibn 'Ubayd Allāh al-Ghaḍā'irī (5th century).

Sayyid Jamāl al-Dīn Aḥmad ibn Ṭāwūs (d. 673 AH) has gathered these five al-Uṣūl al-Rijāliyyah in a book called *Ḥall al-Ishkāl fī Ma'rifat al-Rijāl*. Similarly Shaykh 'Ināyat Allāh al-Quhbā'ī (after 1016 AH) has gathered them in his book *Majma' al-Rijāl*.

However, these Uṣūl al-Rijāliyyah clearly lack in explaining the conditions of the School's narrators and distinguishing between reliable and weak narrators as alerted to by Sayyid Muḥiyy al-Dīn al-Mūsawī al-Ghurayfī by stating:

وليس في تلك الأصول الرجالية الستة كتاب شامل لجميع رواة أحاديثنا بحيث
يكشف عن حالهم توثيقا وتضعيفا ومدحا وجرحا

Among the six¹ al-Uṣūl al-Rijāliyyah there is no book that contains all the narrators of our narrations, which would reveal their condition pertaining to reliability, weakness, praise, and criticism.²

Prior to him, al-Fayḍ al-Kāshānī (d. 1091 AH) stated:

1 With the addition of *Rijāl al-Barqī*.

2 *Qawā'id al-Ḥadīth*, pg. 159.

لإن كثيرا من الرواة المعتمدين بشأنهم الذين هم مشايخ مشايخنا المشاهير الذين يكثرون الرواية عنهم ليسوا بمذكورين في كتب الجرح والتعديل بمدح ولا قدح ويلزم على هذا الاصطلاح أن يعد حديثهم في الضعيف مع أن أصحاب هذا الاصطلاح أيضا لا يرضون بذلك

Because many of the narrators, who we are concerned about, who are the teachers of our famous teachers that narrate abundantly from them, are not mentioned in the books of Jarḥ and Ta'dīl, neither by praise nor criticism. Therefore, according to this terminology, their narrations should be considered to be weak, whereas the people of this terminology are also unhappy about that.

Ambiguity regarding a narrator's condition is an inherent characteristic of this school which cannot be separated from them even though the arrogant oppose it.

Thus, the first Uṣūl al-Rijāliyyah which the former scholars of the school compiled till the 5th year after Hijrah, which are: *Rijāl al-Barqī*, *Rijāl al-Kashshī*, *Rijāl al-Ṭūsī*, *al-Fihrist al-Ṭūsī*, *Rijāl al-Najāshī*, and *Rijāl Ibn al-Ghaḍā'irī*, did not encompass all, majority, half, or even a quarter of the School's narrators.

The number of these narrators, which these scholars have judged with approval or disapproval, hardly reaches 926, without the repeated ones. This is a very meager amount compared to the total number of narrators that are mentioned in the Imāmī chains of narrations. The number of biographies according to al-Māmaqānī, in his book *Tanqīḥ al-Maqāl fī Aḥwāl al-Rijāl*, is 16307. Their numbers reached to 15706 narrators in *Majma' Rijāl al-Ḥadīth wa Tafṣīl Ṭabaqāt al-Ruwāt* of al-Khū'ī. When we look at *Mustadrakāt 'Ilm Rijāl al-Ḥadīth* of 'Alī al-Namāzī al-Shāhrūdī—which is the largest ever encyclopedia of Imāmī narrators—wherein he has recouped the narrators that appear in Imāmī literature, which were left out by the former, latter, and contemporary books of narrators, we see that the numbers increase to 18189 narrators.

The astonishing aspect is the excuse al-Shāhrūdī presented for this huge number of unknown narrators that fill the books of narrators. He says:

والمجاهيل المذكورة في كتب الرجال أكثر من الثقات والحسان كما هو واضح
 فلا ضير في ذكر راو مجهول فكم من مجهول عند السلف صار معلوما عند الخلف
 وكم من ضعيف عند السابق صار قويا عند اللاحق مثل جابر الجعفي والمفضل
 ومحمد بن سنان وسهل بن زياد وغيرهم

The unknown narrators mentioned in the books of narrators are more than the reliable and good narrators, as it is clear. There is no harm in mentioning an unknown narrator. How many a narrator was unknown to the predecessors but was known to the successors and how many a narrator was weak according to the formers but became strong according to the latter ones, such as Jābir al-Ju'fī, al-Mufaḍḍal, Muḥammad ibn Sinān, Sahl ibn Ziyād, etc.¹

Rijāl al-Barqī

The first aspect to take notice of regarding this book of narrators is the Imāmī scholar's differences pertaining to its association with Aḥmad ibn Muḥammad ibn Khālīd al-Barqī (d. 273 or 280 AH), the author of *al-Maḥāsīn*. Some evidence indicates that this is not his book nor his fathers, as some believe. The possibility fluctuates between it being the book of his son, 'Abd Allāh ibn Aḥmad al-Barqī, from whom al-Kulaynī narrates, or the book of his grandson Aḥmad ibn 'Abd Allāh ibn Aḥmad al-Barqī, from whom Ibn Bābawayh al-Qummī narrates. Perhaps the second is more likely due to the mentioning of Sa'd ibn 'Abd Allāh ibn Abī Khalaf al-Ash'arī al-Qummī (d. 301 AH) amongst its narrators as well as 'Abd Allāh ibn Ja'far al-Ḥimyarī, the author of *Qurb al-Isnād*, and his declaration that he heard it from him.²

Whoever the author may be, the book *Rijāl al-Barqī* is considered to be a book on categories of narrators and not a book on Jarḥ and Ta'dīl. This is what the contemporary Shī'ī scholar of reference, Shaykh Ja'far Subḥānī stated:

كتاب الرجال للبرقي كرجال الشيخ أتي فيه أسماء أصحاب النبي صلى الله عليه
 وسلم والأئمة إلي الحجة صاحب الزمان ولا يوجد فيه أي تعديل وترجيح

1 *Mustadrakāt 'Ilm Rijāl al-Ḥadīth*, 1/67.

2 *Kulliyāt fi 'Ilm al-Rijāl*, pg. 74; also see *Qāmūs al-Rijāl*, 1/31.

Al-Barqī's book on narrators is like al-Shaykh's¹ book on narrators. He mentions the names of the Companions of the Prophet ﷺ and Imāms till the Imām of his era. There is no Jarḥ or Ta'dīl in it.²

It has been stated in the report of the late Shī'ī scholar of reference Sayyid 'Alī al-Fānī al-Iṣfahānī (d. 1409 AH) thus:

وهذا الكتاب ليس بهذه المعروفة كسوابقه بل ولا أهمية له تذكر لعدم تعرضه للتوثيق أو التضعيف إلا نادرا جدا فإنه اقتصر فيه على ذكر الطبقات بلحاظ أصحاب كل إمام ولذا تنحصر فائدته في ذلك مضافا إلى معرفة بعض المهملين الذين قد يتعرض لذكرهم دون غيره

This book has not gained recognition like those before it; in fact, no significant importance to talk about due to the lack of authentication or weakening, except very rarely. He has sufficed on mentioning categories of the companions of all the Imāms. Hence, its benefit is restricted to that, in addition to knowing some of the abandoned narrators who he mentions sometimes, nothing else.³

What they have mentioned is sufficient to understand the value of the book and its influence in Jarḥ and Ta'dīl; however, it is worth noting that the number of the narrators whose biographies have been written in the book reaches [only] 1707 narrators. He mentioned authentication or weakening of 7 narrators only.

Rijāl al-Kashshī

This book is known as *Ma'rifat al-Rijāl* or *Ma'rifat al-Nāqilīn 'an A'immah al-Ṣādiqīn*. Its author is Muḥammad ibn 'Umar ibn 'Abd al-'Azīz, known as al-Kashshī, attributed to Kash which is close to Samarqand. Biographers do not have adequate information about his life, acquiring knowledge, and his teachers. What is known about him is what al-Najāshī mentioned that he is among the reliable ones, that he accompanied al-'Ayyāshī (d. 320 AH) and acquired knowledge from him, that he narrates abundantly from weak narrators and that there are lots of errors in his book *al-Rijāl*.⁴

1 i.e. *Rijāl al-Ṭūsī*.

2 *Kulliyāt fī 'Ilm al-Rijāl*, pg. 72-73.

3 *Buḥūth fī Fiqh al-Rijāl*, pg. 28.

4 *Rijāl al-Najāshī*, pg. 372.

The abovementioned book of al-Kashshī is missing. What is found today is what Shaykh al-Ṭāʾifāh al-Ṭūsī selected from al-Kashshī's book after editing and summarising it, which he named *Ikhtiyār Maʿrifat al-Rijāl*. This means that the book *Rijāl al-Kashshī*, which has reached us does not necessarily reflect the complete picture of the lost book of al-Kashshī. Perhaps al-Ṭūsī made some substantial additions and changes to the book without us knowing its reality.¹

Some researchers believe that this *Ikhtiyār* which al-Ṭūsī embarked on writing is tainted with a lot of mystery. We do not know the standards and mechanisms which al-Ṭūsī relied upon in his *Ikhtiyār* as he did not begin his book with an introduction explaining his approach and method in it, through which we can understand al-Kashshī's approach in his *Rijāl* or al-Ṭūsī's approach in the process of *Ikhtiyār*.²

Similarly, majority of the book contains *Muʿallaq*³ chains and al-Ṭūsī mentions these chains without amending them. Some researchers are of the opinion that from the estimated 1150 texts in the book, less than 300 texts only are authentic.⁴

This is in addition to two other problems. One of them is that the book relies on authentication narrated from the Imāms regarding the narrators and it does not concern the vast majority regarding whom nothing has been narrated from the Imāms. The second problem is that many of the narrations of authenticity that are reported in the book from the Imāms are narrations that are contradictory in

1 This is what is suspected; however, al-Nūrī al-Ṭabarsī states in *Khātimat al-Mustadrak*, 3/287:

واعلم أنه قد ظهر لنا من بعض القرائن أنه قد وقع في اختيار الشيخ أيضا تصرف من بعض العلماء أو النساخ بإسقاط بعض ما فيه وأن الدائر في هذه الاعصار غير حاو لتمام ما في الاختيار ولم أر من تنبه لذلك ولا وحشة من هذه الدعوى بعد وجود القرائن

Know well that it appears to us, through some evidences that manipulation has occurred in Shaykh's book *Ikhtiyār* also, through some scholars or transcribers by deleting some of its contents. Therefore, what is circulating in these times does not entail all that is found in the *Ikhtiyār*. I have not seen anyone alerting to this. There is no desolation in this claim with the existence of evidences.

2 *Al-Madkhal ilā Mawsūʿat al-Ḥadīth al-Nabawī ʿind al-Imāmiyyah*, pg. 237.

3 Narrations where a narrator is omitted from the beginning of chain.

4 Al-Bahbūdī states in *Maʿrifat al-Rijāl*, pg. 103:

ولم يصح لنا من ألف ومائة وخمسين نصا إلا اقل قليل منها لا يبلغ رقمها إلى ثلاثمائة

From 1150 texts, only very few are authentic. Their number does not reach 300.

praise and criticism. Even those narrators, who are described as very trustworthy and are relied upon when transmitting are not safe from this. It is an issue that compelled the scholars of the School to justify the narrations of criticism, by declaring it to be issued as Taqiyyah.¹

In addition to this, some senior Imāmī scholars like al-Muḥaddith al-Mīrzā al-Nūrī al-Ṭabarsī (d. 1320 AH) accuse al-Kashshī of relying largely on the Jarḥ and Ta'dīl of the School's opposition. He states:

فإن الكشي كثيرا ما يعول في الجرح والتعديل على غير الإمامية فلاحظ

Al-Kashshī depends a lot on the non-Imāmīs in Jarḥ and Ta'dīl. So take note.²

When the *Aṣl* (the original) which al-Kashshī wrote is missing and the discussion is regarding its summarised and edited copy only, then 'Allāmah Muḥammad Taqī al-Tustarī (d. 1415 AH) gives us a surprise greater than all that has passed when he declares that the copy of al-Kashshī's book that was in al-Ṭūsī and al-Najāshī's possession, which was summarised and edited, was not an authentic one. He states:

وأما رجال الكشي فلم تصل نسخته صحيحة إلي أحد حتي الشيخ والنجاشي ...
قلما تسلم رواية من رواياته عن التصحيف بل وقع في كثير من عناوينه بل وقع فيه
خلط أخبار ترجمة بترجمة أخرى وخلط طبقة بأخرى ... ثم إن الشيخ اختار مقداراً
منه مع ما فيه من الخلط والتصحيف وأسقط منه أبواباً وإن بقي ترتيبه

As for *Rijāl al-Kashshī*, its authentic copy did not reach anyone, not even al-Shaykh and al-Najāshī. Rarely any of its narrations are safe from distortion. In fact, it occurred in many of its headings. Rather, there is confusion between transmissions of one biography with another and one category with another in it. Then al-Shaykh chose a portion of it despite the confusion and distortion found in it, and omitted some chapters, even though its order remained...

until he concluded by saying:

1 Yaḥyā Muḥammad: *Mushkilat al-Ḥadīth*, pg. 228.

2 *Mustadrak al-Wasā'il*, 5/78.

وبعد ما قلنا من وقوع التحريفات في أصل الكشي بتلك المرتبة لا يمكن الاعتماد على ما فيه إذا لم تتم قرينة على صحة ما فيه ثم إنه حدث في الاختيار من الكشي أيضا تحريفات غير ما كان في أصله فإنه شأن كل كتاب إلا أنها لم تكن بقدر الأصل ولذا ترى نسخ الاختيار أيضا مختلفة

After what we said about the occurrence of distortions in the Aṣl of al-Kashshī in that stage, it is not possible to rely on what is in it as there is no evidence for the authenticity of what is in it. Then there were also distortions in the *Ikhtiyār* from al-Kashshī, other than what was in the original—as is the case with every book—but they were not as great as the original, as a result one would see that the copies of *Ikhtiyār* are also different.¹

This means that not even 70 years passed on al-Kashshī's book before it was lost, because he died in 385 AH, whereas the demise of al-Najāshī was in 450 AH and al-Ṭūsī was in 460 AH.

As for the weakness relating to the material of the book—assuming the integrity of the copy that reached al-Ṭūsī and al-Najāshī and the integrity of its material after the summary and editing—we notice:

First: The scarcity of narrators whose biographies al-Kashshī wrote in his *Rijāl*, as he has narrated 1151 narrations in his book—according to the numbering of the book—or more, taking into consideration that he narrates more than one narration for every biography. Sometimes he narrates more than ten narrations for a single biography.² Despite this, he only wrote biographies of 465 narrators. This number is not very meagre in comparison to the narrators he did not write about at all; in fact, it is barely significant compared to the total number of narrators whose names are mentioned in the Imāmī chains of transmissions, as we have mentioned before.

Above that, *Rijāl al-Kashshī*, as Abū al-Ma'ālī al-Kalbāsī (d. 1315 AH) states, was:

وُضِعَ لِنَقْلِ الرِّوَايَاتِ الْمَادِحَةِ وَالْقَادِحَةِ وَالتَّعَرُّضِ فِيهِ لِحَالِ الرَّجُلِ نَادِرٍ

1 Al-Tustarī: *Qāmūs al-Rijāl*, 1/58-62; and refer to, Muḥiyī al-Dīn al-Mūsawī al-Ghurayfī: *Qawā'id al-Ḥadīth*, pg. 51.

2 He narrates from the Ithnā 'Asharī Imāms or other luminaries of the sect.

It was written to transmit narrations of praise and criticism. Dealing with conditions of narrators is rare.¹

Second: Many of those who al-Kashshī wrote about or narrated from are regarded as weak and criticised, either through the narrations which he transmits regarding their weakening or other books of narrators weakened them.

Ignoring the senior narrators of the sect, regarding whose weakening al-Kashshī has transmitted narrations that they are considered to be Taqiyyah, or they are weakened in some other way, anyone who reviews the biographies of these narrators in *Majma' Rijāl al-Ḥadīth* of al-Khū'ī and his rulings on them, will notice that 83 of those narrators are judged to be weak and that al-Kashshī has narrated close to 50 narrations from one of the narrators, Naṣr ibn Ṣabāḥ, alone.

Rijāl al-Najāshī

This book is usually called *Rijāl al-Najāshī*; however, its name, which is popular among the scholars is *Fihrist Asmā' Muṣannifī al-Shī'ah*. The author is Aḥmad ibn 'Alī al-Najāshī al-Kūfī (d. 450 AH).

Al-Najāshī is considered to be the greatest scholar of Jarḥ and Ta'dīl according to the Imāmiyyah.² According to Abū al-Qāsim al-Khū'ī's expression, he is:

خریت هذه الصناعة والمتسالم عليه بالوثاقة

The most skilled in this field and assured in his reliability.³

Therefore, majority of the Imāmī scholars give preference to his view over the view of his colleague Shaykh al-Ṭā'ifah al-Ṭūsī due to reasons that they mention.⁴

Al-Najāshī, in his autobiography, has mentioned his lineage, to Banū Asad al-'Adnāniyyīn. His writings besides this book are:

- ▶ *Kitāb al-Jumu'ah wa mā Warada fīh min al-A'māl*
- ▶ *Al-Kūfah wa mā fīhā min al-Āthār wa al-Faḍā'il*

1 *Al-Rasā'il al-Rijāliyyah*, 3/180.

2 *Rijāl al-Sayyid Baḥr al-'Ulūm*, 2/35.

3 *Mu'jam Rijāl al-Ḥadīth*, 2/166.

4 *Al-Khuwānasārī: Rawḍāt al-Jinān*, 1/69; *Rijāl al-Sayyid Baḥr al-'Ulūm*, 2/46-50.

- *Ansāb Banī Naṣr ibn Qu‘ayn wa Ayyāmuhum wa Ash‘āruhum*
- *Mukhtaṣar al-Anwār wa Mawāḍi‘ al-Nujūm allatī Sammat’hā al-‘Arab*.¹

Coming back to the name of the book; calling it a book of *Rijāl* (narrators) is a misrepresentation of the name of the book and al-Najāshī’s object of writing it. The name of the book is, *Fihrist Asmā’ Muṣannifi al-Shī‘ah*, as we have mentioned. He has stated this name, himself, in the beginning of his second volume where he states:

الجزء الثاني من كتاب فهرست أسماء مصنفى الشيعة

The second volume of the book *Fihrist Asmā’ Muṣannifi al-Shī‘ah*.

Hence, ‘Allāmah Muḥammad Taqī al-Tustarī (d. 1401 AH) states in his *Qāmūs*:

سمينا كتاب النجاشي فهرستا لتصريحه بذلك في أول الجزء الثاني منه فتسمية
العلامة اي ابن المطهر الحلي وابن داود له بالرجال في ترجمته غلط فإن الرجال ما
كان مبنيًا على الطبقات دون مجرد ذكر الأصول والمصنفات فإنه يسمي بالفهرست
ولذا ترى النجاشي يقول في بعضهم ذكره أصحاب الفهرستات وفي بعضهم ذكره
أصحاب الرجال

We have named the book of Najāshī as *Fihrist* due to his declaration of that at the beginning of his second volume. Thus, for al-‘Allāmah—Ibn al-Muṭahhar al-Ḥillī—and Ibn Dāwūd to name it as *Rijāl*, is wrong. A book on *Rijāl* is that book which explains categories and does not merely mention the origins and books, as that is called a *Fihrist*. Hence, you will see al-Najāshī saying regarding some that ‘the authors of *Fihrist*s mentioned’, and for others he would say that ‘the authors of *Rijāl* mentioned’.²

This is what al-Najāshī clearly states in the introduction of his book. He states:

اما بعد فإنني وقفت على ما ذكره السيد الشريف أطال الله بقاءه وأدام توفيقه من
تعبير قوم من مخالفينا أنه لا سلف لكم ولا مصنف وهذا قول من لا علم له بالناس
ولا وقف على أخبارهم ولا عرف منازلهم وتاريخ أخبار أهل العلم ولا لقي أحدا
فيعرف منه ولا حجة علينا لمن لم يعلم ولا عرف وقد جمعت من ذلك ما استطعته

¹ *Rijāl al-Najāshī*, pg. 101.

² *Qāmūs al-Rijāl*, 1/34, introduction (sixteenth chapter).

ولم أبلغ غايته لعدم أكثر الكتب وإنما ذكرت ذلك عذرا إلى من وقع إليه كتاب لم أذكره

Thereafter, I came across what Sayyid al-Sharīf mentioned regarding the taunting by some of our opposition that you have no predecessors and authors. This is a statement of one who has no knowledge of our people and their transmissions, does not know their status and the history of the scholars' narrations, and did not meet anyone from whom he could learn. There is no argument against us for someone who does not know and understand. I have gathered whatever I could but I did not reach the goals due to the unavailability of most of the books. I mention this as an apology for those who possess a book which I did not mention.¹

Two aspects can be understood from this introduction:

First: The book was not written to reveal the conditions of narrators. It is merely a bibliography of all those who authored books among the Shī'ah or those who wrote for them. Thus, his book is from amongst the bibliographies that specialize in identifying books and their authors. There is no mention in it of anyone who did not author any book.

In his *Fihrist*, al-Najāshī penned the biographies of 1269 narrators. He authenticated 556 of them, praised without authenticating 127 of them, considered 16 of them to be from the opposition, ruled 9 of them to be ignorant, weakened 131 and remained silent regarding 430 narrators without explaining their condition.²

As a result, al-Tustarī said about his book and the *Fihrist* of al-Ṭūsī:

إنهما كثيرا ما يسكتان عن تضعيف الإمامي الضعيف حيث إن كتابيهما ليسا إلا مجرد فهرست لمن صنف من الشيعة أو صنف لهم دون الممدوحين والمذمومين

Very often, both of them remain silent from weakening weak Imāmīs, as their books are mere bibliographies of those Shī'ahs who authored books or those who authored for them; not a book of the praised and the accused.³

1 Introduction of *Rijāl al-Najāshī*, pg. 3.

2 Introduction of *Rijāl al-Najāshī*, pg. 3.

3 *Qāmūs al-Rijāl*, 1/34, introduction (sixteenth chapter).

Second: The object of writing the book was to repel the taunts of the Ahl al-Sunnah. Yes, it is possible to say that he did not invent the names of the mentioned books on his own, he merely mentioned them and explained his path to it through teachers and chains of narrations to avert any accusation; however, this introduction and the introduction of al-Ṭūsī in *al-Mabsūṭ* exposes a complex problem that the leaders of the School clearly suffered from, which is the inferiority complex and persistent attempts to prove its existence and repel taunts from the sect, even though it is by quoting from the knowledge of others and plagiarising from them.

Some researchers explain a very important point in this regard; which is that the Shī'ah referred to, in the introduction of the *Fihrist* of al-Najāshī does not refer to the Ithnā 'Asharī Imāmī Shī'ah only. Rather it refers to the Shī'ah in the broader meaning, which includes the Ithnā 'Asharīs, Zaydīs, Ismā'īlīs, Faṭhīs, Wāqifīs etc., in addition to some writings of non-Shī'ahs whose authors narrate them from Shī'ī scholars or the writings are in the interest of the Shī'ah.¹ This is unjust proliferation through writings of others, just to repel taunts. As long as you live, time will show you wonders.

In addition to all this, some Imāmī scholars like Āyat Allāh al-Shaykh Muḥammad al-Sanad clearly indicate to the influence al-Najāshī's Sunnī teachers had in his cognitive structure of the science of Rijāl and his acquisition from them. Al-Sanad states while explaining this influence:

ومما يسلم الضوء على الملامح العلمية لشخصية النجاشي ولونها ما يلاحظ من تتلمذ النجاشي على جملة من مشائخ العامة بل لم يكن يقتصر على التتلمذ فحسب فإن الملحوظ توطد علاقته معهم إلى درجة التأثير الفكري والمجاراة معه في جملة من آرائهم الرجالية المبتنية على جملة من الرؤى الكلامية

What sheds light to the scholarly features of al-Najāshī's personality and its colour, is what is noticed from al-Najāshī's studying under some

1 Refer to: al-Tustarī: *Qāmūs al-Rijāl*, 1/25, introduction (sixteenth chapter); al-Khūṭ: *Majma' Rijāl al-Ḥadīth*, 1/96; Ḥaydar Ḥubb Allāh: *al-Madkhal ilā Mawsū'at al-Ḥadīth al-Nabawī 'Ind Imāmiyyah*, pg. 246.

Sunnī scholars¹. In fact, it is not limited to studying only. What is noticed is the strengthening of his relationship with them to the point of being intellectually influenced by them and keeping up to it in some of their opinions regarding narrators, based on some verbal revelations.²

He further states:

1 The following are said to be some of the Sunnī teachers of al-Najāshī:

- » Ibrāhīm ibn Mukhallad ibn Ja'far al-Bāqarḥī (from the Jarīrī school of thought, attributed to Imām Ibn Jarīr al-Ṭabarī, the famous jurist, commentator and historian). Al-Khaṭīb states in *Tārīkh Baghdād*, 7/139:

كتبنا عنه وكان صدوقا صحيح الكتاب حسن النقل جيد الضبط ومن أهل العلم والمعرفة بالادب

We write from him. He was truthful, of authentic book, good in transmitting, and solid in capturing. He was from the people of knowledge and understanding of literature.

- » Al-Qāḍī Muḥammad ibn 'Abd Allāh ibn al-Ḥusayn al-Ju'fī al-Kūfī, known as Ibn al-Harawānī (from the Ḥanafī Madhhab). Refer to: *Tārīkh Baghdād*, 3/508; *al-'Ibar fī Khabar min Ghayr*, 2/203.
- » Abū Ishāq Ibrāhīm ibn Aḥmad al-Ṭabarī al-Muqarī (from the Mālikī Madhhab). Al-Khaṭīb states in *Tārīkh Baghdād*, 6/510:

كان أبو الحسن الدارقطني خرج له خمسمائة جزء وكان كريما سخيا مفضلا علي أهل العلم حسن المعاشرة جميل الأخلاق وداره مجمع أهل القرآن والحديث وكان ثقة

Abū al-Ḥasan al-Dāraqūṭnī has made *Takhrīj* (investigating and attributing ḥadīth to its original source) of 500 of his narrations. He was noble, generous and virtuous over scholars, good natured and of beautiful character. His house was a place of gathering for the people of Qur'ān and Ḥadīth. He was trustworthy.

- » Al-Ḥasan ibn Aḥmad ibn Ibrāhīm al-Bazzāz (Muḥaddith and engrossed in the science of theology according to the school of the Ash'arīs). Refer to *Tārīkh Baghdād*, 8/223.
- » 'Abd al-Salām ibn al-Ḥusayn ibn Muḥammad al-Baṣrī (the Qārī and a linguistic writer). Al-Khaṭīb states in *Tārīkh Baghdād*, 12/331:

كان صدوقا عالما أدبيا قارئا للقرآن عارقا بالقراءات وكان يتولي ببغداد النظر في دار الكتب وإليه حفظها والإشراف عليها

He was truthful, a scholar, literary person, reciter of the Qur'ān and knowledgeable in the science of Qirā'ah. He was in charge of the library in Baghdād in preserving and supervising it.

- » Al-Ḥasan ibn Muḥammad ibn Yaḥyā al-Faḥḥām (of the Shāfi'ī Madhhab). Refer to: *Tārīkh Baghdād*, 8/451; *Tārīkh al-Islām*, 9/128.

2 *Al-Ijtihād wa al-Taqlīd fī 'Ilm al-Rijāl wa Atharuhu fī al-Turāth al-'Aqā'idī*, pg. 320.

إن المشاهد في جملة من موارد التضعيف والجرح للرواة عند النجاشي أنه يتفرد دون بقية الأصحاب ولا يوافقه علي ذلك إلا ابن الغضائري بينما نجد العامة قد ضعفوا أولئك الرواة بعبارات متقاربة في المعني أو اللفظ للتضعيف الذي ذكره النجاشي ومن ثم لا يبعد استظهار أن مراد النجاشي من إسناد التضعيف أو الغمز في مثل قوله (غُمز وضعّف) شامل لأرباب الجرح والتعديل من العامة

It has been noticed in some instances of weakening and criticising of narrators by al-Najāshī that he is isolated from the remainder of the companions. No one agrees with him except Ibn al-Ghaḍā'irī. Meanwhile we find that the laymen (Sunnīs) weaken those narrators with statements that are similar in meaning or wording to that which al-Najāshī mentioned. Hence, it is not farfetched to declare that al-Najāshī's intention when attributing weakening or criticising through phrases like 'he was criticised or he was weakened' includes the leaders of Jarḥ and Ta'dīl from the laymen (Sunnīs).¹

The existence of tempering through addition from the copyist or others has also been noticed in the book, because it is well known that the demise of al-Najāshī was in 450 AH, as declared by Ibn al-Muṭahhar al-Ḥillī in his *Khulāṣah*;² however, a reader will find in the pages of the book, the chronicles of the author regarding the death of Muḥammad ibn al-Ḥasan ibn Ḥamzah al-Ja'farī, who passed away in 463 AH.³

This necessitates that the author of the book was alive till after this year at the very least or that the book was manipulated by the copyist or others. This is when no doubt is raised regarding the copy of *Rijāl* itself. Is it the one that the author wrote or the edited copy?

This can be cited by what the contemporary Shī'ī scholar of reference Sayyid 'Alī Khāmana'ī mentioned in *al-Uṣūl al-Arba'ah fī 'Ilm al-Rijāl* while discussing the *Fihrist* of al-Ṭūsī. He states:

1 *Al-Ijtihād wa al-Taqlīd fī 'Ilm al-Rijāl wa Atharuhu fī al-Turāth al-'Aqā'idī*, pg. 316.

2 *Khulāṣat al-Aqwāl*, pg. 73.

3 *Rijāl al-Najāshī*, pg. 404.

إن نُسخ كتاب الفهرست كأكثر الكتب الرجالية القديمة المعتبرة الأخرى مثل كتاب الكشي والنجاشي والبرقي والغضائري قد ابتليت جميعا بالتحريف والتصحيف ولحقت بها الأضرار الفادحة ولم تصل منها لأبناء هذا العصر نسخة صحيحة

Indeed, the copies of the book *al-Fihrist*, just as most of the other reliable ancient books on narrators such as books of al-Kashshī, al-Najāshī, al-Barqī, and al-Ghaḍā'irī, were all plagued by distortion and misrepresentation which caused extensive damage to it. No authentic copy of it reached the people of this era.¹

Prior to him, Muḥammad Taqīyy al-Tustarī (d. 1401 AH) mentioned, in justification of al-Najāshī's declaring al-Ḥasan ibn Maḥbūb as unreliable, by saying:

لم تصل نسخة من النجاشي صحيحة ولا كاملة إلينا

No authentic or complete copy of al-Najāshī reached us.²

Fihrist and Rijāl of al-Ṭūsī.

Al-Shaykh Muḥammad ibn al-Ḥasan al-Ṭūsī (d. 460 AH), popularly known as Shaykh al-Ṭā'ifah, is the undisputed leader of the Imāmiyyah. When the title of al-Shaykh is mentioned, attention is immediately turned towards him. Most of the chains to the books, writings, and origins in the Imāmī Shī'ī legacy goes through him. Al-Ṭūsī wrote three books in the field of Rijāl.

1. *Ikhtiyār Ma'rifat al-Rijāl*: This is just a summary and an edited version of al-Kashshī's book which we have discussed.
2. *Al-Fihrist*.
3. *Kitāb al-Rijāl*- known in scholarly circles as *Rijāl al-Ṭūsī*.

As for *al-Fihrist*, it is a specific bibliography of the authors of books and the Uṣūl. It is not a book in the field of Rijāl which would reveal their conditions. Al-Ṭūsī mentions in the introduction of his book:

1 *Al-Uṣūl al-Arba'ah fi 'Ilm al-Rijāl*, pg. 34.

2 *Qāmūs al-Rijāl*, 3/349, he mentioned similar to this in 5/58; *Raf' al-Tadāfu' Bayn 'Ibāratayn lī al-Najāshī* in the biography of Muḥammad ibn 'Abd Allāh al-Qummī.

فإذا ذكرت كل واحد من المصنفين وأصحاب الأصول فلا بد من أن أشير إلى ما قيل فيه من التعديل والتجريح وهل يعول على روايته أم لا وأبين عن اعتقاده وهل هو موافق للحق أو هو مخالف له لأن كثيرا من مصنفي أصحابنا وأصحاب الأصول ينتحلون المذاهب الفاسدة وإن كانت كتبهم معتمدة

When I mention each of the authors or the people of the Uṣūl then I necessarily indicate to what Jarḥ or Ta'dīl is mentioned about them and whether his narration is reliable or not. I clarify his beliefs as to whether he conforms to the truth or opposes it because many of our writers and the authors of the Uṣūl assign themselves to corrupt Schools even though their books are reliable.¹

But did al-Ṭūsī adhere to this?

Al-Fihrist contains 912 narrators. He combined with al-Najāshī in approximately 700 personalities. Al-Ṭūsī judged only 92 to be reliable, weakened 21 and remained silent regarding 799 narrators.²

Pertaining to this, Muḥiyy al-Dīn al-Mūsawī al-Ghurayfī states:

فلم يذكر الشيخ في فهرسته غير المصنفين وأصحاب الأصول من الرواة علي أنه لم يجر على ما وعد به في المقدمة من الإشارة إلى ما قيل فيهم من التعديل والتجريح حيث أهمل توثيق كثير من وجوه الرواة مثل زكريا بن آدم وزرارة بن أعين وسلمان الفارسي وعبيد بن زرارة وعبد الرحمن بن الحاج وعمار بن موسى الساباطي وليث المرادي ومحمد بن إسماعيل بن بزيع ومحمد بن الحسن الصفار ومحمد بن علي بن محبوب ومعاوية بن عمار ولا يصح الاعتذار عن ذلك بأن أمثال هؤلاء الرواة لا يحتاجون إلى توثيق لأن بعضهم محتاج إليه مثل عمار الساباطي الفطحي ونظائره حيث خدش فيه جماعة وإن اشتهر توثيقه واعتبار حديثه

Al-Shaykh only mentioned, in his *Fihrist*, authors and the people of Uṣūl among the narrators and he did not keep to his promise in the introduction of indicating to what was said in Jarḥ or Ta'dīl regarding them, as he neglected the authentication of many of the narrators such as Zakariyyā ibn Ādam, Zurārah ibn A'yan, Salmān al-Fārsī, 'Ubayd ibn Zurārah, 'Abd al-Raḥmān

1 *Al-Fihrist*, pg 28.

2 *Al-Madkhal ilā Mawsū'at al-Ḥadīth al-Nabawī 'ind al-Imāmiyyah*, pg. 266.

ibn al-Ḥāj, ‘Ammār ibn Mūsā al-Sābāṭī, Layth al-Murādī, Muḥammad ibn Ismā‘īl ibn Bazī, Muḥammad ibn al-Ḥasan al-Ṣaffār, Muḥammad ibn ‘Alī ibn Maḥbūb, and Mu‘āwiyah ibn ‘Ammār. Presenting an excuse that narrators like these do not need authentication, is incorrect because some of them like ‘Ammār al-Sābāṭī al-Faṭḥī and the like, need it; as a group has criticised them even though his reliability is well known and his ḥadīth is considered.¹

We have mentioned al-Tustarī’s statement regarding the *Fihrist* of al-Najāshī and the *Fihrist* of al-Ṭūsī in its place. One can revert to it.

This is in addition to what we quoted from the contemporary Shī‘ī scholar of reference Sayyid ‘Alī Khāmana‘ī about the distortion in copies. So ponder.

As for *Rijāl al-Ṭūsī*, the author has placed 6429 narrators in it; however, he only mentioned the conditions of very few of them. He authenticated 157 narrators, weakened 72, described 50 to be unknown and remained silent regarding the remaining narrators, without mentioning any Jarḥ or Ta‘dīl.² Therefore, the number of narrators regarding who he is silent about is 6150.

Whoever al-Ṭūsī mentions in his *Rijāl* cannot be considered to be Imāmī Shī‘ahs, because he mentions those who are not Shī‘ahs or Imāmīs, according to the terminology, such as ‘Ubayd Allāh ibn Ziyād, who he counted as companion of ‘Alī ibn Abī Ṭālib. He mentioned Abū Ja‘far al-Manṣūr among the companions of Ja‘far al-Ṣādiq.

As a result al-Tustarī believes that:

أراد استقصاء أصحابهم ومن روى عنهم مؤمنا كان أو فاسقا إماميا كان أو عامي

That he intended in-depth survey of their companions and those who narrated from them, whether he was a believer or a sinner, Imāmī or laymen (Sunnī).³

Because of this, the contemporary Shī‘ī scholar of reference, Shaykh Ja‘far al-Subḥānī quotes from the late Shī‘ī scholar of reference, Sayyid Ḥusayn al-

1 *Qawā‘id al-Ḥadīth*, pg. 266.

2 *Al-Madkhal ilā Mawsū‘at al-Ḥadīth al-Nabawī ‘ind al-Imāmiyyah*, pg. 260.

3 *Qāmūs al-Rijāl*, 1/29, also refer to: al-Khū‘ī: *Mu‘jam Rijāl al-Ḥadīth*, 1/97.

Burūjirdī (d. 1292 AH) that he considers the book *Rijāl al-Ṭūsī* to be a draft copy which was not published. He states:

كان سيدنا المحقق البروجردي يقول إن كتاب الرجال للشيخ كانت مذكرات له ولم يتوفق لإكماله ولأجل ذلك نرى أنه يذكر عدة أسماء ولا يذكر في حقهم شيئا من الوثاقة والضعف ولا الكتاب والرواية بل يعدهم من أصحاب الرسول والأئمة فقط

Our leader Muḥaqqiq al-Burūjirdī used to say, “There were notes of al-Shaykh’s book, *Rijāl*. He did not succeed in completing it. Hence, we see that he mentions some names and does not mention anything regarding their reliability or weakness, any books or narrations. He merely considers them to be the companions of the Prophet ﷺ and the Imāms.”¹

Al-Tustarī has mentioned, in *Qāmūs al-Rijāl*, some of his many errors and delusions found in his *Rijāl* and *Fihrist*. Refer to it if you desire.

Over and above that, a group of Imāmī scholars believe in not relying on al-Ṭūsī’s rulings regarding narrators, due to his abundant contradiction and confusion in his statements regarding them. This occurs in some of the rulings of principles and Ḥadīth also. ‘Allāmah Muḥammad Ismā‘īl al-Khuwājū‘ī (d. 1173 AH), while discussing his contradictions in Jarḥ and Ta‘dīl states in *Fawā'id al-Rijāliyyah*:

ووقع له في كتب الحديث غرائب فتارة يعمل بالخبر الضعيف مطلقا حتى إنه خصص به أخبارا كثيرة صحيحة حيث يعارضه بإطلاقها وتارة يصرح برد الحديث لضعفه وأخرى يرد الصحيح معللا بأنه خبر واحد لا يوجب علما ولا عملا كما عليه المرتضي وأكثر المتقدمين

ومن اضطرابه في معرفة الأحوال ونقد الرجال فإنه يقول في موضع: إن الرجل ثقة وفي آخر أنه ضعيف كما في سالم بن مكرم الجمال وسهل بن زياد الأدمي الرازي

وقال في الرجال محمد بن علي بن بلال ثقة وفي كتاب الغيبة إنه من المذمومين

وإنه قال في العدة إن عبد الله بن بكير ممن عملت الطائفة بخبره بلا خلاف وفي الاستبصار في آخر الباب الأول من أبواب الطلاق صرح بما يدل على فسقه وكذبه وأنه يقول برأيه

1 *Kulliyāt fi ‘Ilm al-Rijāl*, pg. 69.

وفي عمار الساباطي أنه ضعيف لا يعمل برواياته كذا في الاستبصار وفي العدة إن الطائفة لم تزل تعمل بما يرويه

وأمثال ذلك منه كثير جدا

وأنه قد ادعي عمل الطائفة بأخبار الفطحية مثل عبد الله بن بكير وغيره وأخبار الواقفية مثل سماعة بن مهران وعلي بن أبي حمزة وعثمان بن عيسى وبني فضال والطاظرية مع أنا لم نجد أحدا من الأصحاب وثق علي بن أبي حمزة البطائني أو يعمل برواياته إذا انفرد بها لأنه خبيث واقفي كذاب مذموم

وقس عليه حال غيره ممن ادعي عمل الطائفة على العمل برواياته في كلامه المذكور

وأنه تارة يشترط في قبول الرواية الإيمان والعدالة كما قطع به في كتبه الأصولية وهذا يقتضي أن لا يعمل بالأخبار الموثقة والحسنة وأخرى يكتفي في العدالة بظاهر الإسلام ولم يشترط ظهور العدالة ومقتضاه العمل بالأخبار الموثقة والحسنة كالصحيحة

وأنه تارة يعمل بالخبر الضعيف مطلقا حتي أنه يخصص به أخبارا كثيرة صحيحة حيث تعارضها بإطلاقها

وتارة يصرح برد الحديث لضعفه

وثالثة يرد الصحيح معللا بأنه خبر واحد لا يوجب علما ولا عملا

ومن هذا اضطرابه كيف يسوغ تقليده في معرفة أحوال الرجال؟ أم كيف يفيد إخباره بأن في الأخبار الضعيفة ما هو معتمد بين الطائفة ظنا على حال من الأحوال

Some strange things occurred from him in books of Hadīth. Sometimes he practices on a weak narration in general, to a point that he specifies through it many authentic narrations that contradict it because of its generality. Sometimes he clearly rejects a narration because of its weakness whilst other times he rejects an authentic narration reasoning that it is al-Khabar al-Wāḥid which does not necessitate knowledge or practice, as is the view of al-Murtaḍā and most of the former scholars.

Amongst his confusion in the knowledge of conditions and criticism of narrators is that on one occasion he says that a man is reliable but on another occasion he says that he is weak such as Sālim ibn Makram al-Jammāl and Sahl ibn Ziyād al-Rāzī.

He states in *Rijāl* that Muḥammad ibn ‘Alī ibn Bilāl is reliable¹ and in *Kitāb al-Ghaybah* he mentions that he is reprehensible.²

He states in *al-‘Uddah* that ‘Abd Allāh ibn Bukayr is amongst those whose narrations are practiced upon by the sect undisputedly.³ While in *al-Istibṣār*, at the end of the first chapter of the chapters of divorce, he states that which indicates to him being a sinner and a liar and that he practices on his own opinion.⁴

Regarding ‘Ammār al-Sābāṭī, he states in *al-Istibṣār*⁵ that he is weak whose narrations cannot be practiced upon, whereas in *al-‘Uddah* he states that the sect continuously practiced on what he narrates.⁶ Examples of this are many.

That he claimed that the sect practice on narrations of Faṭḥīs such as ‘Abd Allāh ibn Bukayr and others, and on narrations of Wāqifīs such as Samā‘ah ibn Mahrān, ‘Alī ibn Abī Ḥamzah, ‘Uthmān ibn ‘Isā, Banū Faḍḍāl and the Ṭāṭarīs; however, we do not see any of the companions authenticating ‘Alī ibn Abī Ḥamzah al-Baṭā’inī or practice on his narrations when he narrates isolated, because he is a malicious Wāqifī, liar, and reprehensible.

Analyse on this the conditions of others regarding whom he claimed that the sect practiced on their narrations, in the aforementioned statement.

That sometimes he stipulates Īmān (faith) and justice as condition for accepting a narration, as he stated with certainty in books of principles. This necessitates that *al-Muwaththaq* and *Ḥasan* narrations should not be practiced upon. Other times he considers the mere existence of Islam to be sufficient for justice. This would necessitate practicing on *al-Muwaththaq* and *Ḥasan* narrations just as the *Ṣaḥīḥ* ones.

That sometimes he practices on a weak narration in general to a point that he specifies through it many authentic narrations that contradict it because of its generality.

1 *Rijāl al-Ṭūsī*, pg. 410.

2 *Al-Ghaybah*, pg. 353.

3 *‘Uddat al-Uṣūl*, 1/10.

4 *Tahdhīb al-Aḥkām*, 8/36; *al-Istibṣār*, 3/276.

5 *Al-Istibṣār*, 1/372.

6 *‘Uddat al-Uṣūl*, 1/150.

Sometimes he clearly rejects a narration because of its weakness.

At other times he rejects an authentic narration reasoning that it is al-Khabar al-Wāḥid which does not necessitate knowledge or practice.

A person who is confused like this, how is it possible to follow him in understanding the conditions of narrators? Or how will his information that in the weak narrations there are aspects that are relied upon by the sect, benefit in any case?¹

Rijāl Ibn al-Ghaḍā'irī

This book is known as *Kitāb al-Du'afā'*. It is a small book which specialises in weak narrators only. This book is famously attributed to Shaykh Aḥmad ibn al-Ḥusayn ibn 'Ubayd Allāh, popularly known as Ibn al-Ghaḍā'irī (5th century). Although scholars differ as to who is the author, the son Aḥmad or the father al-Ḥusayn, most select the first. Al-Waḥīd al-Bahbahānī attributed this to a group of researchers, Ibn Ṭāwūs and Ibn al-Muṭahhar al-Ḥillī.²

In *Rijāl Ibn al-Ghaḍā'irī*, some of the narrators of the School are declared to be weak, which is not found in any other book. Hence, some of the scholars of the School cast doubts in it because it casts doubt on such narrators, who they believe, that accusing them of extremism and weakness, would be insulting the School.

These scholars' opinions are deeply divided about this book. Some say that it is fabricated by some obstinate Imāmīs who intended to create problems among them. Some say that the book is definitely established and it is regarded as evidence as long as it does not contradict the authentication of al-Shaykh and al-Najāshī. Others say that he is the author of the book and he is a critic of this field and the authentication of al-Ṭūsī and al-Najāshī will not get precedence over him. Others say that he is the author; however, his criticism and weakening is not reliable because his criticism and weakening was not attributed to any testimony or beneficial evidences that creates reassurance. In fact, it is attributed to his Ijtihād in the text of the narrations. Thus, if the narration contained any form of

1 *Rasā'il al-Khuwājū'ī*, 1/370; *al-Fawā'id al-Rijāliyyah*, pg. 203-204; Abū al-Ma'ālī al-Kalbāsī: *al-Rasā'il al-Rijāliyyah*, 2/325; Abū al-Hudā al-Kalbāsī: *Samā' al-Maqāl*, 1/159-160.

2 *Ta'līqat Manhaj al-Maqāl*, pg. 35.

extremism or elevation of the Imāms—according to his thinking—he described the narrator with fabrication and weakened him.¹

Muḥaqqiq Āghā Buzurk al-Ṭahrānī states in *al-Dharī'ah*:

إن لنسبة الكتاب هذا إلى ابن الغضائري المشهور الذي هو من شيوخ الطائفة ومن مشايخ الشيخ والنجاشي إجحاف في حقه عظيم ... وهو أجل من أن يقتحم في هتك أساطين الدين حتي لا يفلت من جرحه أحد من هؤلاء المشاهير بالتقوى والعفاف والصلاح

To attribute this book to Ibn al-Ghaḍā'irī, who is one of the leaders of the group and the teacher of al-Shaykh and al-Najāshī, is a great oppression on him... He is much nobler than launching an attack on the leaders of dīn, to a degree that none of these personalities, who are known for their piety, chastity, and righteousness, escaped from his criticism.²

However, Abū al-Hādī al-Kalbāsī asserts with certainty that:

لا يبعد أن يكون ابن الغضائري أعلم بأحوال الرجال وتصانيفهم من النجاشي الذي هو من رؤساء هذا الفن وكذا من العلامة أي الحلبي علي الإطلاق ويدل عليه تقدم زمانه علي زمانه ومن الظاهر كمال مدخلية التقدم في الاطلاع بأحوال المتقدمين

It is not farfetched that Ibn al-Ghaḍā'irī was more knowledgeable of the conditions of narrators and their writings than al-Najāshī—who is one of the leaders in this field—and al-'Allāmah, i.e. al-Ḥillī. Testament to that is his precedence in time and it is obvious that precedence is perfect for knowing the conditions of the formers.³

'Allāmah Muḥammad Taqī al-Tustarī (d. 1415 AH) defended Ibn al-Ghaḍā'irī honestly by saying;

وأما كتاب ابن الغضائري وإن اشتهر من عصر المجلسي عدم العبرة به لأنه يتسرع إلي جرح الأجلة إلا أنه كلام قشري ولم أر مثله في دقة نظره ويكفيه اعتماد مثل النجاشي الذي هو عندهم أضبط أهل الرجال عليه ومما استند إليه في خير

1 *Kulliyāt fi 'Ulūm al-Rijāl*, pg. 89.

2 *Al-Dharī'ah ilā Taṣānif al-Shī'ah*, 10/89.

3 *Samā' al-Maqāl*, 1/10.

As for Ibn al-Ghaḍā'irī's book, even though it was popularly disregarded during al-Majlisī's era, due to his haste in criticism of the luminaries; however, it contains cortical speech the likes of which I have not seen in accuracy. The reliance of al-Najāshī—who is the most accurate in the field of Rijāl according to them—on it and that which is attributed to it in Khaybarī is sufficient for reliance.¹

In this context, al-Fayḍ al-Kāshānī (d. 1091) states:

إن في الجرح والتعديل وشرائطهما اختلافات وتناقضات واشتباها لا يكاد ترتفع
بما تطمئن إليه النفوس كما لا يخفي علي الخبير بها

Indeed, in Jarḥ and Ta'dīl as well as their conditions, there are differences, contradictions, and confusions that can hardly be removed to reassure the heart, which is not hidden to anyone who knows about it.²

In criticism of the scholars of Jarḥ and Ta'dīl, and in vilification of their methods, Muḥaddith 'Abd 'Alī ibn Aḥmad Āl 'Uṣfūr al-Baḥrānī (d. 1127 AH) states:

لا بد في معرفة الثقة من غيره من تتبع الرجال وأحوالهم وتطلع كتب سيرهم
وأفعالهم والتفتيش عما ورد في شأنهم عن الأئمة الأطياب من الأخبار المودعة
في كتب الأصحاب بحيث يحصل الاطلاع على حسن ظاهريهم وقبحه ولا يكتفي
في ذلك بتعديل أحد أرباب التعديل وجرحه فإنهم مع قلة ضبطهم ووفور غلطهم
وكثرة خبطهم متناقضو الأقوال متهافتو المقال كم مشترك توهموا توحده وامتحد
توهموا اشتراكه وتعدده وكم من ضعيف صرحوا بوثاقته وثقة جزموا بضعفه مع
ظهور عدالته بل كم رجل وثقوه وفي مقام آخر ضفوه كما هو غير خفي على من
لاحظ كتبهم وتصفح مدحهم وثلبيهم

It is necessary to identify a reliable narrator from an unreliable one by reviewing narrators and their conditions, discovering books on their lives and actions, and investigating the narrations reported regarding them from the pure Imāms, in the companion's books so that one can become aware of their apparent good or evil. The Jarḥ and Ta'dīl by one of its scholars is not sufficient because they, in addition to their lack of accuracy, abundance of mistakes and confusions, are contradictory in their views and infatuated

1 *Qāmūs al-Rijāl*, 1/55.

2 *Al-Wafī*, 1/25, Maktabat al-Imām Amīr al-Mu'minīn 'Alī عليه السلام al-'Āmmah print, Iṣfahān.

in their speech. How many were combined who they imagined to be single and vice versa, how many weak narrators they declared to be reliable, and how many reliable narrators they claimed to be weak despite his reliability being apparent. How many narrators they declared to be reliable but in another place they declare them to be weak, as is not hidden to one who observes their books and browsed their praise and criticism.¹

This is what prompted 'Allāmah Yāsīn al-Bilādī al-Baḥrānī (12th century AH) to write a treatise titled: *Risālah fī 'Adam I'tibār Qawl 'Ulamā' al-Rijāl li Kathrat Ishitbahātihim* (treatise on disregarding the views of the scholars of Rijāl due to their abundant confusions).²

It appears that there is complete contentment from the Imāmī scholars—Akhbārīs as well as the Usūlīs—that the real application for the science of Dirāyah, wherein they differed intensely about their views of it and blood was spilled because of it, as well as other factors, actually leads to the destruction of the School. Testament to that is the obvious evasion by religious authorities and scholarly seminars from adopting an authentic book in Ḥadīth which would represent correct transmissions from Ja'far al-Ṣādiq and other Imāms and could be considered—even though falsely—as the pride of the sect.

This is what Āyat Allāh Sayyid Murtaḍā al-'Askarī (d. 1428 AH) declared in *Ma'ālim al-Madrasatayn* by saying:

وتمتاز مدرسة أهل البيت على مدرسة الخلفاء بأنها لا تعتبر أي كتاب عدا كتاب الله من أوله إلى آخره صحيحا... ويدلك على ما ذكرنا بالنسبة إلى مدرسة أهل البيت أن ما انتخبه العلامة الحلبي الحسن بن يوسف (٧٢٦هـ) من حديث ودونه في عشرة أجزاء وسماه الدر والمرجان في الأحاديث الصحاح والحسان وكذلك ما انتخبه من حديث صحيح حسب اجتهاده وجمعه في تأليف وسماه النهج الوقاح في الأحاديث الصحاح وما انتخبه الشيخ حسن ابن الشهيد الثاني (١٠١١هـ) من حديث مقتفيا أثر العلامة وسماه منتقى الجمال في الأحاديث الصحاح والحسان لم تتداول في الحوزات العلمية ولم يعتد بها العلماء وإنما اعتبروا عملهما اجتهادا شخصيا رغم اشتهاؤهم مؤلفاتهما لديهم وتداولها بينهم حتي اليوم مثل كتاب معالم

1 *Ihyā' Ma'ālim al-Shī'ah bi Akhbār al-Sharīah*: sixth chapter, pg. 100.

2 *Al-Dharī'ah ilā Taṣānif al-Shī'ah*, 15/234.

الأصول للشيخ حسن الذي بقي منذ عصر مؤلفه إلى اليوم أوّل كتاب دراسي يدرسه طلاب أصول الفقه ودرسه عامة الفقهاء في سلم الدراسات الأصولية ومن جراء ذلك اشتهر مؤلفه بين العلماء بصاحب المعالم ومع ذلك نسيت مؤلفاتهم في صحاح الأحاديث وحسانها ولعل في العلماء بمدرسة أهل البيت من لم يسمع بأسماء كتبهم في صحاح الأحاديث وحسانها فضلا عن التمسك بما جاء فيها من حديث بعنوان الصحيح والحسن

The School of the Ahl al-Bayt is distinguished from the School of the Khulafā' in that it does not consider any book besides the Book of Allah to be *Ṣaḥīḥ* (authentic) from start to end... Testament to what we have mentioned regarding the School of the Ahl al-Bayt is that the narrations that 'Allāmah al-Ḥillī (d. 726 AH) selected and compiled in ten volumes, titled *al-Durr wa al-Marjān fī al-Aḥādīth al-Ṣiḥāḥ wa al-Ḥisān*, similarly those *Ṣaḥīḥ* narrations which he selected—according to his *Ijtihād*—and compiled it in a book titled *al-Nahj al-Waḍḍāḥ fī al-Aḥādīth al-Ṣiḥāḥ* and those narrations which Shaykh Ḥasan, the son of al-Shahīd al-Thānī (d. 1011 AH) compile, following the footsteps of al-'Allāmah, and named it *Muntqā al-Jumān fī al-Aḥādīth al-Ṣiḥāḥ wa al-Ḥisān*, were neither circulated among the scholarly seminars nor relied upon by the scholars. They regarded their practice as personal *Ijtihād* only, despite the popularity and the prevalence of their writings amongst them until today like *Ma'ālim al-Uṣūl* of Shaykh Ḥasan, which remains to be the first textbook—from the era of the author till present day—which the students of *Uṣūl al-Fiqh* study and jurists teach in various stages of fundamental studies. As a result, the author became famous among scholars as 'Ṣāḥib al-Ma'ālim.' Despite this, their books are forgotten with regards to their *Ṣaḥīḥ* and Ḥasan narrations. Perhaps among the scholars of the Ahl al-Bayt there are those who did not even hear the names of their books on *Ṣaḥīḥ* and Ḥasan narrations let alone adhering to the narrations it contains under the title of *Ṣaḥīḥ* and Ḥasan.¹

This is the downfall. There is no word more explicit and true in expression than this.

1 *Ma'ālim al-Madrasatayn*, 3/338-339.

Application examples of those who narrate abundantly.

We have mentioned before that there is a need to review the application examples of some of those who narrate excessively from those who are likely to be weak or accused of lies, along with presenting some of their narrations found in the sect's four primary Ḥadīth compilations (*al-Kāfī*, *Man lā Yaḥḍuruhu al-Faqīh*, *Tahdhīb al-Kamāl*, and *al-Istibṣār*), which are considered to be the most trusted and important narrations of the sect, so that we can be informed of the extent of the problem surrounding the conditions of the School's narrators and narrations.

The following is the list of those narrators. After investigating and sorting, I decided to divide them into two main categories.

1. Narrators who narrate excessively, however, their conditions are unacceptable.

I. Zurārah ibn A'yan

He appears in the chains of many of the Shī'ī narrations which add up to 2094 narrations.¹ He is one of the jurists who al-Kashshī counted among the Aṣḥāb al-Ijmā', i.e. he is one of those who the sect agreed upon his ratification and following him in Fiqh.²

Al-Najāshī states:

زرارة بن أعين بن سنسن مولى لبني عبد الله بن عمرو السمين بن أسعد بن همام بن مرة بن ذهل بن شيبان أبو الحسن شيخ أصحابنا في زمانه ومتقدمهم وكان قارئاً فقيهاً متكلماً شاعراً أدبياً قد اجتمعت فيه خلال الفضل والدين صادقاً فيما يرويه

Abū al-Ḥasan Zurārah ibn A'yan ibn Sunsun (freed slave of Banū 'Abd Allāh) ibn 'Amr al-Samīn ibn As'ad ibn Humām ibn Murrah ibn Dhahl ibn Shaybān was the teacher and leader of our companions during his time. He was a Qārī, jurist, theologian, poet, and an author. He possessed traits of virtue and dīn and he was truthful in his narrations.³

1 *Majma' Rijāl al-Ḥadīth*, 8/254.

2 *Rijāl al-Kashshī*, 2/507.

3 *Fihrist al-Najāshī*, pg. 175.

Due to Zurārah’s abundant narrations from al-Bāqir and al-Ṣādiq, some gave him the title of “the treasurer of the Imāms’ narrations”. But the amazing thing is that this Kūfī (from Kūfah) who narrates abundantly from the two Imāms, al-Bāqir and al-Ṣādiq, never travelled to Madīnah to stay and acquire ḥadīth from them, in addition to the fact that there is no evidence of al-Bāqir and thereafter al-Ṣādiq’s travelling to Irāq. Despite this, the Imāmīs narrate this statement from Ja‘far al-Ṣādiq:

رحم الله زرارَةَ بن أعين لولا زرارَةَ بن أعين ونظراؤه لاندروست أحاديث أبي

May Allah have mercy on Zurārah ibn A‘yan. If it was not for Zurārah ibn A‘yan and his peers, the narrations of my father would be extinct.¹

Hence, when Sufyān ibn ‘Uyaynah—who was most knowledgeable about Imām Ja‘far and the people of Ḥijāz²—was asked if Zurārah ibn A‘yan narrated any book from Abū Ja‘far he said:

ما رأى هو أباً جعفر ولكنّه كان يتبع حديثه

He did not see Abū Ja‘far; however, he followed his narrations.³

1 *Rijāl al-Kashshī*, 1/348, narration: 217.

2 Imām ‘Abd al-Raḥmān ibn Maḥdī al-‘Anbarī (d. 198 AH) states:

كان ابن عينة من أعلم الناس بحديث الحجاز

Ibn ‘Uyaynah was the most learned about the narrations of Ḥijāz

Imām Muḥammad ibn Idrīs al-Shāfi‘ī al-Muṭṭalabī (d. 204 AH) states:

لولا مالك وسفيان بن عيينة لذهب علم الحجاز وجدت أحاديث الأحكام كلها عند ابن عيينة سوى ستة أحاديث ووجدتها كلها عند مالك سوى ثلاثين حديثاً

Were it not for Mālik and Sufyān ibn ‘Uyaynah, the knowledge of Ḥijāz would have perished. I found all narrations pertaining to rulings by Ibn ‘Uyaynah except six and I found all of them by Mālik except thirty narrations.

Al-Ḥāfiẓ al-Dhahabī quoted both these statements in *al-Siyar*, 8/457 and commented at the end by saying:

فهذا يوضح لك سعة دائرة سفيان في العلم وذلك لأنه ضمم أحاديث العراقيين إلي أحاديث الحجازيين وارتحل ولقي خلقاً كثيراً ما لقيهم مالك وهما نظيران في الإتقان ولكن مالكما أجل واعلى

This illustrates Sufyān’s vast knowledge because he combined the narrations of the people of Irāq with the narrations of the people of Ḥijāz. He travelled and met large amounts of people who Mālik did not meet. They are unique in proficiency; however, Mālik was greater and loftier.

3 Al-‘Uqaylī: *al-Ḍu‘afā’ al-Kabīr*, 2/96.

We have mentioned in our discussion about Taqiyyah, with regards to Zurārah and the narration of Abū ‘Abd Allāh Ja‘far al-Ṣādiq specifically. We mentioned the following incident of Ibn Sammāk al-Kūfī:

خرجت إلى مكة فلقيني زرارة بن أعين بالقادسية فقال لي إن لي إليك حاجة وارجو أن أبلغها بك وعظمتها فقلت ما هي فقال إذا لقيت جعفر بن محمد فأقرئه مني السلام وسله أن يخبرني من أن أهل الجنة أنا أم من أهل النار فأنكرت ذلك عليه فقال لي إنه يعلم ذلك فلم يزل بي حتى أجبته فلما لقيت جعفر بن محمد أخبرته بالذي كان منه فقال هو من أهل النار فوقع في نفسي شيء مما قال فقلت ومن أين علمت ذلك فقال من ادعي علي أنني أعلم هذا فهو من أهل النار فلما رجعت لقيني زرارة بن أعين فسألني عما عملت في حاجته فأخبرته بأنه قال لي إنه من أهل النار فقال كال لك يا عبد الله من جراب النورة فقلت وما جراب النورة؟ قال عمل معك بالتقية

I went to Makkah. Zurārah ibn A‘yan met me in Qādisiyyah and said, “I have a need to be fulfilled by you and I hope you will fulfil it.”

He magnified the need so I said to him, “What is the need?”

He replied, “If you meet Ja‘far ibn Muḥammad, convey my greetings to him, and ask him to inform me whether I am from the people of Paradise or the people of Hell?”

I disliked this but he said that Ja‘far knows about this. He persisted until I agreed. When I met Ja‘far ibn Muḥammad, I informed him about what had transpired with Zurārah. He replied, “He is from the people of Hell.”

What he said struck me so I asked him, “How do you know that?”

He replied, “Whoever claims that I know about this, is from the people of Hell.”

When I returned, Zurārah ibn A‘yan met me and asked me as to what I did regarding his need. I informed him that he said that you are from the people of Hell.

He said, “O servant of Allah, he measured for you from the pouch of *Nūrah*”

I asked, “What is the pouch of *Nūrah*?”

He replied, “He practiced Taqiyyah with you.”¹

The extent of tempering with the Imāms’ narrations which Zurārah practiced, without shame towards Allah سُبْحَانَهُ وَتَعَالَى or the people, is obvious.

Some authentic and reliable Imāmī narrations have been transmitted which criticise, in fact, curse him. Most clear and explicit ones are the following:

- ▶ The Ḥasan narration of Layth al-Murādī² who narrates from Imām Ja’far that he stated:

لا يموت زرارة إلا تائها

Zurārah will die forlorn.³

1 *Al-Ḍu‘afā’ al-Kabīr*, 2/96. Al-‘Uqaylī states:

حدثنا أبو يحيى عبد الله بن أحمد بن أبي مسرة (٢٧٩هـ) وهو إمام محدث ثقة قال حدثني سعيد بن منصور (٢٢٧هـ) وهو إمام محدث ثقة من أوعية العلم قال حدثنا ابن السماك (١٨٣هـ) وهو صدوق فذكره

Abū Yahyā ‘Abd Allāh ibn Aḥmad ibn Abī Masarraḥ (d. 279 AH)—and he is an Imām, Muḥaddith, and reliable—narrated to us, who said that Sa‘īd ibn Maṣṣūr (d. 227 AH)—and he is an Imām, Muḥaddith and reliable and a vessel of knowledge—narrated to me, who said that Ibn Sammāk (d. 183 AH)—and he is truthful—narrated to us... then he mentioned him.

2 He is reliable. Al-Majlisī states in *Malādh al-Akhyār*:

وهو المشهور بالثقة ويعتبر عند قوم من أصحاب الإجماع الذين أجمعت الطائفة علي تصديقهم والعمل بفقهم

He is known for reliability. Some consider him to from the Aṣḥāb al-Ijmā‘ regarding whom the sect is unanimous on their ratification and practicing on their fiqh.

Al-Kashshī states:

أجمعت العصابة على تصديق هؤلاء الأولين من أصحاب أبي جعفر وأصحاب أبي عبد الله وانقادوا لهم بالفقه فقالوا أفقه الأولين ستة زرارة ومعروف بن خربوذ وبريد وأبو بصير الأسدي والفضيل بن يسار ومحمد بن مسلم الطائفي قالوا وافقه الستة زرارة وقال بعضهم مكان أبي بصير الأسدي أبو بصير المرادي وهو ليث بن البخري

The group is unanimous on the ratification of these former companions of Abū Ja’far and Abū ‘Abd Allāh and they follow them in Fiqh. They say: Most learned of the former scholars in Fiqh are six, i.e. Zurārah, Ma’rūf ibn Kharrabūdh, Burayd, Abū Baṣīr al-Asadī, Fuḍayl ibn Yasār, and Muḥammad ibn Muslim al-Ṭā’ifī. They further state that Zurārah is the most learned of the six. Some mention Abū Baṣīr al-Murādī in place of Abū Baṣīr al-Asadī, he is Layth ibn al-Bakhtarī.

3 *Rijāl al-Kashshī*, 1/365, narration: 240.

- The Ḥasan narration of Masma‘ Kurdīn Abī Yasār¹ who also narrates from Imām Ja‘far that he said:

لعن الله بريدا ولعن الله زرارَةَ

May Allah curse Burayd and may He curse Zurārah.²

Sayyid Muḥsin al-Amīn has categorised these two narrations as Ḥasan in his encyclopaedia called *A‘yān al-Shī‘ah*.³

- The narration of Yūnus ibn ‘Abd al-Raḥmān⁴ from Ibn Muskān⁵ who states:

سمعت زرارَةَ يقول رحم الله أبا جعفر وأما جعفر فإن في قلبي عليه لعنة فقلت له
وما حمل زرارَةَ علي هذا قال حملة علي هذا لأن أبا عبد الله جعفر الصادق أخرج
مخازيه

I heard Zurārah saying, “May Allah have mercy on Abū Ja‘far. As for Ja‘far, I have aversion⁶ for him in my heart.”

1 He is Abū Yasār Masma‘ ibn ‘Abd al-Malik who was given the title of Kurdīn. He is reliable. Al-Najāshī states:

شيخ بكر بن وائل بالبصرة ووجهها وسيد المسامعة روى عن أبي جعفر الباقر رواية يسيرة وروى عن أبي عبد الله جعفر الصادق وأكثر واختص به وقال له الإمام جعفر إني لأعدك لأمر عظيم يا أبا السيار

He was the teacher of Bakr ibn Wā’il in Baṣrah, the face of Baṣrah and the leader of transmissions. Narrated few narrations from Abū Ja‘far al-Bāqir and narrated more from Ja‘far al-Ṣādiq and specialised in it. Imām Ja‘far said to him, “O Abu al-Yasār, I am preparing you for a great matter.”

2 *Rijāl al-Kashshī*, 1/364, narration: 237.

3 *A‘yān al-Shī‘ah*, 10/388.

4 He is reliable, from the *Aṣḥāb al-Ijmā‘*, regarding whom the sect is unanimous on their ratification and practicing on their fiqh.

5 He is reliable, from the *Aṣḥāb al-Ijmā‘* also. Al-Najāshī said regarding him:

ثقة عين

He is *Thiqah ‘Ayn* (extremely reliable).

Ibn Dāwūd al-Ḥillī states:

فقيه عين معظم من الستة الذين اجمعت العصاة على تصديقهم وثقتهم

He was a reliable jurist, a great person, from the six whom the sect is unanimous on their ratification and reliability.

6 This is how it appears in the copy of the researcher al-Mīr Dāmād al-Astarābādī (d. 1041 AH).

continued...

I asked him, “What prompted Zurārah to say this?”

He replied, “He said this because Abū ‘Abd Allāh—Ja‘far al-Ṣādiq—disgraced him.”¹

► The Ṣaḥīḥ² narration of Ziyād ibn Abī al-Ḥalāl who says:

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The copy of Muḥammad Taqīyy al-Mubīdī the word appears as لفنة and according to Ibn Ṭāwūs it is لعنة. This misspelling occurred because all these possibilities exist in the writing of the word. In the past I used to think that the word لفنة was the only view until I came across the researcher al-Dāmād giving preference and being certain of other than that and criticising the others. Al-Dāmād states:

قوله فإن في قلب عليه لعنة بفتح اللام للتأكيد وإهمال العين مفتوحة أو مضمومة وتشديد النون أي أن في قلبي لعنة أي أن في قلبي عليه لعارضا واعتراضا عليه عنّ للنفس وعرض للقلب وهجس في الصدر وخطر في الضمير معتنا معترضا إلى أن قال ثم إن السيد جمال الدين بن طاووس كأن على ما يستدق من كلامه ويستشتم من سياقه قد صحف النون بالياء المثناة من تحت بعد العين المهملة من العي بالكسر وهو الجهل وخلاف البيان والغين المعجمة بالفتح وهو الجهل وخلاف الرشد كما في مجمل اللغة وغيره وذلك لأنه قال في اختياره من كتاب الكشي في الجواب عن هذا الحديث والطنن فيه بهذه العبارة وقد روي من طريق محمد بن عيسى عن يونس أن زرارة استقل علم الصادق وما أبعد هذا من الحق وهل يشك مخالف أو مؤالف في جلالة علم مولانا الصادق ولقد أكثر محمد بن عيسى في القول في زرارة حتى لو كان بمقام عدالة كادت الظنون تسرع إليه بالتهمة فكيف وهو مقدوح

In his statement ‘in my heart there is *La‘annah* the word begins with *Lām* for emphasis, thereafter is an ‘*Ayn*, either with a *fathāh* or *ḍammah* and then a *Nūn* with a *Tashdīd*, which means that in my heart there is aversion and objection which is anguish to the soul, loss for the heart, anxiety in the bosom, danger to the conscience and a concerned objection... [till he says,] Then Sayyid Jamāl al-Dīn ibn Ṭāwūs—as sensed from his speech and understood from the context—misspelled *Nūn* with *Yā* after the ‘*Ayn* with a *Kasrah*, i.e. لعبة which means ignorance, the opposite of declaration and if it is a *Ghayn* with a *Fathāh* then it will mean ignorance which is opposite of guidance as found in *Mujmal al-Lughah* and others. This is so because, in his *Ikhtiyār* of al-Kashshī’s book, in response to and in criticism of this narration, he states by saying, “This narration is narrated through Muḥammad ibn ‘Isā from Yūnus that Zurārah regarded the knowledge of al-Ṣādiq to be insignificant. How far is this from the truth? Can any opposition or supporter doubt the greatness of our master al-Ṣādiq’s knowledge? Muḥammad ibn ‘Isā spoke abundantly about Zurārah to such an extent that if he was in a position of justice, thoughts would rush to accuse him. How can he (do this), whereas he is criticised in it.”

His statement ends here. We have explained to you before that Muḥammad ibn ‘Isā cannot be downgraded from the position of justice.

1 *Rijāl al-Kashshī*, 2/356, narration: 228.

2 Muḥaqqiq al-Dāmād states in *al-Ḥāshiyah*, 2/39:

continued....

قلت لأبي عبد الله إن زرارة روى عنك في الاستطاعة شيئاً فقبلنا منه وصدقناه وقد أحبيت أن أعرضه عليك فقال هاته قلت فزعم أنه سألك عن قول الله تعالى وَلِلَّهِ عَلَى النَّاسِ حِجُّ الْبَيْتِ مَنِ اسْتَطَاعَ إِلَيْهِ سَبِيلًا (آل عمران: ٢٩٧) فقلت من ملك زاد وراحلة فقال كل من ملك زاد وراحلة فهو مستطيع للحج وإن لم يحج؟ فقلت نعم فقال أبو عبد الله ليس هكذا سألتني ولا هكذا قلت كذب علي والله كذب علي والله لعن الله زرارة لعن الله زرارة لعن الله زرارة إنما قال لي من كان له زاد وراحلة فهو مستطيع الحج؟ قلت وقد وجب عليه الحج قال فمستطيع هو فقلت لا حتى يؤذن له قلت فأخبر زرارة بذلك قال نعم قال زياد فقدمت الكوفة فلقيت زرارة فأخبرته بما قال أبو عبد الله وسكت عن لعنه فقال أما أنه قد أعطاني الاستطاعة من حيث لا يعلم وصاحبكم هذا ليس له بصر بكلام الرجال

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طريق هذا الحديث صحيح بلا امتراء اتفاقاً ومن العجب كل العجب من السيد جمال الدين ابن طاووس إذ قال الذي يظهر أن الرواية غير متصلة لأن محمد بن أبي القاسم كان معاصراً لأبي جعفر محمد بن بابويه ويبعد أن يكون زياد بن أبي الحلال عاش من زمن الصادق حتى لقيه محمد بن أبي القاسم معاصر أبي جعفر بن بابويه وكيف خفي عليه أن المماصر لأبي جعفر بن بابويه محمد بن علي ماجيلويه لا محمد بن أبي القاسم وكثيراً ما في (الفقيه) وسائر كتبه يقول في الأسانيد حدثني محمد بن علي ماجيلويه عن عمه محمد بن أبي القاسم ويظهر من النجاشي أن محمد بن أبي القاسم الملقب ماجيلويه صهر أحمد بن أبي عبد الله المعاصر لأبي جعفر محمد بن بابويه فإنه ذكر في كتابه أن محمد بن أبي القاسم الملقب ماجيلويه صهر أحمد بن أبي عبد الله على ابنته وابنه محمد بن علي منها ثم قال أخبرنا أي علي بن أحمد قال حدثنا محمد بن علي بن الحسين يعني به أبي جعفر بن بابويه قال حدثنا محمد بن علي ماجيلويه قال حدثنا أبي علي بن محمد عن أبيه محمد بن أبي القاسم فتدبر

It is agreed that the chain of this hadīth is correct without doubt. It is very surprising that Sayyid Jamāl al-Dīn ibn Ṭāwūs said that it appears that the chain of this narration is not connected because Muḥammad ibn Abī al-Qāsim was a contemporary of Abū Jaʿfar Muḥammad ibn Bābawayh, and it is farfetched that Ziyād ibn Abī al-Ḥalāl lived from the time of al-Ṣādiq until Muḥammad ibn Abī al-Qāsim met him, who is a contemporary of Abū Jaʿfar ibn Bābawayh. How was it hidden from him that the contemporary of Abū Jaʿfar ibn Bābawayh is Muḥammad ibn ʿAlī Mājīlawayh, not Muḥammad ibn Abī al-Qāsim? Many times in *al-Faqīh* and all his books he says in the chains of transmission that Muḥammad ibn ʿAlī Mājīlawayh narrated to me from his uncle, Muḥammad ibn Abī al-Qāsim. It appears from *al-Najāshī* that Muḥammad ibn Abī al-Qāsim is the grandfather of Muḥammad ibn ʿAlī Mājīlawayh, a contemporary of Abū Jaʿfar Muḥammad ibn Bābawayh, because he mentioned in his book that Muḥammad ibn Abī al-Qāsim, given the title of Mājīlawayh, was the son-in-law of Aḥmad ibn Abī ʿAbd Allāh through his daughter and his son Muḥammad ibn ʿAlī was born from her. Then he said, “Alī ibn Aḥmad narrated to us who said that Muḥammad ibn ʿAlī ibn al-Ḥusayn—i.e. Abū Jaʿfar ibn Bābawayh—narrated to us who said that Muḥammad ibn ʿAlī Mājīlawayh narrated to us, who said that my father, ʿAlī ibn Muḥammad narrated to us from his father Muḥammad ibn Abī al-Qāsim. So ponder.

I said to Abū ‘Abd Allāh that Zurārah narrated something about ability. We accepted it and believed it. I wanted to present it to you.

He said, “Bring it.”

I said that he claims that he asked you about the saying of Allah ﷻ, “Pilgrimage to this House is an obligation by Allah upon whoever is able among the people.”¹ You said (it refers to), “Whoever possesses provision and a conveyance?” Then he asked, “Anyone who possesses provision and a conveyance is regarded to have the ability to perform Ḥajj, even if he does not perform Ḥajj?” And You replied, “Yes.”

Abū ‘Abd Allāh said, “That is not how he asked me, nor is that what I said. He lied about me, by Allah; he lied about me, by Allah. May Allah curse Zurārah. May Allah curse Zurārah. May Allah curse Zurārah. He only asked me that whoever has provisions and conveyance, is he able to perform Ḥajj?”

I said, “Ḥajj is obligatory for him.”

He said, “So is he regarded as the one who has ability?”

I said, “No, until he is given permission.”

Then I asked him, “Should I tell Zurārah that?”

He said, “Yes.”

Ziyād says, “I came to Kūfah, met Zurārah and I told him what Abū ‘Abd Allāh said. He remained silent about cursing him and then said, “As for him, he has given me ability from where he does not know, and this friend of yours has no insight² into the words of men.”³

1 Sūrah Āl ‘Imrān: 97.

2 It is astonishing that the Imāmiyyah go to people like Zurārah and trust them whereas they utter statements that the Imāmiyyah consider to be clear disbelief. Then you will see them making excuses for them like al-Dāmād did for him in *Ḥāshiyat Rijāl al-Kashshī*, 2/381, that his disrespect to the infallible Imām is only because of having confidence on his high status by him and intense specialization towards him, whereas they criticise the Companions ﷺ for much less than this, unproven issues, and corrupt suspicions. O Allah, how precious is justice?

3 *Rijāl al-Kashshī*, 2/359- 361, narration: 234.

- ▶ That which al-Kashshī reported in his *Rijāl*, through his chain from Mas‘adah ibn Ṣadaqah who narrates that Ja‘far al-Ṣādiq said:

إن قوما يعارون الإيما ن عارية ثم يسلبونه يقال لهم يوم القيامة المعارون أما إن زرارة
بن أعين منهم

Indeed some people borrow Īmān as a loan, and then snatch it away. On the Day of Qiyāmah they will be called the borrowers. Zurārah ibn A‘yan is amongst them.¹

- ▶ That which al-Kashshī reported in his *Rijāl*, through his chain from Walīd ibn Ṣubayḥ² who said:

مررت في الروضة بالمدينة فإذا بإنسان قد جذبني فالتفت فإذا أنا بزارة فقال لي
استأذن لي علي صاحبك قال فخرجت إلى المسجد فدخلت على أبي عبد الله
فأخبرته الخبر فضرب بيده إلى لحيته ثم قال لا تأذن له لا تأذن له لا تأذن له فإن
زرارة يريدني على القدر على كبر السن وليس من ديني ولا دين آبائي

I passed the *Rawḍah* in Madīnah. Suddenly a man distracted me. I turned around and found Zurārah. He said to me, “Seek permission for me by your companion.”

I came out towards the Masjid and entered by Abū ‘Abd Allāh. I gave him the news.

He struck his beard with his hand and said, “Do not give him permission, do not give him permission, do not give him permission. Zurārah wants me to increase his life against destiny, which is neither my dīn nor the dīn of my forefathers.”³

- ▶ That which al-Kashshī also reported in his *Rijāl*, through his chain from ‘Alī ibn al-Ḥakam who narrates from some of his narrators, who narrate from Ja‘far al-Ṣādiq stating:

1 *Rijāl al-Kashshī*, 2/378, narration: 263.

2 Al-Najāshī said:

ثقة روى عن أبي عبد الله

Reliable. Narrates from Abū ‘Abd Allāh.

3 *Rijāl al-Kashshī*, 2/380, narration: 266.

دخلت عليه فقال متي عهدك بزراعة قال: قلت: ما رأيته منذ أيام قال لا تبال وإن مرض فلا تعده وإن مات فلا تشهد جنازته قال قلت: زرارة؟ متعجبا مما قال قال: نعم زرارة زرارة شر من اليهود والنصارى ومن قال إن مع الله ثالث ثلاثة

I came to him and he asked me, “When last did you meet Zurārah?”

I replied, “I have not seen him for days.”

He said, “Do not even bother. If he falls ill, do not visit him and if he passes away, do not attend his funeral.”

Astonished, I asked him, “Zurārah?”

He replied, “Yes, Zurārah. Zurārah is worse than the Jews, Christians and those who believe in Trinity.”¹

- ▶ That which al-Kashshī also reported in his *Rijāl*, through his chain from ‘Imrān al-Za‘farānī who states:

سمعت أبا عبد الله يقول لأبي بصير يا أبا بصير وكنا اثني عشر رجلا ما أحدث أحد في الإسلام ما أحدث زرارة من البدع عليه لعنة الله هذا قول أبي عبد الله

I heard Abū ‘Abd Allāh telling Abū Baṣīr, “O Abū Baṣīr—and we were twelve people—no one brought about innovation in Islam as Zurārah did. May the curse of Allah be on him.” This is the statement of Abū ‘Abd Allāh.²

A person who attributes lies to Ja‘far al-Ṣādiq during his life time with complete boldness and insolence, to such an extent that Imām Ja‘far is compelled to curse, renounce, and disgrace him; how can he be trusted with the beliefs of the Muslims to a point that his narrations are regarded as dīn and practiced upon?

II. Jābir ibn Yazīd al-Ju‘fī

One of al-Bāqir and al-Ṣādiq’s companions and among those who narrate abundantly from al-Ṣādiq.

Al-Ḥurr al-‘Āmilī states:

1 *Rijāl al-Kashshī*, 2/380, narration: 267.

2 *Rijāl al-Kashshī*, 2/380, narration: 241.

روي أنه روى سبعين ألف حديث عن الباقر وروى مائة وأربعين ألف حديث والظاهر أنه ما روى أحد بطريق المشافهة عن الأئمة أكثر مما روى جابر فيكون عظيم المنزلة عندهم لقولهم اعرفوا منازل الرجال منا على قدر رواياتهم عنا

It has been narrated that he narrated 70 000 narrations from al-Bāqir and 140 000 narrations in total. It is obvious that no one has narrated directly from the Imāms more than Jābir. Thus, he holds great status by them due to the Imām's statement, "Recognise the status of our men according to the extent of their narrations from us."¹

Shaykh Muḥammad Ḥasan al-Muẓaffar (d. 1375 AH) states:

روي عن الباقر خاصة سبعين ألف حديث ... وقيل: إنه ممن انتهى إليه علم الأئمة

He narrated 70 000 narrations specifically from al-Bāqir... It is said that the knowledge of the Imāms end by him.²

Therefore, Jābir holds the first position in narration from the quantity point of view. When we observe that the total number of narrations in the four Shīrī books is 44244,³ we realize the magnitude of what Jābir narrated and that his narrations have the largest share in the Shīrī compilations. Hence, he is one of the pillars of the School.

However, it has been reported in *Rijāl al-Kashshī* from Zurārah ibn A'yan who said:

سألت أبا عبد الله عن أحاديث جابر فقال ما رأيته عند أبي قط إلا مرة واحدة وما دخل علي قط

I asked Abū 'Abd Allāh about the narrations of Jābir. He replied, "I have not seen him by my father except once and he has never entered by me."⁴

Here Imām al-Ṣādiq is denying what Jābir claimed about narrating from him and his father. Then, how can he narrate such a huge amount of narrations from someone who he has not met or someone who he met once only, whereas he clearly declares that he heard and narrated from them?

1 *Wasā'il al-Shī'ah*, 2/151.

2 *Al-Imām al-Ṣādiq*, pg. 143.

3 *A'yān al-Shī'ah*, 1/44.

4 *Rijāl al-Kashshī*, 2/436.

The late Shī'ī scholar of reference Sayyid Abū al-Qāsim al-Khū'ī did not find any other way out of this narration that falsifies Jābir than resorting to Taqiyyah. Thus, he states that:

لابد من حمله إلى نحو من التورية إذ لو كان جابر لم يكن يدخل عليه سلام الله عليه وكان هو بمرأى من الناس لكان هذا كافيا في تكذيبه وعدم تصديقه فكيف اختلفوا في أحاديثه حتي احتاج زياد إلى سؤال الإمام عن أحاديثه على أن عدم دخوله علي الإمام لا ينافي صدقه في أحاديثه لاحتمال أنه كان يلاقي الإمام في غير داره فيأخذ منه العلوم والأحكام ويرويها

It is necessary to regard it as a type of dissimulation because if Jābir did not enter by the Imām, whilst he was in the presence of other people, then this would be sufficient to falsify and disapprove him. Then how would it be possible to differ in his narrations to such a degree that it prompted Ziyād to ask the Imām about his narrations? This is despite the fact that his non-entry by the Imām does not contradict his truthfulness due to the possibility that he met the Imām somewhere other than his house, acquired knowledge and rulings from him, and narrated it.¹

This desperation in defending Jābir and his narrations is clearly visible in the writings of some Imāmī scholars such as Muḥammad Taqī al-Majlisī (d. 100 AH), as he states in his commentary of *Man lā Yaḥḍuruḥu al-Faqīh* regarding Jābir:

ظهر لنا من التبع أنه ثقة جليل من أصحاب أسرار الأئمة وخواصهم والعامّة تضعفه لهذا كما يظهر من مقدمة صحيح مسلم وتبعهم بعض الخاصة لأن أحاديثه تدل على جلالة الأئمة صلوات الله عليهم ولما لم يمكنه القدح فيه لجلالته قدح في روايته وإذا تأملت أحاديثه يظهر لك أن القدح ليس فيهم بل فيمن قدحه باعتبار عدم معرفة الأئمة صلوات الله عليهم كما ينبغي والذي ظهر لنا من التبع التام أن أكثر المجروحين سبب جرحهم علو حالهم كما يظهر من الأخبار التي وردت عنهم: اعرّفوا منازل الرجال علي قدر رواياتهم عنا والظاهر أن المراد بقدر الرواية الأخبار العالية التي لا يصل إليها عقول أكثر الناس وورد متواترا عنهم إن حديثنا صعب مستصعب لا يحتمله إلا ملك مقرب أو نبي مرسل أو عبد مؤمن امتحن الله قلبه للإيمان ولذا ترى ثقة الإسلام وعلي بن إبراهيم ومحمد بن الحسن الصفار وسعد

1 *Majma' Rijāl al-Hadīth*, 4/344.

بن عبد الله وأضرابهم ينقلون أخبارهم ويعتمدون عليهم وابن الغضائري المجهول حاله وشخصه يجرحهم والمتأخرون رحمهم الله تعالى يعتمدون على قوله وبسببه يضيف أكثر أخبار الأئمة صلوات الله عليهم

It becomes clear to us, through research that he is reliable and lofty, from amongst the secrets of the Imāms and his elite ones. The laymen¹ weaken him as is clear from the forward of Ṣaḥīḥ Muslim and some of the special ones followed them because his narrations indicate to the majesty of the Imāms. When they could not criticise him due to his loftiness, they criticised his narrations. If anyone ponders on his narrations, he will realize that the criticism is not directed to them, but to those who criticise him on the basis of not knowing the Imāms properly. What has become clear to us through thorough research is that the reason for criticism of most the criticised narrators is their lofty positions, as it becomes clear from the transmissions narrated from the Imāms that recognise the status of our men according to the extent of their narrations from us.² It appears that what is meant by ‘the extent of narrations’ is the high-level transmissions that the minds of most people cannot comprehend. It has been consecutively narrated from the Imāms that, “Our narrations are difficult and complex. Only a close angel, a sent prophet, or a believing servant, whose heart Allah has tested for Īmān,³ can bear it.”

Hence, one will see Thiqaṭ al-Islam,⁴ ‘Alī ibn Ibrāhīm, Muḥammad ibn al-Ḥasan al-Ṣaffār, Sa‘d ibn ‘Abd Allāh and others quote their transmissions and rely on them. Ibn al-Ghaḍā‘irī—whose condition and personality is unknown—criticises them and the latter scholars rely on his view and subsequently weaken most of the Imām’s transmissions.⁵

1 i.e. the Ahl al-Sunnah. It is reported in *Dā‘irat al-Ma‘ārif al-Shī‘ah*, 17/122:

الخاصة في اصطلاح بعض أهل الدرابة الإمامية الاثنا عشرية والعامه أهل السنة والجماعة ومن ذلك الرواية الإمامية المشهورة ما خالف العامة ففيه الرشاد

Al-Khāṣṣah (the special ones) in the terminology of the people Dirāyah are the Ithnā‘Asharī Imāmīs and *al-‘Āmmah* (the laymen) refers to the Ahl al-Sunnah. Hence the famous Imāmī narration, ‘Whatever contradicts the laymen, there is goodness in it.’

2 *Rijāl al-Kashshī*, 1/5; *Wasā‘il al-Shī‘ah*, 27/149; *Biḥār al-Anwār*, 2/150.

3 *Baṣā‘ir al-Darajāt*, pg. 42; *Biḥār al-Anwār*, 2/150.

4 i.e. al-Kulaynī.

5 *Rawḍat al-Muttaqīn*, 1/208-209.

It is surprising that we find al-Najāshī (d. 450 AH)—he is who he is in the field of Jarḥ and Ta‘dīl according to the sect—mentions about Jābir that:

قل ما يورد عنه شيء في الحلال والحرام

Very seldom anything about Ḥalāl and Ḥarām is narrated from him.¹

Whereas al-Khū‘ī states about his narrations in Ḥalāl and Ḥarām:

فإن الروايات عنه في الكتب الأربعة كثيرة

Narrations from him in the four books are plenty.²

Who do we believe?

III. Muḥammad ibn Muslim ibn Rabāḥ al-Thaqafī

One of the companions of the two Imāms, al-Bāqir and al-Ṣādiq. He appears in the chains of 2276 Shī‘ī narrations.³ It is reported that he resided in Madīnah for four years⁴ and that he stated:

1 *Rijāl al-Najāshī*, pg. 128.

2 *Mu‘jam Rijāl al-Ḥadīth*, 4/345.

3 *Mu‘jam Rijāl al-Ḥadīth*, 18/246.

4 This short period of time, in comparison the huge amount which he narrates from al-Bāqir and al-Ṣādiq, reminds me of Sayyid ‘Abd al-Ḥusayn Sharf al-Dīn’s slandering of the Companion Abū Hurayrah رضي الله عنه for narrating a total of 5374 aḥādīth from the Prophet صلى الله عليه وسلم despite his companionship with the Prophet صلى الله عليه وسلم being merely for four years. However, they will never denounce the claim of Muḥammad ibn Muslim al-Thaqafī that he heard 30 000 narrations from al-Bāqir and 16 000 from al-Ṣādiq. Rather, they declare that the position of a narrator and the extent of his proximity to the Imām is gauged through the abundance of his narrations. Furthermore, the confusion which some fall into, pertaining to Abū Hurayrah’s narration specifically, need clarification. These thousands of narrations which are reported from Abū Hurayrah رضي الله عنه are not independent in its thousands. They are various chains of those aḥādīth. Thus, those aḥādīth which Abū Hurayrah رضي الله عنه narrated, whose total reaches to 5372 chains, in reality return to 1170–1300 aḥādīth. An observer into the Musnad narrations of Abū Hurayrah in Musnad Aḥmad ibn Ḥanbal, with the research of Aḥmad Shākir or Shu‘ayb al-Arna‘ūṭ, will notice that the references of the aḥādīth, on duplicated numbers in the chain itself, sometimes exceeds ten and at times it is as little as three. If we compare this number to the number of days Abū Hurayrah lived with the Prophet صلى الله عليه وسلم, we will find that the narrations are less than the days and there would be less than one ḥadīth per day. So what will be the condition if he heard more than one ḥadīth in a day?

continued....

سمعت من أبي جعفر الباقر ثلاثين ألف حديث ثم لقيت جعفر ابنه فسمعت منه أو قال سألته عن ستة عشر ألف حديث أو قال مسألة

I heard 30 000 narrations from Abū Ja‘far al-Bāqir. Thereafter I met his son Ja‘far. I heard (or he said, “I asked about.”) 16 000 narrations (or he said rulings) from him.¹

Al-Najāshī mentioned a book attributed to him called *al-Arba‘a Mi‘ah Mas‘alah fi Abwāb al-Ḥalāl wa al-Ḥarām*, despite the fact that Ja‘far al-Ṣādiq denounced and falsified this Muḥammad ibn Muslim saying:

لعن الله محمد بن مسلم كان يقول إن الله لا يعلم الشيء حتى يكون

May Allah curse Muḥammad ibn Muslim. He used to say that Allah سُبْحَانَهُ وَتَعَالَى does not know anything until it comes into existence.²

He warned against him and other fabricators like him by saying:

هلك المتريسون في أديانهم منهم زرارة وبريد ومحمد بن مسلم

Those who desired to be leaders in dīn have perished. From amongst them are Zurārah, Burayd, and Muḥammad ibn Muslim.³

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Similarly, these aḥādīth which Abū Hurayrah narrates, he is not isolated in narrating them from the Prophet صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ, rather, several other Companions رَضِيَ اللهُ عَنْهُمْ also narrate many of them.

During his commentary on the aḥādīth of *Musnad Aḥmad* in al-Masjid al-Nabawī, ‘Allāmah Sayyid Muḥammad al-Muntaṣir bi Allāh al-Kattānī al-Ḥasanī al-Idrīsī (d. 1419 AH), whilst commentating on the aḥādīth of Abū Hurayrah would mention at the end of each ḥadīth, which scholars of Ḥadīth reported the ḥadīth and which other Companion corresponded with Abū Hurayrah in narrating that ḥadīth. When he completed the last ḥadīth of the Musnad narrations of Abū Hurayrah, he said:

ولم ينفرد أبو هريرة عن النبي من كل ما روى عنه إلا بعدد أصابع اليدين (سبعة أو ثمانية أحاديث) فقط

Abū Hurayrah was isolated in narrating from the Prophet صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ only in a handful of narrations (seven or eight).

Refer to: Dr Muḥammad ‘Abduh Yamānī: *al-Ṣaḥābī al-Jalīl Abū Hurayrah wa al-Ḥaḥīqah al-Kāmilah*, pg. 48.

1 *Rijāl al-Kashshī*, 1/394, narration: 280.

2 *Rijāl al-Kashshī*, 1/394, narration: 284.

3 *Rijāl al-Kashshī*, 1/394, narration: 283.

IV. Ibrāhīm ibn Hāshim al-Qummī

He is amongst the companions of Imām al-Riḍā. He appears in the chains of 6414 Shīʿī narrations.¹

Al-Najāshī states in his biography:

أبو إسحاق القمي أصله كوفي انتقل إلى قم قال أبو عمرو الكشي تلميذ يونس بن عبد الرحمن من أصحاب الرضا هذا قول الكشي وفيه نظر وأصحابنا يقولون أول من نشر حديث الكوفيين بقم هو

He is Abū Ishāq al-Qummī. He was originally from Kūfah, then relocated to Qum. Abū ‘Amr al-Kashshī says that he is a student of Yūnus ibn ‘Abd al-Raḥmān, from amongst the companions of al-Riḍā. This is his view which is disputable. Our companions state that he is the first to spread the knowledge of the people of Kūfah in Qum.²

It appears that al-Najāshī’s scepticisms in him being a student of Yūnus ibn ‘Abd al-Raḥmān is as a result of two considerations:

First: He does not narrate anything from Yūnus. Generally, it is very unlikely that someone is a teacher in narration but he does not narrate, even a single narration from him.

Second: It has been mentioned in the biography of Ibrāhīm ibn Hāshim that he was the first to spread the narrations of the people of Kūfah in Qum. This indicates that his narrations were accepted by them. It is a known fact that Yūnus ibn ‘Abd al-Raḥmān was criticised by the Qummīs. How can a narration of the student be accepted but the narration of the teacher be rejected and criticised?³

In his *Rijāl*,⁴ Shaykh al-Ṭā’ifah al-Ṭūsī counted him amongst the companions of al-Riḍā, whereas in *al-Fihrist*⁵ he mentions:

1 *Muʿjam Rijāl al-Ḥadīth*, 1/291.

2 *Rijāl al-Najāshī*, pg. 16.

3 *Tanqīḥ al-Maqāl*, 1/73-74.

4 *Rijāl al-Ṭūsī*, pg. 353.

5 *Al-Fihrist*, pg. 56.

وذكروا أنه لقي الرضا

They mention that he met al-Riḍā.

The difference between the two phrases is great. The first establishes companionship whilst the second mentions mere meeting without companionship and the tense of the verb used in narrating this narration does not denote conviction.

Meanwhile Sayyid Maḥdī Baḥr al-‘Ulūm (d. 1212 AH) gave preference to view that he was a companion of al-Jawwād. He states:

ولعل الأقرب أنه لقيه ولم يرو عنه وإنما روى عن الجواد

Most likely he met him but did not narrate from him. He only narrated from al-Jawwād.¹

One can see the scarcity of information about this narrator whose narrations reached 6414 in number in the four books only, let alone the complete eight books. Hence, al-Khūṭī stated about him:

لا يوجد في الرواة مثله في كثرة الرواية

There is no narrator like him in narrating abundantly.²

Despite the scarcity, we see contradiction among the rare information about him. Is he a student of Yūnus or not? Is he from amongst the companions of al-Riḍā or al-Jawwād? All that is known about him is that he is the first to spread the narrations of the people of Kūfah in Qum.

As from the reliability point of view, Zayn al-Ḍīn al-‘Āmilī states in *Masālik al-Afhām*:

لم ينص الأصحاب على تعديله

The companions did not stipulate his reliability.³

1 *Al-Fawā'id al-Rijāliyyah*, 1/445.

2 *Al-Fawā'id al-Rijāliyyah*, 1/445.

3 *Masālik al-Afhām*, 7/136.

The same pattern continued here as the other narrators. No wonder al-Fayḍ al-Kashānī expressed this bitter truth by saying:

فإن كثيرا من الرواة المعتنين بشأنهم الذين هم مشايخ مشايخنا المشاهير الذين يكثرون الرواية عنهم ليسوا بمذكورين في كتب الجرح والتعديل بمدح ولا قدح ويلزم علي هذا الاصطلاح أن يعد حديثهم في الضعيف مع أن أصحاب هذا الاصطلاح أيضا لا يرضون بذلك وذلك مثل أحمد بن محمد بن الحسن بن الوليد الذي هو من مشايخ شيخنا المفيد ... ومثل إبراهيم بن هاشم القمي الذي أكثر صاحب الكافي الرواية عنه بواسطة ابنه علي وهو أول من نشر حديث الكوفيين بقم إلي غير ذلك من الرجال

Many of the narrators, who we are concerned about, who are the teachers of our famous teachers that narrate abundantly from them, are not mentioned in the books of Jarḥ and Ta'dīl, neither by praise nor criticism. Therefore, according to this terminology, their narrations should be considered to be weak whereas the people of this terminology are also unhappy about that. Example of that is Aḥmad ibn Muḥammad ibn al-Ḥasan ibn al-Walīd, who is one of or teacher al-Mufīd's teachers... and Ibrāhīm ibn Hāshim al-Qummī, from whom the author of *al-Kāfī* narrated abundantly through the medium of his son 'Alī and the one who is the first to spread the narrations of the people of Kūfah in Qum and other narrators.¹

V. Sahl ibn Ziyād al-Ādamī al-Rāzī

He appears in the chains of various Shī'ī narrations which reach 2304 in number.²

He is considered to be one of the companions of the three Imāms, Muḥammad al-Jawwād, 'Alī al-Hādī, and al-Ḥasan al-'Askarī.³

Al-Najāshī states:

كان ضعيفا في الحديث غير معتمد فيه وكان أحمد بن محمد بن عيسى يشهد عليه بالغلو والكذب وأخرجه من قم إلي الري وكان يسكنها

1 *Al-Wāfi*, 1/25.

2 *Mu'jam Rijāl al-Ḥadīth*, 9/358.

3 *Rijāl al-Ṭūsī*, pg. 375, 387, 399.

He was weak and unreliable in ḥadīth. Aḥmad ibn Muḥammad ibn ʿĪsā used to testify against him for extremism and lies, and banished him from Qum to Ray. He used to reside there.¹

Ibn al-Ghaḍā'iri states:

كان ضعيفا جدا فاسد الرواية والدين وكان أحمد بن محمد بن عيسى الأشعري
أخرجه من قم وأظهر البراءة منه ونهى الناس عن السماع منه والرواية عنه ويروي
المراسيل ويعتمد المجاهيل

He was very weak, corrupt in narrating and in dīn. Aḥmad ibn Muḥammad ibn ʿĪsā al-Ash'arī banished him from Qum, absolved himself from him, and prevented people from listening and narrating from him. He used to narrate Mursal narrations and rely on unknown people.²

Ibn al-Muṭahhar al-Ḥillī mentions in *Khulāṣṣat al-Aqwāl* that Abū Ja'far ibn al-Walīd use to exclude those narrations of Muḥammad ibn Aḥmad ibn Yaḥyā which he narrates from a group, and he counted Sahl ibn Ziyād in that group. From amongst the senior Imāmī scholars, Abū al-ʿAbbās Aḥmad ibn Nūḥ al-Sīrāfi and Ibn Bābawayh al-Qummī followed him in this.³

VI. Muḥammad ibn Sinān al-Zāhirī al-Khuzā'ī

He was from amongst companions of al-Kāẓim, al-Riḍā, al-Jawwād and al-Hādī. He appears in the chains of 797 Shī'ī narrations. He appears in 447 narrations⁴ under the title of Ibn Sinān, which is a name that revolves around two personalities, Muḥammad and ʿAbd Allāh.⁵ Thus, the amount increases to approximately 1000 narrations.

He is counted among the companions of al-Kāẓim, al-Riḍā, al-Jawwād, and al-Hādī. It is mentioned that his father passed away during his infancy. Thereafter, his grandfather Sinān nurtured him and he is attributed to him.⁶

1 *Fihrist al-Najāshī*, pg.185.

2 *Rijāl Ibn al-Ghaḍā'irī*, pg. 67.

3 *Khulāṣṣat al-Aqwāl*, pg. 430, 431.

4 *Mu'jam Rijāl al-Ḥadīth*, 17/148.

5 *Mu'jam Rijāl al-Ḥadīth*, 23/198.

6 Al-Kalbāsī: *al-Rasā'il al-Rijāliyyah*, 3/606.

Al-Faḍl ibn Shādhān mentioned in some of his books that he is a famous liar.¹

Ibn Ḥamdawayh said:

سمعت الفضل بن شاذان يقول لا أستحل أن أروي أحاديث محمد بن سنان

I heard al-Faḍl ibn Shādhān saying, “I do not deem it permissible to narrate the narrations of Muḥammad.”²

Al-Faḍl ibn Shādhān mentioned in some of his books:

الكتابون المشهورون أبو الخطاب ويونس بن ظبيان ويزيد الصايغ ومحمد بن سنان
وأبو سمينة أشهرهم

The famous liars are: Abū al-Khaṭṭāb, Yūnus in Ḍabyān, Yazīd al-Ṣāyigh and Muḥammad ibn Sinān. Abū Samīnah is the most famous one.³

Al-Mufīd (d. 413 AH) has reported the weakening of Muḥammad ibn Sinān in his *Risālah al-‘Adīdah*. While criticising one of the narrations, he states:

وهذا شاذ نادر غير معتمد عليه في طريقه محمد بن سنان وهو مطعون فيه لا تختلف
العصابة في تهمة وضعفه وما كان هذا سبيله لم يعتمد عليه في الدين

This is abnormal and rare which cannot be relied upon. In its chain is Muḥammad ibn Sinān and he is criticised. The sect does not differ with regards to his accusation and weakening. Any narration that has a chain like this cannot be relied upon in dīn.⁴

Ibn al-Ghaḍā’irī (5th century) states regarding him:

غال لا يلتفت إليه

Extremist. He should not be given any consideration.⁵

Al-Najāshī (d. 740 AH) in his *Fihrist* and al-Ṭūsī (d. 460 AH) in *Tahdhīb al-Aḥkām* have declared that:

1 *Ikhtiyār Ma‘rifat al-Rijāl*, 2/823, 2/796.

2 *Ikhtiyār Ma‘rifat al-Rijāl*, 2/823, 2/796.

3 *Ikhtiyār Ma‘rifat al-Rijāl*, 2/823; *al-Taḥrīr al-Ṭāwūsī*, pg. 515.

4 *Jawābāt Ahl al-Mawṣil (al-Radd ‘alā Ahl al-‘Adad)*, pg. 20.

5 *Rijāl Ibn al-Ghaḍā’irī*, pg. 92.

رجل ضعيف جدا لا يعول عليه ولا يلتفت إلي ما تفرد به

He is a very weak person. He cannot be relied upon. Whatever he narrated isolated will not be considered.¹

Al-Muḥaqqiq al-Ḥillī (d. 676 AH) weakened him in *al-Mu‘tabar*.²

Ibn Dāwūd al-Ḥillī (d. 740 AH) states:

قد طعن عليه ضعيف وروي عنه أنه قال عند موته: لا ترووا عني مما حدثت شيئا
فإنما هي كتب اشتريتها من السوق والغالب علي حديثه الفساد

He is criticised and weak. It has been reported that at the time of his death he said, “Do not narrate anything that I narrated. They were merely from books that I purchased from the marketplace.”

Majority of his narrations are corrupt.³

The first person to oppose the former scholars—astonishingly and confusingly—is Ibn al-Muṭahhar al-Ḥillī (d. 726 AH) as he has four views regarding him:

1. Remain neutral regarding his narrations.⁴
2. Weakening his narrations.⁵
3. Regard his narrations to *Ṣaḥīḥ* (authentic)⁶.
4. Regard his narrations to be *Muwaththaq* (reliable).⁷

1 *Al-Fihrist*, pg. 328; *Tahdhīb al-Aḥkām*, 7/361.

2 *Al-Mu‘tabar*, 1/289, ruling regarding wetting the cotton with which the shroud is sewn, with saliva.

3 *Rijāl Ibn Dāwūd*, pg. 273.

4 *Khulāṣṣat al-Aqwāl*, pg. 394.

5 *Mukhtalaf al-Shī‘ah*, 2/425.

6 *Mukhtalaf al-Shī‘ah*, 7/8. Al-Dāmād stated in his commentary on *Rijāl al-Kashshī*, 1/5:

كثيرا ما يستصح العلامة -أي ابن المطهر- الحديث وفي الطريق محمد بن سنان

Al-‘Allāmah—Ibn al-Muṭahhar—often regards some *aḥādīth* to be *Ṣaḥīḥ* whereas Muḥammad ibn Sinān is in the chain of that narration.

7 *Muntahā al-Maṭlab*, 5/56. The difference between a *Ṣaḥīḥ* and *Muwaththaq* *ḥadīth* is as they mention that a *Muwaththaq* is:

ما دخل في طريقه من نص الأصحاب على توثيقه مع فساد عقيدته ولم يشتمل باقيه على ضعف

continued...

It seems as though discarding 797 narrations was burdensome for some of the latter and contemporary Imāmī scholars. As a result, they tried extensively to authenticate Ibn Sinān, disregarding the opinions and structures of the formers.

It is sufficient to read the statement of Mawlā Muḥammad Taqī al-Majlisī (d. 1070 AH) who, in his commentary of *Man lā Yaḥḍuruhū al-Faḳīh*, whilst commenting on the scholar's weaking of Ibn Sinān, states:

روى الكشي أخباره في الغلو ولا نجد فيها غلوا بل الذي يظهر منها أنه كان من أصحاب الأسرار

Al-Kashshī narrated his transmissions in extremism; however, we do not find any extremism in them. In fact, what becomes clear is that he was one of the keepers of secrets.¹

This is how extremism changes into loyal secret keepers with the passing of time.

VII. Ḥarīz ibn ‘Abd Allāh al-Sijistānī

He was among the companions of al-Bāqir and al-Ṣādiq. He appears in the chains of 1320 Shī‘ī narrations. His narrations from al-Ṣādiq reach up to 190.² He is from

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That there is such a narrator in its chain who is declared to be reliable by the companions despite his corrupt beliefs and there is no weakness in any of the other narrators.

This is why Muḥammad Bāqir al-Shaftī (d. 1260 AH) stated in *al-Rasā’il al-Rijāliyyah*, pg. 618, commenting on Ibn al-Muṭahhar’s action in al-Muntahā regarding the narration ‘is it sufficient for me to read in the Fard’:

وليس في سنده من يرجب الحكم بموثقية الحديث عدا محمد بن سنان لأن شيخ الطائفة رواه في تهذيب الأحكام ٧٠ / ٢ بإسناده إلى الحسين بن سعيد عن محمد بن سنان عن ابن مسكان عن الحسن الصيقل وطريقه إلى الحسين بن سعيد صحيح وهو كعبد الله بن مسكان من أعظم الرواة وأكبرهم وجلالتهما لا تكاد تخفي

There is no one in the chain that necessitates the ḥadīth to be ruled a Muwaththaq narration besides Muḥammad in Sinān, because Shaykh al-Tā’ifāh reported it in *Tahdhīb al-Aḥkām*, 2/70, through his chain to al-Ḥusayn ibn Sa’īd ibn Muḥammad ibn Sinān, who narrates from Ibn Muskān, who narrates from al-Ḥasan al-Ṣayqal. His chain till al-Ḥusayn ibn Sa’īd is authentic. He is, like ‘Abd Allāh ibn Muskān, from amongst the greatest and the senior narrators. Their greatness cannot be concealed.

1 *Rawḍat al-Muttaqīn*, 14/29.

2 *Mu’jam Rijāl al-Ḥadīth*, 5/234-235.

Kūfah. Due to his excessive travelling for trade to Sijistān, he became attributed to it. He used to trade in butter and oil.¹

However, al-Najāshī quoted from Yūnus ibn ‘Abd al-Raḥmān that he only heard two narrations from Ja‘far al-Ṣādiq.² If this is true then where did all these narrations come from?

VIII. Muḥammad ibn ‘Īsā

He appears with this name in the chains of 1092 Ṣḥīḥī narrations.³ This name is used for two narrators:

1. Muḥammad ibn ‘Īsā ibn Sa‘d, who is unknown.
2. Muḥammad ibn ‘Īsā ibn ‘Ubayd Yūnusī, who is weak according to the Qummīs, as stated by Shaykh al-Tā’ifah al-Ṭūsī.⁴

He stated regarding him in *al-Fihrist*:

ضعيف استثناه أبو جعفر محمد بن علي بن بابويه عن رجال نوادر الحكمة وقال لا أروي
ما يختص برواياته وقيل إنه كان يذهب مذهب الغلاة

He is weak. Abū Ja‘far Muḥammad ibn ‘Alī ibn Bābawayh excluded him from the narrators of *Nawādir al-Ḥikmah* and said, “I do not narrate what he exclusively narrates.” It is said that he used to adopt the School of the extremists.⁵

Ibn al-Muṭaḥhar al-Ḥillī, during the course of the biography of Bakr ibn Muḥammad al-Azdī, stated:

وعندي في محمد بن عيسى توقف

I remain neutral with regards to Muḥammad ibn ‘Īsā.⁶

1 Al-Tiffarishī: *Naqd al-Rijāl*, 1/411.

2 *Rijāl al-Najāshī*, pg. 144.

3 *Mu‘jam Rijāl al-Ḥadīth*, 18/92.

4 *Rijāl al-Ṭūsī*, pg. 391.

5 *Al-Fihrist*, pg. 216.

6 *Khulāṣat al-Aqwāl*, 2/26.

Ibn Ṭāwūs and Zayn al-Dīn al-‘Āmilī regarded him to be weak.¹

IX. Al-Ḥusayn ibn Yazīd ibn Muḥammad al-Nawfalī

He appears in the chains of 826 Shī‘ī narrations.²

Al-Najāshī states:

قال قوم من القميين إنه غلا في آخر عمره والله أعلم وما روينا له رواية تدل علي هذا

A group of Qummīs said that he became an extremist at the end of his life. Allāh سُبْحَانَهُ وَتَعَالَى knows best. We have not narrated any narration that indicates to this.³

Ibn al-Muṭahhar al-Ḥillī states:

وأما عندي في روايته توقف لمجرد ما نقله عن القميين وعدم الظفر بتعديل الأصحاب له

As for me, I remain neutral in his narrations merely because of what he narrated from the Qummīs and inability to find any approval from the companions.⁴

Sayyid Baḥr al-‘Ulūm states in *al-Fawā’id al-Rijāliyyah*, while commenting on one of the narrations:

والمشهور ضعف السند بالنوفلي لضعفه أو جهالته

The popular view is that the narration is weak because of al-Nawfalī, due to his weakness or being unknown.⁵

In *Samā’ al-Maqāl* Abū al-Hādī al-Kalbāsī has quoted the statement of ‘Allāmah Muḥammad ibn al-Ḥasan ibn Zayn al-Dīn al-‘Āmilī (son of al-Shahīd al-Ṭhānī) in *Istiqṣā’ al-I’tibār*:

1 *Al-Taḥrīr al-Ṭūsī*, pg. 240; *Ta’līqat al-Shahīd al-Thānī ‘alā al-Khulāṣah*, pg. 38.

2 *Mu’jam Rijāl al-Ḥadīth*, 24/170, under the title of al-Nawfalī.

3 *Fihrist al-Najāshī*, pg. 38.

4 *Khulāṣat al-Aqwāl*, pg. 339.

5 *Al-Fawā’id al-Rijāliyyah*, 4/85.

إن النوفلي هو الحسين بن يزيد وضعفه أظهر ما يذكر وليت شعري وجه ابتلائه وصاحبه بهذه التضعيفات حتي أنه ذكر في رياض العلماء تارة السكوني هو إسماعيل ابن أبي زياد السكوني الشعيري من أصحاب الصادق وهو الذي يروي عنه النوفلي الضعيف الكذاب العامي كثيرا ولقرب جواره اشتهر هو أيضا بالكذب حتي أنه يضرب به المثل في الكذب والافتراء

Al-Nawfalī is al-Ḥusayn ibn Yazīd. He being weak is too obvious to mention. If only I knew the reason for him and his companion getting involved in these weak narrations to such point that it has been mentioned in *Riyāḍ al-‘Ulamā’* once that: Al-Sukūnī is Ismā‘īl ibn Abī Ziyād al-Sukūnī al-Sha‘īrī, one of the companions of al-Ṣādiq. He is the one from whom al-Nawfalī, the weak, liar and layman narrates abundantly. Due to his close proximity to al-Nawfalī, he also became famous for lies to such a degree that he became proverbial in lies and fabrications.¹

X. Al-Mu‘allā ibn Muḥammad al-Baṣrī

He appears in the chains of 712 Shī‘ī narrations.²

Al-Najāshī states about him:

مضطرب الحديث والمذهب

He is inconsistent in ḥadīth and in Madhhab.³

Ibn al-Ghaḍā‘irī states:

يعرف حديثه وينكر يروي عن الضعفاء ويجوز أن يخرج شاهدا

Some of his narrations are known and some are unknown. He narrates from weak narrators. It will be permissible to narrate his narrations as a support.⁴

However, to declare such a huge number of narrations as weak is not easy, at least for al-Khū‘ī. That is why he tried earnestly to justify the criticisms directed

1 *Samā’ al-Maqāl*, 2/53.

2 *Mu‘jam Rijāl al-Ḥadīth*, 19/273.

3 *Fihrist al-Najāshī*, pg. 418.

4 Al-Ḥillī: *Khulāṣat al-Aqwāl*, pg. 410.

at al-Mu‘allā al-Baṣrī by saying:

الظاهر أن الرجل ثقة يعتمد علي رواياته وأما قول النجاشي من اضطرابه في الحديث والمذهب فلا يكون مانعا عن وثاقته أما اضطرابه في المذهب فلم يثبت كما ذكره بعضهم وعلى تقدير الثبوت فهو لا ينافي الوثاقة وأما اضطرابه في الحديث فمعناه أنه قد يروي ما يعرف وقد يروي ما ينكر وهذا أيضا لا ينافي الوثاقة ويؤكد ذلك قول النجاشي وكتبه قريية وأما روايته عن الضعفاء على ما ذكره ابن الغضائري فهي على تقدير ثبوتها لا تضر بالعمل بما يرويه عن الثقات فالظاهر أن الرجل معتمد عليه والله العالم

It is clear that the man is trustworthy whose narrations can be relied upon. Al-Najāshī's statement regarding his inconsistency in ḥadīth and Madhhab cannot be a barrier for his reliability. As for his inconsistency in his Madhhab, this is not proven, as some of them mentioned. Assuming that it is proven, then also, this does not contradict with reliability. As for his inconsistency in ḥadīth, what is meant is that sometimes he narrates what is known and sometimes he narrates that which is strange. This also does not contradict reliability. Endorsing this is al-Najāshī's statement, "His books are distinguishable." As for his narration from weak narrators, as mentioned by Ibn al-Ghaḍā'irī, then this—assuming that it is proven so—does not harm that which he narrates from trustworthy narrators. Thus, it is clear that the man is reliable. Allah knows best.¹

However, these ambitious justifications will soon encounter a great obstacle that no one will be able to overcome, which is that none of the infallible Imāms or the latter scholars declared his reliability.

Thus, there is vast wilderness between the narrator and al-Khū'ī, which cannot be traversed easily, to transform this weakening to reliability through these assumptions.

XI. 'Alī ibn Abī Ḥamzah al-Baṭā'inī

He appears in the chains of 545 Shī'ī narrations.²

1 *Mu'jam Rijāl al-Ḥadīth*, 19/280.

2 *Mu'jam Rijāl al-Ḥadīth*, 12/248.

Al-Ḥillī quotes the statement of Abū al-Ḥasan ‘Alī ibn al-Ḥasan ibn Faḍḍāl who states:

علي بن أبي حمزة كذاب واقفي متهم ملعون وقد رويت عنه أحاديث كثيرة وكتبت
عنه تفسير القرآن كله من أوله إلى آخره إلا أنني لا أستحل أن أروي عنه حديثا واحدا

‘Alī ibn Abī Ḥamzah is a liar, a Wāqifī, accused, and accursed. I have narrated narrations from him. I have written the commentary of the whole Qur’ān, beginning to end, from him; however, I do not deem it permissible to narrate a single narration from him.¹

Ibn al-Ghaḍā’iri states:

علي بن أبي حمزة -لعنه الله- أصل الوقف وأشد الخلق عداوة للولي من بعد أبي
إبراهيم

‘Alī ibn Abī Ḥamzah—may Allah curse him—is the origin of the Wāqifah and the staunchest enemy of Wilāyah after Abū Ibrāhīm.²

XII. Yūnus ibn ‘Abd al-Raḥmān

He was among the companions of Mūsā al-Kāẓim and ‘Alī al-Riḍā. He appears in the chains of 263 Shī’ī narrations.³

Al-Najāshī mentioned in *al-Fihrist* that he was the freed slave of ‘Alī ibn Yaqtīn ibn Mūsā al-Asadī, that he is one of the elite Imāmīs and that he saw Ja’far al-Ṣādiq between Ṣafā and Marwah but did not narrate from him. He only narrated from his son, Mūsā al-Kāẓim, and his grandson, ‘Alī ibn Mūsā al-Riḍā. Al-Riḍā would consult him in knowledge and Fatwā.⁴

Al-Kashshī considers him to be among the people of Ijmā’, regarding who the Imāmiyyah are unanimous on the authenticity of their narrations and their ratification, in addition to attesting to their knowledge and fiqh.⁵

1 *Khulāṣat al-Aqwāl*, pg. 363.

2 *Rijāl Ibn al-Ghaḍā’irī*, pg. 83.

3 *Mu’jam Rijāl al-Ḥadīth*, 21/229.

4 *Al-Fihrist*, pg. 46

5 *Rijāl al-Kashshī*, pg. 207.

However, Ibn Dāwūd al-Ḥillī (d. 740 AH) indicates in his *Rijāl* that there is no consensus on the reliability of Yūnus ibn ‘Abd al-Raḥmān as al-Kashshī claimed. Rather, Yūnus is criticised by the Qummīs who are known for their extremism against other extremists and deviants.¹

Praise as well as criticism has been reported from the Imāms regarding Yūnus ibn ‘Abd al-Raḥmān.²

Al-Kashshī has reported in his *Rijāl* from Ja‘far ibn Ma‘rūf that Ya‘qūb ibn Yazīd ibn Ḥammād al-Anbārī al-Sulamī—he is reliable—from the companions of ‘Alī al-Riḍā, Muḥammad al-Jawwād and ‘Alī al-Hādī—used to criticise Yūnus and say:

كان يروي الأحاديث من غير سماع

He used to narrate ḥadīth without hearing them.³

This detailed criticism itself, is sufficient to discard the reliability in Yūnus’s narrations. How about other criticisms?

Al-Kashshī has further quoted from Ṣafwān ibn Yaḥyā and Ibn Sinān that they heard Abū al-Ḥasan—Mūsā al-Kāẓim—saying:

لعن الله العباسي فإنه زنديق وصاحبه يونس فإنهما يقولان بالحسن والحسين

May Allah curse al-‘Abbāsī. He is a heretic. He as well as his companion Yūnus, for they speak ill of al-Ḥasan and al-Ḥusayn.⁴

This narration explicitly declares Yūnus ibn ‘Abd al-Raḥmān to be a heretic and mentions a very dangerous approach in the heretics, which is secret criticism of the two grandsons of the Prophet ﷺ, al-Ḥasan and al-Ḥusayn. Despite this they claim to be supporting the Ahl al-Bayt.

In the biography of Hishām ibn al-Ḥakam, there appears a narration of al-Kashshī, through his chain, that once ‘Alī al-Riḍā mentioned al-‘Abbāsī saying:

1 *Rijāl Ibn Dāwūd*, pg. 207.

2 *Naqd al-Rijāl*, 5/109.

3 *Rijāl al-Kashshī*, 2/786, narration: 945.

4 *Rijāl al-Kashshī*, 2/791, narration: 958.

هو من غلمان أبي الحارث يعني يونس بن عبد الرحمن وأبو الحارث من غلمان
هشام وهشام أي ابن الحكم من غلمان أبي شاکر وأبو شاکر زنديق

He is from the servants of Abū al-Ḥārith, i.e. Yūnus ibn ‘Abd al-Raḥmān, and
Abū al-Ḥārith is from servants of Hishām, and Hishām, i.e. ibn al-Ḥakam, is
from the servants of Abū Shākir, and Abū Shākir is a heretic.¹

Mentioning this sequence from Hishām ibn Ibrāhīm al-‘Abbāsī, the slave of
Yūnus ibn ‘Abd al-Raḥmān till Abū Shākir, the heretic, shows that Imām al-Riḍā
considers all of them to be from the same dough, whose origin and roots are in
heretics.

It seems that the abundance of narrations criticising Yūnus, caused some type
of confusion in stipulating his condition, to a point that Zayn al-Dīn al-‘Āmilī (d.
965 AH), known as al-Shahīd al-Thānī, stated in his *Risālah*:

أورد الكشي في ذمه نحو عشرة أحاديث وحاصل الجواب عنها يرجع إلي ضعف
بعض سندها وجهالة بعض رجالها والله أعلم بحاله

Al-Kashshī has reported around ten narrations in his criticism. The gist
of the response to it is that it is due to the weakness in some of its chains
and ignorance regarding some of the narrators. Allah knows best of his
condition.²

If the chains of the criticising narrations are weak, and others are established or
weak, but his reliability is proven, then why is there confusion? Why did he use
the phrase ‘Allah knows best of his condition’ when judging him?

Sayyid Abū al-Qāsim al-Khū’ī has declared two narrations about criticism of
Yūnus, his deviation and corrupt beliefs to be Ṣaḥīḥ. They are:

1. That which al-Kashshī narrated in his *Rijāl* from al-Ḥasan ibn ‘Alī ibn
Yaḥyā—who had bad opinions of Yūnus—who said:

قيل لأبي الحسن وأنا أسمع إن يونس مولى آل يقطين يزعم أن موليكم والمتمسك
بطاعتكم عبد الله بن جندب يعبد الله علي سبعين حرفا ويقول إنه شاك قال: فسمعته

1 *Rijāl al-Kashshī*, 2/791, narration: 958.

2 *Rasā’il al-Shahīd al-Thānī*, 2/1070.

يقول هو والله أولى بأن يعبد الله علي حرف ماله ولعبد الله بن جندب إن عبد الله بن جندب لمن المحببتين

Someone said to Abū al-Ḥasan while I was listening, “Yūnus, the freed slave of Āl Yaḳḩīn claims that your supporter and adherent to your obedience, ‘Abd Allāh ibn Jundub worships Allah with seventy doubts and he says that he (‘Abd Allāh) is in doubt.”

I heard him reply, “By Allah, he is more likely to worship Allah with doubt. What does he have to do with ‘Abd Allāh? Verily ‘Abd Allāh ibn Jundub is from the humble ones.”¹

2. That which Ibn Bābawayh al-Qummī reported in *al-Amālī* from ‘Alī ibn Mahziyār who states:

كتبت إلى أبي جعفر محمد بن علي بن موسى الرضا جعلت فداك أصلي خلف من يقول بالجسم ومن يقول بقول يونس يعني ابن عبد الرحمان فكتب لا تصلوا خلفهم ولا تعطوهم من الزكاة وبرؤوا منهم برئ الله منهم

I wrote to Abū Ja‘far Muḩammad ibn ‘Alī ibn Mūsā stating, “May I be sacrificed for you. Should I perform ṣalāh behind those who believe in *Jism* (attribute physicality to Allah) and those who believe in the view of Yūnus, i.e. Ibn ‘Abd al-Raḩmān?”

He wrote back replying, “Do not perform ṣalāh behind them, do not discharge your Zakāh to them, and absolve yourself of them as Allah سُبْحَانَهُ وَتَعَالَى is free of them.”²

What is the view of Yūnus ibn ‘Abd al-Raḩmān to which Imām Muḩammad al-Jawwād alluded to?

Al-Kashshī narrated in his *Rijāl*, through his chain from al-Washā’ who narrates from Yūnus ibn Buhman who states:

قال يونس بن عبد الرحمن كتبت إلى أبي الحسن الرضا سألت عن آدم هل كان فيه من جوهرية الرب شيء فكتب إلي جواب كتابي ليس صاحب هذه المسألة على

1 *Rijāl al-Kashshī*, 2/852, narration: 1098.

2 *Al-Amālī*, council: 47, ḩadīth: 3.

Yūnus ibn ‘Abd al-Raḥmān said, “I wrote to Abū al-Ḥasan al-Riḍā asking him about Ādam عَلَيْهِ السَّلَام, whether he had any essence of Allah سُبحَانَهُ وَتَعَالَى in him.”

He wrote back the reply to my question saying, “The person who posed this question is not on the Sunnah at all. He is a heretic.”¹

Scholars of religious groups and sects have declared that this Yūnus was a *Mushabbihah* Shī‘ah and that he claimed that those angels that carry the ‘Arsh (throne) of Allah سُبحَانَهُ وَتَعَالَى carry Allah سُبحَانَهُ وَتَعَالَى also. Allah سُبحَانَهُ وَتَعَالَى is far beyond this.²

2. Narrators that narrate abundantly, however, there is no mention of them in the books of Jarḥ and Ta‘dīl.

These are narrators that, as they mention, narrate abundantly despite the fact they are not mentioned in books of Jarḥ and Ta‘dīl at all. Among them are:

I. Abū al-Ḥusayn ‘Alī ibn Abī al-Jayd

He was one the teachers of al-Ṭūsī and al-Najāshī and the intermediary between al-Ṭūsī and Muḥammad ibn al-Ḥusayn ibn al-Walīd. Al-Ṭūsī narrated abundantly from him.

II. Aḥmad ibn Muḥammad ibn Yaḥyā al-‘Aṭṭār

Teacher of al-Ṣadūq, who narrates abundantly from him through the intermediary of Sa‘d ibn ‘Abd Allāh ibn Abī Khalaf.

III. Muḥammad ibn ‘Alī ibn Mājīlwayh

From whom Ibn Bābawayh al-Qummī narrated abundantly.

IV. Aḥmad ibn Muḥammad ibn al-Ḥusayn ibn al-Walīd

1 *Rijāl al-Kashshī*, 2/787, narration: 949.

2 Al-Ash‘arī: *Maqālāt al-Islāmiyyīn*, pg 35; al-Isfarāyīnī: *al-Farq Bayn al-Firaq*, pg 53; al-Shahrastānī: *al-Milal wa al-Niḥal*, 1/188.

He is one of al-Mufīd's teachers and the intermediary between him and his father. Narrations from him are plenty.

V. Al-Ḥusayn ibn al-Ḥasan ibn Abān

He is the teacher of Muḥammad ibn al-Ḥusayn ibn al-Walīd and the intermediary between him and al-Ḥusayn ibn Sa'īd. Narrations from him are also plenty.

All these narrators are such that their reliability has not been established and their conditions are unknown.

Conclusion

As the discussion reached this point, the flow of the pen ended with what it wrote regarding this historical excavation, analysis and clarification. Thus, we conclude with the praises of the Lord of the universe, for it is a blessed phrase which Allah سُبْحَانَهُ وَتَعَالَى—may his majesty be glorified—made the last proclamation of the people of Paradise and he singled his selected creation through it by clothing them with his pleasure.

Thus, all praises are for Allah, the Lord of the universe, praise which is pure and blessed, as our Lord loves and is pleased with, and as it befits the honour of our Lord and the glory of his majesty, which not sufficient, undeniable, not omitted, and indispensable. We ask Allah سُبْحَانَهُ وَتَعَالَى to enable us to be grateful to his bounties, that He grants us the ability to fulfill its rights, assists us in his remembrance, in being grateful to him and worshipping him in the best of ways, and that He makes our intention in this book and others to be solely for his pleasure and a source of advise for his servants.

This is the last of what the pen wrote and the ink spread. Even though it is a lot; however, it is very little of what should be said. I have exerted my effort in compiling it, like the effort of a hardworking student, and I have spared no effort in writing it, scrutinizing it, and editing it, to fulfil the right of the Prophet صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ and his established¹ family.

O wise reader, for you is its benefits and the author is responsible for it, and you are entitled to its fruit and he is responsible for it. Thus, whatever you find in it that is correct and true, accept it, and do not pay attention to the one who said it. Rather, look at what he said, not at who said it. Whatever error you find in it, the one who said it did not spare any effort to achieve accuracy, and Allah سُبْحَانَهُ وَتَعَالَى only accepts complete perfection. It has been said:

1 Ibn Fāris stated in *Mujmal al-Lughah*, pg. 806:

اللازب : الثابت اللازم

Al-Lāzib means: established and indispensable.

فَبِنُّو الطَّبِيعَةَ نَقْصُهُمْ لَا يُجْحَدُ

فَالنَّقْصُ فِي أَصْلِ الطَّبِيعَةِ كَامِنٌ

*Natural people's imperfection is
undeniable*

*Imperfection is inherent in the origin of
nature*

It is my hope from the Most Gracious Allah *سُبْحَانَهُ وَتَعَالَى* that I be guided to righteousness, and that I am among those whose mistakes and failures are counted, not among those whose successes are counted.

May peace, salutations and blessings of Allah *سُبْحَانَهُ وَتَعَالَى* be upon the seal of humanity, Muḥammad ibn ‘Abd Allāh and his entire family.