CISS Launches Seminar Series

Robert Gleave

“Muslim thinkers, ethical, legal and philosophical, should stop thinking they need to “respond” to situations - instead they have to create the modernity which other traditions then respond to.”

Mirza Shirazi: A Biography
WHO WE ARE
Shi'a Studies is an academic quarterly produced by The Centre for Islamic Shi'a Studies (CISS). The CISS was established in July 2007 to bring the Shi'a Hawza tradition and Western academic tradition closer to each other as well as to foster greater understanding of Islam and its intellectual heritage. It aims to produce research on traditional and contemporary issues specifically from the Shi'a perspective and promote a better understanding of the Shi'a faith, its people and culture in academia and society.

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It is without doubt that the discipline of usul al-fiqh, which ranks high among Imami Shi‘is, has not reached its current heights by mistake. Rather, it has been due to meticulous and in-depth research which has distinguished Shi‘i scholarship from its counterparts. Further, the fact that ‘ijtihad had remained open among Shi‘a scholars played a crucial role in sharpening and developing Shi‘i fiqh and usul al-fiqh, and new theories and issues began to crystallise in every era.

Since al-Sharīf al-Murtaza wrote al-Dhari‘ah until al-Tusi’s ‘Uddat al-Usul - we start with al-Murtaza’s book not because he was the first to author a work in the discipline of usul al-fiqh, however his is the earliest extant work on the subject. The first works on usul were produced by some of the companions of the Imams, such as that of Hisham ibn al-Hakam who wrote a treatise on verbal utterances. If we leave this period we find that al-Shaykh al-Mufid has written a short treatise which his student al-Karajiki mentions in Kanz al-Fawa‘id. Since that time, Shi‘i usul scholarship has made immense contributions to the Islamic library, as after al-Shaykh al-Tusi, ‘Abd Allah b. Muhammad al-Khurasani who was known as al-Fadil al-Tuni wrote his famous al-Wafiyyah fi Usul al-Fiqh, which has been the subject of many commentaries and rigours study until the time of the reviver of usul al-fiqh and the victor over Akhbarism, al-Wahid al-Bihbihani.

Al-Wahid left some important works such as al-Fawa‘id al-Ha‘iriyah and al-Rasa’il al-Usuliyyah which had a great impact upon his students whose scholarship came to be regarded as the pinnacle of the discipline. Students such as al-Muhaqqiq al-Qummi whose Qawainin al-Usul was the standard textbook for many years, and Bahruvloum, Kashif al-Ghita‘, al-Tabataba‘i the author of Riyad al-Masa‘il and Shaykh Muhammad Husayn al-Ha‘iri author of al-Fusul al-Gharawiyyah and many other have all made immense contributions to usul al-fiqh and their efforts lead to its peak. The secret to al-Bihbihani’s success was his focus on the importance of rational proof in the absence of textual evidence; which allowed Usulism to defeat the Akhbari current which used to attract many scholars of that age.

Finally came the age of the Great Shaykh (al-Shaykh al-A‘zam) Murtada al-Ansari who articulated the most important tenants of modern usul which still represent the most important Shi‘i achievements in this field. Al-Ansari’s book Fara‘id al-Usul, which is also called al-Rasa’il is considered as such a seminal work because it was able to lucidly articulate his theories and the most important theories since al-Bihbihani (I hope that we will be able to do justice to the contributions of Bihbihani in future issues).

After Ansari, his student Muhammad Kazim al-Khurasani, known as al-Akhund, carried his teacher’s mantle and authored Kifayat al-Usul, and both Ansari’s al-Rasa’il and Akhund’s Kifayat are still among the most important books studied in the highest levels of hawza learning. In the twentieth century, usul al-fiqh went through another development with Muhammad Rida al-Muzzafar’s book which presented the subject using a new and innovative academic method. Al-Muzzafar’s book was a compilation of lectures he had delivered in Kuliyyat al-Fiqh which was the first college in Najaf styled on western academic institutions. As such, his book represented a real link between traditional hawza scholarship and academic scholarship. Another scholar who adopted this new method of presenting usul was Sayyid Muhammad Baqir al-Sadr whose book is commonly known as al-Halaqat, and al-Sadr’s and al-Muzzafar’s books are still used as standard textbooks for students in hawza.

This short historical survey does not do justice to the above mentioned scholars and their work, therefore I hope that we will be able to shed light on these great personalities and their scholarship in the future.

In this issue of Shi‘a Studies you will read about the great jurist of Samarra, Mirza Muhammad Hassan Shirazi, and learn more about his milieu and intellectual, as well as socio-political, challenges which he dealt with aptly. Further, you will read a short explanation of al-Khabar al-Wahid from an Usuli perspective. Finally, Shi‘a Studies is honoured to have interviewed Professor Robert Gleave, Professor of Arabic Studies at the University of Exeter.

Sayyid Fadhl Bahrululoom
The Centre for Islamic Shi'a Studies launched a seminar series entitled Shi'i Narratives of Formative Muslim History. The first seminar was held in the School of Oriental and African Studies' Brunei Gallery on 21 September 2011, with the inaugural lecture delivered by Professor Wilferd Madelung, formerly Laudian Professor of Arabic at the University of Oxford.

Professor Madelung's lecture was entitled "Inheritance in The Qur'an" in which he challenged the position of historian David Powers, who wrote a famous study on the life of Prophet Muhammad. The claim to supersede Judaism and Christianity is embodied in the theological assertion that the office of prophecy is hereditary but that the line of descent ends with Muhammad, who is the seal, or last, of the prophets.

While Muhammad had no natural sons who reached the age of maturity, he is said to have adopted a man named Zayd, and mutual rights of inheritance were created between the two. Zayd b. Muhammad, also known as the Beloved of the Messenger of God, was the first adult male (according to some) to become a Muslim and the only Muslim apart from Muhammad to be named in the Qur'an.

However, some western scholars and historians of Islam have asked, if prophecy is hereditary and Muhammad has a son, as some like historian David Powers argue, then Muhammad might not be the Last Prophet. Conversely, if he is the Last Prophet, he cannot have a son.

David Powers contends that a series of radical moves were made in the first two centuries of Islamic history to ensure Muhammad's position as the Last Prophet. Powers focused on narrative accounts of Muhammad's repudiation of Zayd, of his to Zayd's former wife, and of Zayd's martyrdom in battle against the Byzantines. Powers argues that theological imperatives drove changes in the historical record and led to the abolition or reform of key legal institutions.

As a response to Powers, Professor Madelung argued that there is no Qur'anic or historical evidence to suggest the early community's expectation for Zayd to succeed Muhammad; Muhammad did not claim, anywhere, that prophecy is hereditary; The Qur'an makes it clear that Muhammad is not the father of Zayd, per se; Muhammad's marriage to Zayd's former wife consolidated Qur'anic claim that Zayd is and was not ever the son of Muhammad; legal inheritance is not tied, in anyway, to prophetic inheritance; However, Fadak was gifted to Fatima i.e. fay'; and Ghadir Khum understood by Ali and his companions as explicit designation.

The seminar was chaired by Professor Sajjad Rizvi, Assistant Professor of Islamic Intellectual History at the University of Exeter.

The second seminar was delivered by Professor Mohammad Ali Amir-Moezzi, Professor of Islamic Studies at École Pratique des Hautes Études (Sorbonne, Paris) on 26 October 2011.
in the Court Room, Senate House, University of London. Professor Amir-Moezzi’s lecture was entitled “The Silent Qur’an and the Speaking Qur’an: History and Scriptures through the Study of some Ancient Shi’i Texts” in which he presented an alternative narrative in relation to the compilation of the Qur’an and the Prophetic traditions and the succession.

Professor Amir-Moezzi used Kitab Sulaym b. Qays al-Hilali (also known as Kitab al-Saqifah) and Kitab al-Qira’at by al-Sayyari as a basis for his analysis and arguments. Kitab Sulaym is argued by some historians including Professor Amir-Moezzi to be the oldest extant historical work which gives an alternative insight to the events of the formative Islamic period such as the succession to the prophet. The lecture also traced the earliest strands of exegetical literature, and in doing so demonstrated that the genre of exegesis placed heavy emphasis on the fada’il and manaqib of Ahlul Bayt, contrary to what is viewed as an exclusively Shi’i theme in exegetical works.

Professor Amir-Moezzi explained the development of how Shi’as engaged with Qur’anic texts, using the example of al-Sayyari who argued that verses which explicitly mentioned the Ahlul Bayt were expunged from the Qur’an, and further pointing out at least five other works which have been mentioned in bibliographical dictionaries, that are of the same genre as Sayyari’s book. Professor Amir-Moezzi then went on to elucidate the position of exegetes such as al-Hibari who accepted allegorical references to Ahlul Bayt in the Qur’an, as opposed to delving on the question of more explicit references. The lecture was chaired by Dr Francisco Jose Louis, a researcher and scholar of Islamic thought.

The final lecture of the series was delivered by Professor Sajjad Rizvi, Assistant Professor of Islamic Intellectual History at the University of Exeter. The lecture took place at the Holden Room, Senate House, University of London, on 25 November 2011. The lecture entitled “Debate and Disputation in the Crucible of Early Theology in Islam: the Munazarat of Imam ‘Ali b. Musa al-Rida” explored the function played by accounts of debates that took place between Imam Rida and various non-Shi’i personalities. The lecture focused on the debate that took place between the Imam and ‘Imran the Sabian (‘Imran al-Sabi’i) in which Imam asks questions about the nature of God.

Professor Rizvi focused on an analysis of the actors within the text, and linked the narrative with the dialogue contained within the Qur’an between the pharaoh and prophet Musa. In analysing the text and in particular the language and specific phrases used, Professor Rizvi called into question the thesis of many scholars –both academic and traditional– which is that the School of Qum from amongst the early Imams were anti-rational and held largely puritan beliefs. He did so by demonstrating that these debates which are narrated by the likes of al-Shaykh al-Saduq of the Qummi School included specific language which is commonly associated with the rational Baghdadi School in discussing the attributes of God. The Lecture was chaired by Eskandar Sadeghi, PhD researcher in Islamic Studies.
Investigations into the development of Shi’i usul al-fiqh tend to focus on the seminal points that have been decisive in shaping the science through the innovation of new theories and methods. This is true of most reconstructions of scholarly traditions. However, this method usually overlooks the contributions of other scholars and periods in solidifying intellectual traditions. One such overlooked example is that of Mirza Muhammad Hasan al-Shirazi (d. 1895) who became famous in western academic circles not for his contribution to Shi’i scholarship, but for his politicisation of the Shi’i clergy with his tobacco fatwa of 1891. This paper will attempt to make a small contribution in shedding some much needed light onto the scholarship of Mirza Shirazi by drawing a biographical sketch of this most influential and most respected figure of the second half of nineteenth century Shi’ism, in an attempt to contextualise the his power and authority when he eventually revolutionised the clergy’s political involvement.

Sayyid Muhammad Hasan b. Mirza Mahmud al-Husayni al-Shirazi, later known as al-Mirza and al-Mujaddid, was born in Shiraz in the year 1230/circa.1814 to a notable household in the city. He was raised by his maternal uncle who provided the young Muhammad Hasan a tutor to teach him literacy from the age of four. Within two years he started studying Arabic, fiqh and usul al-fiqh, and by the age of fifteen had started studying al-Rawdah al-Bahiyyah fi Sharh al-Lum‘ah al-Dimashqiyyah. Shirazi, later moved to the city of Isfahan which had an establish centre of learning, where he studied under Sayyid Hasan Baydabadi and Shaykh Muhammad Ibrahim al-Kulbasi until he became a teacher in his own right and was granted an ijaza by Baydabadi before the age of twenty.

Najaf and Samarra:

It is quite normal for students of any discipline to want to study under the best teachers available and be surrounded by a thriving student population that shares their interests and can be instrumental in their intellectual development. This was the case with Sayyid Muhammad Hasan al-Shirazi who had undoubtedly heard of the booming intellectual...
scene in Najaf and the new Shi'i titans who taught and resided in that city such as Shaykh Muhammad Hasan al-Najafi (d.1266/1850) author of Jawahir al-Kalam fi Sharh Shara‘i’ al-Islam, and Shaykh Murtada al-Ansari (d.1281/1864), author of al-Fawa‘id al-Usuliyyah and al-Makasib. Shirazi visited Najaf in 1259/1843 and according to Sayyid Muhsin al-Amin, he was only there to visit the shrine of Imam Ali and did not intend to stay there as a student, however upon meeting Shaykh Murtada al-Ansari, Shirazi felt the need to stay in Najaf and study under him.  

He studied under both Muhammad Hasan al-Najafi and al-Ansari, who used to call him ‘Agha Buzurg’ in recognition of his knowledge. With time Shirazi became one of his most brilliant and highly regarded students.  

Usually al-Ansari taught without allowing his students to interrupt him with questions or comments; however the exception was when Shirazi had a comment, which showed al-Ansari’s respect for Shirazi and a recognition for his knowledge.  

After al-Ansari’s death, his best students met at the house of Mirza Habib Allah Rashti (d.1894), and Mirza Hasan al-Shirazi was amongst them. Al-Ashtiyani mentions that the Azeri Turks favoured Sayyid Husayn Kuhikamari (d.1882) and even followed him during his life, although he died soon afterwards and Shirazi then became the undisputed Marja’. He was recognized as such when Nasir al-Din Shah (1831-1896), the Shah of Persia, visited Najaf and wanted Shirazi to come and see him. When he refused to this they agreed to meet at the Shrine of Imam Ali as a compromise.  

Mirza Shirazi moved to Samarra on September 1874 where he established the hawza and taught luminaries of the Shi’a world for more than two decades. There are several theories as to why he decided to move there, but the most accepted is that he wanted to re-establish the Shi’a presence in Samarra, which was a predominantly Sunni city, as well as to build a hawza there alongside the Shrine of Imams ‘Ali al-Hadi and Hasan al-‘Askari. Following Shirazi’s migration from Najaf to Samarra the latter grew from a very small shrine city into a prosperous centre of learning. Many students and pilgrims flocked to the city which consequently experienced an economic boom. Shirazi received a large number of contributions and attracted many students. The status of his madrassa (institution of Islamic learning) which rested on Shirazi’s reputation challenged the fame of some of the madrassas of the larger and more established centre of Najaf. Some of the famous graduates at Shirazi’s hawza are al-Akhund al-Khurasani (d.1911), Sayyid Kazim al-Yazdi (d.1910), Sayyid Isma’il (d.1919 ), and Sayyid Hasan al-Sadr (d.1935), Shaykh Muhammad Taqi al-Shirazi (d.1920) and Shaykh Fadhiullah al-Nuri.  

What the above shows is the increasing scholarly status of Mirza Shirazi amongst his peers. But more than that, we see the boldness of his personality in trying to establish Shi’a presence in Samarra as well as challenge the more established hawza of Najaf. This is unique and radical because by establishing the new hawza in Samarra, Mirza Shirazi can be compared to Shaykh al-Tusi’s establishment of the hawza in Najaf in that both were trying to establish a Shi’a presence in their respective regions. But specifically, Mirza Shirazi and some of his students’ critical attitude towards the hawza of Najaf exemplifies the fearless nature of Mirza Shirazi in pursuing his own vision. This is evidenced by the kind of writings produced by  

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5 Persian for The great master.  
6 Ibid. (1983), v5:305.  
7 Ibid. (1983), v5:305.  
10 Ibid. (1983), v5:305.  
12 Mar`ashi in his introduction (p20) to Al-Takmilah by Hasan al-Sadr mentions many more of the luminaries that attended in Samarra.  
13 Later executed in Iran for his role in the Constitutional movement.
Samarra scholars about the hawza of Najaf.

For example; in the late 1920’s, an ‘Amili cleric living in Najaf, Muhsin Sharara, published a very radical and detailed critique of the teaching methods and cultural climate in Najaf. As an alternative to Najaf, Muhsin Sharara proposed that Samarra be made the seat of Arab Shi’i learning. Though not everyone was interested in such criticism, Sharaf al-Din, a scholar from the hawza of Najaf, had little to say beyond praise for his teachers of Najaf. Educational reform was not really important to Sharaf al-Din and he saw no problem with the system in Najaf. However al-Amin, a major Samarra scholar, was highly critical of the system in Najaf providing a 7-point list of problems with the system. These all related to oversight and lack of oversight. For example, students could skip courses, teachers would not necessarily be qualified, improper division of topics, obsession with hypothetical questions of jurisprudence, neglecting science of hadith and he also accused Persians of not knowing enough Arabic to actually study Islam. These problems were partially due to the competition between the ‘ulama’ in the major centres of learning for students, prestige, funds and influence in the community – something that Mirza Shirazi tried to flee from. This snapshot of the tension between the hawzas of Najaf and Samarra shows not only the impact Mirza Shirazi’s actions in setting up another hawza but exemplifies his independence as a scholar. It was this independence which would propel him to make the transition from a religious scholar to a political one by getting involved in the Iranian tobacco protest of 1891.

The tobacco protest

The tobacco protest was a cleric-led revolt in Iran against an 1890 tobacco concession granted by Nasir al-Din Shah to the Western imperial power of Great Britain. The protest climaxed in a widely-obeyed December 1891 fatwa against tobacco use issued by Mirza Shirazi. The boycott was one of the first times the Iranian religious elite succeeded in forcing the government to retreat from a policy, and was seen as a demonstration that as Vali Nasr writes, “the Shi’a ‘ulama’ were Iran’s first line of defence against colonialism.”

Nasr’s statement is highly apt because it neatly encapsulates the transition of the Shi’a ‘ulama’ to political scholars. Furthermore, the very fact that the Shi’a ‘ulama’ were against colonialism is crucial because according to them, Nasir al-Din Shah had the image of a colonialist or a colonialist cooperative. Whether this is actually true is questionable because a brief insight into Nasir al-Din Shah’s personality would highlight the first error of judgement of the Shi’a ‘ulama’, specifically Mirza Shirazi, in understanding the political climate.

Nasir al-Din shah is the son of Muhammad Shah Qajar. He was born in Tehran on July 17th 1831 and was killed in Tehran on May 1st 1896. He succeeded his father and became the Shah of Iran from 1848 until his assassination in 1896. He began his reign as a reformer but became conservative. He built roads, introduced telegraph and postal services, opened the first school offering education along Western lines, and launched Iran’s first newspaper. Nasir al-Din Shah was fond of Europe and visited it three times but following the French Revolution, he was worried about the spread of democratic ideas to Turkey and Iran. He opposed these ideas and was once quoted as saying that he would have preferred to have unintelligent people sitting around him that did not know whether Brussels was a city or lettuce.

Nasir al-Din Shah’s background implies he was an Iranian nationalist or conservative – not somebody that was looking to have his power usurped or for Western powers to overtake Iran. However, this acute understanding of the ideology of Nasir

16 Sykes, P.M.( 1958), 395.
al-Din Shah was not present in the mind of Mirza Shirazi in 1891. This is proven by the fact that when the Shah conceded a complete monopoly over the production, sale and export of all Iranian tobacco to a British businessman in March 1890, it led to the anger of Mirza Shirazi and the scholarly class as they saw it an affront to an Islamic country to hand over control of resources to a foreign agent.\textsuperscript{17} As a result, it led to Mirza Shirazi issuing a fatwa (edict) in 1891 forbidding the use of tobacco after the establishment of a British-owned tobacco monopoly, which succeeded in forcing the cancellation of the concession (although there is no written copy of the fatwa).\textsuperscript{18} However, Mirza Shirazi’s political assertiveness left the Iranians with their first foreign debt. £500,000 was owed to the British owned imperial bank as exorbitant compensation to the company. The movement was the first successful mass protest in modern Iran, combining ‘ulama’, intellectuals, merchants, and townspeople in a coordinated movement against government policy.\textsuperscript{19} But the movement was without the holistic understanding of Iran’s financial and political position with Britain and the rest of the world, leaving it with a debt and the scholarly class now elevated to a political position but without any political experience.

Some historians claimed that the Mirza Shirazi’s verdict was under the influence of Sayyid Jamal al-Din Asadabadi (d.1897), known as ‘al-Afghani’ who “claimed Afghan birth and upbringing, probably in order to ensure a favorable reception among Sunni Muslims and to have more influence in the Sunni world than he could have had as an Iranian who had a Shi’i education in Iran and in the Shi’i shrine cities of Iraq.”\textsuperscript{20} Shakib Arslan in his note on the Hadira al-‘alam al-Islami thought that the letter which had been sent by al-Afghani was one of the reasons for the tobacco verdict. In fact Mirza Shirazi issued his verdict before the arrival of that letter. As a mujahid\textsuperscript{21} he would probably not have issued such an important statement without being absolutely sure about it.\textsuperscript{21}

The tobacco protest elevated Mirza Shirazi “to unprecedented authority over both ordinary believers and the entire religious establishment in Iran and Iraq. It transformed him from the preeminent and most influential mujahid among other leaders into the acknowledged head of the ‘ulama’, whose authority was accepted by most other exemplars.”\textsuperscript{22} Equally important, it added a political dimension to his authority.

Mirza Muhammad Hasan Shirazi died on 20\textsuperscript{th} February 1895 in Samarra.\textsuperscript{23} After the death of Shirazi and the return of most of his students to their towns, Najaf became the capital for the supreme marja’ once again. However, Mirza Shirazi’s death did not merely represent the death of a scholar. It was the death of a public reformer, a political architect and a people’s servant. This multifaceted role of Mirza Shirazi left an indelible imprint on the status of the hawza of Najaf. The hawza was now not just a religious establishment but a political one. Indeed, by the early twentieth century Najaf “exercised an enormous religious and political influence far beyond the limits of Iraq.”\textsuperscript{24} Further, “the city had at least nineteen functioning religious schools at the turn of the twentieth century.”\textsuperscript{25} Several scholars were recognized for being the Maraji’. These included Shaykh Muhammad Hasan al-Mamaqani (d.1905) whose followers were mostly Turks, Shaykh Muhammad Taha Najaf (d.1905) whose followers were Arabs and Shaykh Mirza Husayn al-Khalili (d.1908) whose followers were Persian. There were also two great scholars known as Shaykh Mulla Kazim al-Akhund al-Khurasani and Sayyid Muhammad Kazim al-Yazdi. Shaykh al-Mamaqani died in March 1905 and a few months later Shaykh Muhammad Taha Najaf also died.\textsuperscript{26}

The emergence of the above mentioned scholars is indicative of the influence of Mirza Shirazi. The scholars were supreme religious authorities with groups of followers thus cementing the link between scholarly influence on local people. Along with different types of nationalities and cultures following particular scholars, the role of the ‘alim became affiliated with nationalistic and cultural interests, as indicated above. With Persians and Turks, for example, following their respective marja’, the ‘alim became a source of public emulation and guidance to attend to the daily needs of the people. Whilst this is commendable, it requires an acute understanding of social and political conditions, wide range of expertise, the ability to be just and the ability to remain impartial to disseminate religious advice. These are all factors which put an enormous burden on the supreme religious authority – whoever took the position.

\textsuperscript{17} The Cambridge History of Iran, (2003), 195.
\textsuperscript{18} Dawani, A. (1983), v.192.
\textsuperscript{19} The Cambridge History of Iran, (2003), v.7:169. See also Lambton A. K. S (1965).
\textsuperscript{21} Al-Amin, M., (1983), v.4: 215.
\textsuperscript{22} Lilv, M. (1998), 86.
\textsuperscript{23} Al-Wardi, A. (1971), p.9. The transportation of his coffin was extraordinary. It took eight days to move it from Samarra to Najaf. The procession used to stop regularly at each town where a great number of locals welcomed them in their own way. In the end the coffin reached the holy town of Najaf where the Mirza was laid in peace in his own graveyard adjacent to the holy shrine. Al-Sadr, H. (1986), 24.
\textsuperscript{24} Nakash, Y. (1995), 18.
\textsuperscript{25} ibid (1995), 18.
\textsuperscript{26} Al-Wardi, A. (1971), v.3:102.
Khabar Al-Wahid in Shi‘i Scholarship

Sajad Jiyad

This essay will survey the main arguments used to justify the validity of khabar al-wahid and make a case for how its interpretation, mostly through linguistic understanding, is what has caused differences of opinion regarding the acceptance of khabar al-wahid. The contemporary ‘ulema, typified by Ayatullahs Khoei and Khomeini, while accepting the use of khabar al-wahid in fiqh are in disagreement over whether its hujjiya (probative) is established.

The science of hadith has always been the centre of the dispute. One topic in particular has attracted the attention of the scholars, namely the genre of ahadith known as khabar al-ahad.27

Quite literally khabar al-wahid has been translated as solitary report but it goes without saying that the technical understanding differs from this and the literal meaning is misleading. khabar al-wahid covers all hadiths which have not reached the stage of tawatur, regardless of whether there is one or more transmitter of the hadith at any given stage of its narration.

It follows therefore that it is clear that the Shi‘i ‘ulema have classified hadith into two types, that which is mutawatir and that which is khabar al-wahid. Hadiths that are classed as mutawatir are those that have been transmitted through sufficiently different chains that the possibility of the hadith being dubious is highly improbable. Thus mutawatir hadith is said to give knowledge in itself.28

Al-Shahid Al-Thani adds that mutawatir hadith has to have a multitude of narrators and that this multitude “must be fulfilled on all the levels or generations of reporters”.29 Though he does not stipulate a minimum number, it is clear that the mutawatir hadith is one beyond doubt of its authenticity virtue of its being narrated by so many different people. The Shi‘i ‘ulema have not specified a minimum number of transmitters, as opposed to some of Sunni ‘ulema.30 Crucially, Allamah Hilli has stated that the criterion for whether a hadith is mutawatir or not is whether it gives certainty or not.31

In his al-Maalim, Al-Shaykh Hassan b. al-Shahid al-Thani defines khabar al-wahid hadith as “that which has not reached the level of tawatur whether its transmitters are many or few. Its subject matter is not accorded the status of knowledge in itself”.32

This now makes clear that khabar al-wahid is not concerned with the number of transmitters of the hadith as the name might imply, but hadiths that have not been transmitted through such a variety of chains that all the narrators conspiring to forge the hadith is impossible. What is more important is that such a hadith cannot at face value, and on its own, give knowledge that can be acted upon.

This would not seem to be a problem at first but when considering that the bulk of the hadiths reported in the Four Books of Shi‘i hadith are classed as khabar al-wahid by the scholars of hadith33, it then becomes clear why the ‘ulema have differed on the use of khabar al-wahid in deducing legal rulings.

The opinion of the early Shi‘i ‘ulema

At the beginning view of the early ‘ulema was overwhelmingly in opposition to the acceptance of khabar al-wahid, as stated by al-Mufid: “neither knowledge nor action is obligated from the Akhbar al-Ahad”.34 Al-Mufadda allowed certain khabar al-wahid to be used rationally but not legally: “The situation of these with regard to the shari‘a is clearer than all that has gone before: for they do not produce knowledge (‘ilm) and they are contradictory, coming down to us with different and opposing rules”35. However, this changed with al-Tusi allowing the use of khabar al-wahid legally subject to certain provisions, such as the transmitters of the

27 Several authors mention the issue of khabar al-wahid as a source of tension in the Akhbari-Usuli schism, one even places it at the centre of the dispute.
hadith all being Shi’a and known for being just. 36

Essentially the argument of the early ‘ulema was that the khabar al-wahid led to dhann and not ‘ilm which is why it was not valid in ijtihad. The turning point came with al-Allamah, who expressly allowed the use of khabar al-wahid and produced convincing arguments that became the cornerstone for the later scholars. 37 His acceptance of khabar al-wahid was balanced by his opinion that most hadiths in the Four Books are of this type and that not all hadiths are to be accepted as authentic, and so he devised the system which he classified hadith into sahih, hasan, duwathaq, daif. 38 This led to severe criticism by later scholars such as Muhammad Amin Astarabadi of the Akhbari sect who would write “May Allah forgive him” when mentioning Allamah’s claim that that the majority of Shi’a hadiths are not authentic.

The opinion of the later Shi’i ‘ulema

After the Akhbari-Usuli schism, the Usulis have to accept the validity of habar al-wahid in deducing legal rulings. Where they have differed is in accepting its hujjiya. Of the contemporary scholars, Khomeini and Khoei have differing opinions. This and the general debate on khabar al-wahid is focused on the interpretation of one verse in particular, verse 6 of Al-Hujurat:

O you who believe! if an evil-doer comes to you with a report, look carefully into it, lest you harm a people in ignorance, then be sorry for what you have done.

Mahdi Pooya explains this verse: The Holy Prophet sent Walid b. ‘Aqabah to Bani Mustalaq to collect zakat. Before becoming Muslims the tribe of Mustalaq did not like Walid, so to show their change of heart, as they were all now brothers in faith, they came out in a large gathering to receive him outside the town, but Walid, a man of easy morals, jumped at the conclusion that they wanted to kill him; so turned at once on his heels and came back to the Holy Prophet with a false conjecture that the tribe of Mustalaq had turned apostate. The truth was found out and this verse was revealed to condemn Walid, a companion of the Holy Prophet, and men like him who are ready to shed innocent blood on mere guesswork. 39

The ‘ulema in general have taken naba’ to mean the same as khabar and fatabaynu to mean an investigation into authenticity of the khabar. This therefore is how they linked this verse to the discussion on khabar al-wahid. The contemporary opinion of the hujjiya of khabar al-wahid is based on the interpretation of this verse as having a shart’, i.e. it has conditions to its understanding. The condition has been understood to be placed on the character of the reporter, whether he is fasiq or not. If he is a fasiq, the report is to be investigated before it is accepted, but if he is not a fasiq then his report is to be accepted.

Khomeini disputes this understanding of the shart saying that it could easily be understood through another way by taking the condition to be placed on the event of the report and not the character of the reporter and by looking at the converse of the verse: if a fasiq does not bring a report, then there is no report. 40 He goes into a complex technical discussion based on a linguistic analysis of the verse and eventually says the second understanding of the verse must at least be possible. In this event, the hujjiya of the khabar al-wahid cannot be established without doubt. Khomeini also argues that the harm and ignorance part mentioned in the verse are crucial. His argument: if a fasiq brings a report you must investigate it so that you do not harm others out of ignorance, and so it is the establishment of knowledge which is the reason behind this verse. Therefore if a just person brings a report, you must also investigate it so that knowledge can be established. Thus, khabar al-wahid cannot have hujjiya outright. Khomeini does go into more detail with his discussion but the summary of it is that he believes khabar al-wahid does not have hujjiya and all the arguments for it are not so clear cut because there is always another understanding of the verse and the complexities of the linguistic analysis of the conditions and implications in the sentence.

Khoei’s discussion of the hujjiya of khabar al-wahid is even more complex than Khomeini’s and his first line of enquiry is to say that in addition to the verse having a condition attached either to the character of the reporter or the report itself, the verse also has two independent conditions to it. The first is whether the reporter is a fasiq or not and the second is whether there is a report or not.

39 Online commentary at http://www.al-islam.org/quran/
40 Khomeini, Ruhollah Musawi, Tahdhib Al-Usul compiled by Ja’far Subhani (Qum, 1984), pp. 178-179.
For the verse to make sense, both conditions must be possible, if there is no report then the verse does not make sense. He terms this type of proposition in a sentence as al-shat musawwīq ilā bayyān. Whether the reporter is fasiq or not, the verse still makes sense but if there is no report then the verse does not make sense and there is no need for it. Thus Khomeini establishes that the verse is saying: if a fasiq brings a report then investigate it and if he is not a fasiq then there is no need to investigate.

He thereby establishes the ḥujjīya of khabar al-wahid and responds in length to the criticisms and rebuttals of Khomeini. Khomeini himself also responds but in essence his argument is that while there is a possibility of the ḥujjīya not being established outright, ihtiyat should be observed and the ḥujjīya not be accepted.

The discussion over khabar al-wahid starts with whether the hadith brings ‘ilm or dhann. The early ‘ulema were keen only on what brings ‘ilm and thus rejected the use of khabar al-wahid in legal judgements. However, two reasons caused this stance to change. One was that as the Muslims were moving further away from the time of the Prophet and the Imams, the Shari’a itself was less certain and more open to interpretation. This meant that dhann which can lead to ‘ilm is now more acceptable as without it ijtihad cannot occur. The second reason was that hadith had become central to ijtihad and the more developed hadith science became, the clearer it was that not all hadiths could be fully authentic and provide outright ‘ilm. This meant that khabar al-wahid had to be relied on in order for ijtihad to occur as it became clear that the stringency with which hadiths were dealt meant that the majority of hadiths were khabar al-wahid. To discard them would mean to stop ijtihad basically and Allamah Hilli among others legislated the use of khabar al-wahid out of necessity.

Having accepted the use of khabar al-wahid in fiqh, the contemporary now had a different debate, whether khabar al-wahid in itself provided ‘ilm. Though all agree that khabar al-wahid does not give knowledge in itself the procedures arising from its use lead one to having ‘ilm as opposed to none at all. The discussion therefore moved to its ḥujjīyah, with a majority moving to establishing it and the other side to not establishing it. The argument revolves mainly around one verse of the Qur’an and its interpretation, but the complex discussion is essentially a technically linguistic one.

What is important to note is the evolving nature of Shi’a scholarship in such a field and how while using classical methods for discussion, the ‘ulema are able to develop scholarship.
Robert Gleave is Professor of Arabic Studies at the Institute for Arab and Islamic Studies at the University of Exeter, UK. He is the principle investigator of two on-going projects, Legitimate and Illegitimate Violence in Islamic Thought and Clerical Authority is Shi’ite Islam: The Seminaries of Iraq and Iran. He is also the author of Scripturalist Islam: The History and Doctrines of the Akhbari School of Shi'i Thought (London, 2007) and Inevitable Doubt: Two Theories of Shi‘i Jurisprudence (Leiden, 2000).

In an exclusive interview Shi’a Studies co-editor, Ahab Bdaiwi, speaks to Professor Gleave about Shi’i Jurisprudence (fiqh) and Legal Methodology (usul al-fiqh):

Q1- Professor Robert Gleave we would like to thank you for giving up some of your precious time to speak to Shi’a Studies. It would be most useful for our readers to learn about your academic profile and career thus far. How did you come to be professor of Arabic studies specialising in the field of Shi’ism?

As with many of us in academia, my interest is really down to two inspirational teachers. First, when I was an undergraduate student at University of York, UK, I was taught by Professor (now Baroness) Haleh Afshar in the Politics Department – she is an inspirational teacher, and she perked my interest in Shi‘ism and Iran; and she encouraged me to do an MA at Manchester University, where I was taught by Dr Norman Calder. He had such a sharp mind, that you felt like you were being barbequed at every seminar, but I stayed on to do my PhD with him. I did a bit of teaching, enjoyed it, and ended up at Bristol University, and then in 2005, I moved to Exeter. You have to specialise in something, and Shi‘i Islamic law is not exactly a crowded field - most of my career has been a collection of accidents – there was no plan. I got interested in something, and ended up being able to persuade a university to pay me to study and teach about it.

Q2- Based on your publications it is evident that you have a strong interest in Shi‘i Imami jurisprudence (fiqh) and legal methodology (usul al-fiqh). What really triggered your interest in such tedious sciences?

It was originally the Shi‘i political theory, which Haleh Afshar taught as part of her courses on Islamic thought and the Middle East. Of course, Shi‘i political theory is mostly a form of legal discourse – and so you had to be interested in law – Norman Calder had such a fresh and original way of teaching fiqh and usul at Manchester. He showed us that the intellectual achievements of the fuqaha’ over the ages are intricate and impressive, and that those who think they are tedious don’t really “get” fiqh and usul. Then I went to Iran, and met up with tullab and researchers in Qum, Tehran and Mashhad – and their dedication to the task of scholarship and their single-mindedness in developing scholarship hooked me. From there, my interest just grew.

Q3- It is often said that Shi‘i fiqh and usul al-fiqh were originally “borrowed” from antecedent Sunni scholarship. What do you think of this statement?

Well, this is a controversial area – “borrowing” generally in the study of early Islam is a hot topic (Did Islam “borrow” from Christianity or Judaism? Did Shi‘ism borrow from Gnosticism? Was Sunni doctrine simply Islamised Arabian tribal beliefs? Etc.). People think that if you say this movement borrowed this idea from that movement, you are reducing the latter’s originality and distinctiveness. This is a misconception. You are, instead, explaining the distinctiveness of the movement, by showing how it took an idea and
transformed it into a new intellectual framework. I know those evil “Orientalists” in the past have abused this perfectly natural phenomenon of borrowing (“cross fertilisation” is a more positive way of putting it). Some aimed to reduce Islam’s status by saying it was basically a Christian heresy, or an Arabised Judaism or whatever. It is different for fiqh and usul in Shii law. I do think that mature Shii usul (i.e. from al-Shaykh al-Mufid onwards) is really an adoption by the Imamiyya of a genre of writing which had become popular first in amongst the Sunni fuqaha’ – so in that sense it is a borrowing – but they made it their own, and addressed questions in usul that the Sunni fuqaha’ did not think of (sometimes because they were not issues for Sunni Islam). “Borrowing” make it sound as if the Sunnis and the Shi’a were two communities which lived in silos in early Islam – I prefer to see there being an intellectual debate amongst and within different groups in the 9th and 10th century, and out of this debate emerged a type of juristic investigation – usul al-fiqh – which first the Sunnis took to, and then the Imamis took up.

It is different with fiqh though. There I do think the Shi’a – as much as you can identify them as a distinct, single unit, were participants in the development of the legal thinking which eventually became the discipline of fiqh. Whether it was the Imams themselves or their disciples is not so clear, but there was significant input into the early stages of the discipline. Scholars have generally seen the Shi’a as more interested in theological questions in the early centuries – I think, though, that we have a distinctive body of Shii legal thinking which can be identified quite early, and that the Sunni version of the development of Islamic jurisprudence has, to an extent, written this influence out for doctrinal reasons. Shii versions have written out the Sunni contribution – mind – you only need to look at the akhbar exchanges between Imam Ja’far al-Sadiq and Abu Hanifa as they are recorded. Sometimes Abu Hanifa is portrayed as so dumb, you wonder how anyone could have respected him as a scholar – but they obviously did.

Q4- Do you think that western academic institutes are paying enough attention to Shi’i fiqh and usul al-fiqh?

Of course, not, but you ask any Islamicist and they will say the same of their area of study – there are not enough experts or modules in kalam, or in tafsir, or in medieval Islamic history, or in philosophy... The study of Shi’im has come on a long way in western academia in the last 20 years – there are new and exciting scholars coming through in the field; the literature being produced is so extensive now, I can hardly keep up. So yes, there is always more that could be done – but there is at least a field of Shii studies now.

As for specifically Shii fiqh, I cannot understand why anyone wants to study anything else – but I may have a slightly skewed perspective since I make my living out of it.

Q5- Do you think that contemporary Shi’i fiqh has adequately responded to modernity and its various by-products?

One of things which maintains my interest in Shii fiqh is the fact that it is a sophisticated living tradition of scholarship – anything, be it governments or intellectual dominance of one paradigm which tries to cut down that living tradition and reduce the scope of enquiry is, in my view, a potential cause of the stagnation of Shii fiqh. So how tradition and change are managed in Shii fiqh is going to be crucially important over the coming decades. The tradition has a tool box of resources with which to interpret the challenges of the “modernity” (however we conceive it) – whether the scholars will be able to use those tools, and take the Shi’a community with them as they do – is one of the fascinating questions for the future. My own view is that the combination of flexibility and structure of the Shii legal tradition is what has enabled it to survive as strong and vibrant – if that tension is maintained, the tradition will not only respond to modernity, but contribute to it, to form it – Muslim thinkers, ethical legal and philosophical, should stop thinking they need to “respond” to situations – instead they have to create the modernity which other traditions then respond to.

Q6- What in your opinion are the most important junctures in the history of Shii usul al-fiqh?

The acceptance that we have a legal system without a present Imam – that was a key point in the 9th century CE; when the doctrine of ghayba became orthodox dogma amongst the Shi’a (i.e. when the Ithna-ashariyya were created – because without the doctrine of the ghayba, there are no Twelvers). That meant the legal system had to survive without this theoretical buttress – I do think that Shii thinkers had already prepared themselves for such an eventuality, but when it became doctrine, that was when the rules of the legal game changed, and the tradition of jurisprudence could begin properly. Before the ghayba, it is difficult to talk of a Shii usul as such.

Then there is the acceptance of ijtihad – the term came well after the practice – in the 14th century CE – by Muhaqiq and Allama al-Hilli. This enabled us to talk of mujahids and to establish a theological and legal basis for their authority independent of that of the Imam.
Of course, the rise of Akhbarism in the 17th century in Iran and elsewhere was significant – but I am not sure it counts as a whole new phase of usul al-fiqh – rather the Akhbaris developed a different way of doing legal theory – a different form of usul al-fiqh. They were not anti-usul al-fiqh - they were anti the particular type of usul which had become dominant. In someways, the composition of Ma'alim al-Usul by Hasan b. al-Shahid al-Thani was most significant – in that work, we have a useable summary of Shii usul which was to define the discipline for centuries.

Whilst Shaykh Ansari was obviously an influential figure – I wonder whether he was quite a revolutionary (in terms of usul) as some people make out – many of his ideas I see present in the Qawanin al-Usul of Abu al-Qasim al-Qummi – that is a wonderful book. I love the way al-Qummi sets out problems – engagingly and without too much subservience to the traditional way of doing it – the Akhbaris directness and straightforward manner of presentation affected him, though he would never ever have accepted it of course.

I think we may be, in the modern period, entering into a new phase – its basic trajectory though is still up for grabs – but the interface between ethics and law will be the crucial next debate- it is happening already. Shahid Muhammad Baqir al-Sadr thought of himself as starting new phase in Shii usul, I think – but his influence in terms of re-writing Shii usul has not yet been fully worked out – perhaps it never will. His usul may end up being a “one-off”.

Q7- Do Shi'i legal theories, in your opinion, accommodate ethical and moral axioms of a universalist nature?

Yes and no – of course there are universal messages to come out of the Shi'i tradition – but these are so general. They serve to establish the non-threatening nature of Shiism but do they really move the field forward? I don’t think so. More interesting are the distinctive ethic, legal and theological insights which Shiism has to offer. Shiism can offer some really interesting elements: a rounded theology of suffering and sacrifice, a notion of family and responsibility encapsulated in supposedly banal laws of inheritance, and empowering ethic for women and their participation in public life – all of these are distinctive Shi'i contributions – I may be a little conservative, but I do think Shi'i law has a distinctive ethic underlying it which can productively inform moral choices in the modern context.

Q8- ‘Shari’a law’ - or what mainstream media presupposes Shari’a law to be – oftentimes carries negative connotations and is more often than not used pejoratively in common parlance. Can academics play a role in clarifying this confusion? If so, how?

Academics can describe how the term Shari’a has been used, and to demonstrate how important it is to Muslims – but they cannot describe “what the Shari’a is and what it is not…" – the term is contested and debated. They can analyse and present what it signifies within an Islamic context. They can also show how it is not all about brutal punishment or the oppression of women. But they cannot shy away from the elements of fiqh which describe these elements of Islamic law.

Q10- Fiqh and usul al-fiqh have taken a backseat in modern studies of Shi’ism whilst philosophy, history, theology, and study of clerical institutions have dominated most, if not all, academic discourses. Why do you think this is?

I am not sure I agree with the premise – there has been more study of fiqh (perhaps not usul so much) recently. But there is also a serious lobby developing which sees philosophy as under threat in the hawza and so needs promoting and protecting. Hence the non-fiqhi emphasis of many modern studies. Some of it has to do with a reaction to the politicisation of fiqh in the current Iranian context. Shi’a want to be defined by something else other than these phenomena and other subjects serve that purpose well. As we know, Shii political theory relies on a particular reading of fiqh and usul – so some have thought “better to dump the jurisprudential discipline altogether and concentrate on the non-political elements”. It’s an interesting dynamic. But also, fiqh and usul do come across as slightly pernickety when compared with other questions which deal with “big” questions. I think this is unjust, but I have heard it over and over again from participants in the field.
The translation and publication of this relatively small work is fascinating on numerous levels, importantly this work appears to be at least one of the first publications which calls for a reconsideration of Imamology and promotes a more liberal understanding of the Imam’s position in the creed, again all within the context of a publication by a religious organisation for the community and from within the community.

Unlike most other works which are published within this particular area of religious discourse (contemporarily), this work is not written or intended for only a scholarly elite; rather this work clearly represents the thoughts of a religious cleric who still very much affiliated himself within the circle of religious orthodoxy, frustrated and concerned at the deviation of the community (in both laity but more shockingly amongst scholarly circles) and is presented as a wake-up call and challenge to the deviation which is perceived to exist.

As the title Ghuluww suggests, this concern is primarily reserved and focused upon the religious elevation as opposed to lowering of religious figures, the placing of them in stations which are perceived as being higher than their actual given positions.

The author has carefully structured his thesis, introducing Islam as a religion of moderation through alluding to examples from the Qur’an in which Christians are rebuked for their elevation of Jesus and his mother Mary beyond their original designated stations (p.2-5), the implications are clear- the author intends to say that despite the clear cut nature of the Qur’an in condemning such exaggerations- these same exaggerations are taking place in the name of the religion which places the Qur’an as its key focal text.

Whilst the author’s point cannot be dismissed entirely, it is a very misplaced objection- the forms of devotion shown to Mary as the Theotókos (God-carrier/Mother of God) in Orthodox Church and Roman Catholic forms of devotion are entirely absent in the orthodox Imami Shi’a and there is no notion remotely comparable in the Shi’a understanding of Fatima, likewise the author’s later attempts throughout the works to trace how misguided former companions of the Imams such as Abu al-Khattab made claims that the Imams were part of the Godhead are seem slightly misplaced, given that the work is meant to form a contemporary critique of religious extremism within the Twelver Shi’a community and not provide an academic overview of the historical development of now extinct Ghulat circles, there are no Shi’a scholars promoting the deity of any of the twelve Imams- and hence the earlier comparison between Shi’a devotion to the infallibles and the rebuked devotion of Christians in the Qur’an seems heavily incomparable.

The author is careful to cushion his initial critique of Shi’ism, knowing his audience well, he takes the time to highlight numerous examples of religious exaggeration in Sunni texts of the Companions of the Prophet (p.20-40) as well as the founders of the four Sunni schools of Jurisprudence (p.7-19), highlighting numerous
cases of apparent fabrication both in order to elevate and belittle individuals, the examples are used to illustrate the author’s clear intended message- pious fabrications have occurred throughout history and amongst other religious trends, they also exist in Shi’a Islam.

In bringing the first of the two chapters of the book to a close, the author introduces a key argument in his thesis- he cites ten examples of clearly exaggerated reports stemming from Shi’a ahadith compilations (p.51-58) and proceeds to present three distinct reasons for the infiltration of such traditions into the collective memory and written compilations of the Shi’a, the reasons are the following:

i) Fabrications by those hostile to the cause of the Imams, such individuals were concerned with fabricating reports that would deliberately instill heretical ideas into Shi’i religious discourse, causing the larger Muslim community to be pushed away from the Shi’a and distance themselves from the Imams.

ii) Deliberate fabrications by corrupt individuals such as Abu al-Khattab who intended to make things that were once prohibited seemingly permissible and vice-versa, fabrications affiliated with Ghuluww sects which would lend credence to the pseudo-authority claimed by individuals like Abu al-Khattab who through promoting the deification of the Imams could then solidify their own claims to leadership by claiming Prophethood or special deputyship.

iii) The final motivation for fabrication is described as not being driven by cruel intentions (as the first two were) are actually pious yet misguided attempts by devotees to the Imams who have transgressed the boundaries of orthodoxy through their excessive love for the Imams.

The three motivations are thereafter entitled the ominous triangle (p.61), this particular argument in the author’s thesis is not uniquely ground-breaking in the sense that many works on the sciences of ahadith and the causes for fabrications have also provided a similar breakdown. It is the consequence of this observation and the scope of the damage that is given a unique treatment within this work.

The second and final chapter of the book revolves around the three causes of ahadith fabrication and devotes an entire section to each cause/ motivation. It is the second cause in particular which the author decides to dedicate the largest discussion to, laying out a brief historical overview of certain deviant individuals who were key influential figures in the spread of deviant cults of extremism (of Shi’i origins and from amongst the Companions of the Imams).

An interesting observation raised by the author (p.101-102) is the analysis of a report featuring Yunus b. ‘Abd al-Rahman (d. 208 A.H), one of the most reliable narrators and pillars of Imami traditions and one of the eighteen Ashab al-Ijma’a (transmitters of consensus, a unique group whom the Shi’a have singled out for their reliability in transmitting reports), in the report Yunus presents his compilation of traditions (gathered from reliable Shii’s in Kufa) to Imam ‘Ali b. Musa al-Ridha for inspection, only to hear from the Imam that the work contained numerous fabricated reports.

The author utilises this shocking narration to provoke the question of how useful is a sound and reliable chain of narration, when it can be demonstrated that such chains of reliability have been historically demonstrated to include fabrications unknowingly?

To further elucidate his frustration of accepting reports to be sound on the basis of the chain of transmission, the author chooses to cite a commonly polemically deployed tradition from al-Kulayni’s (d. 329 A.H) al-Kafi, the narration states:


“The Qur’an which the angel Gabriel brought to Muhammad contained 17,000 verses”

For Najafabadi, the implications are clear; the hadith’s content must be fabricated as the Qur’an’s today only contains 6,236 verses (p. 108-109). In order to weaken the narration, the author decides to attack ‘Ali b. al-Hakam’s veracity, the author argues that since al-Hakam was blind, he must have relied on others to write the traditions and hence such traditions have been subject to fabrication via scribes.

Several fallacious assumptions have been made in the author’s analysis of this hadith which have been overlooked; making the same assumptions as Salehi Najafabadi would automatically render this hadith weak. For the isnad would be assumed mursal (disconnected), since Najafabadi assumed that ‘Ali b. al-Hakam was the last narrator before al-Kulayni, ‘Ali b. al-Hakam being a contemporary
of ‘Ali b. Musa al-Ridha, the eighth Imam, would render the tareeq of al-Kulayni who lived in the period of the minor occultation disconnected (hence unreliable). However, what is more alarming is Najafabadi’s unfamiliarity with how the chains of al-Kafi have traditionally worked, the chain is not disconnected between al-Kulayni and ‘Ali b. al-Hakam, rather the isnad is given in short form due to the occurrence of the full isnad earlier in the page (a common practice of traditionists, eager to save space). Therefore the full isnad, when fully connected complete would read as follows:


Whilst some have assumed that this isnad is entirely sound by the standards of Hadith scholars, this is based on the assumption the “Ahmed b. Muhammad” is Ahmed b. Muhammad b. ‘Isa, a reliable narrator despite the fact that evidence indicates contrary to assumption that he is Ahmed b. Muhammad b. al-Sayyari, a figure condemned by every single Imami scholar of ‘ilm al-rijal as being a corrupt individual who spread the belief in tahreef of the Qur’an. Finally, one wonders why Najafabadi assumed that accepting such a tradition would lead to deviation, al-Saduq (d. 381 A.H) an early traditionist accepted this tradition, merely interpreted it in light of Qur’anic preservation and argued that such a Qur’an included Ta’weel and Explanatory information exclusive of the Qur’anic text and hence not endorsing distortion.

Yet for Najafabadi, the implications are clear- we need to abandon the method of merely accepting a report on the basis of a sound chain of narration and instead we need to implement the secondary measure of comparing the text of the tradition with the Qur’an itself.

Whilst this proposed approach may sound novel and full-proof, it is hard to apply practically. Given that the Qur’an itself often requires external resources in order to make sense of the text (occasions of revelation, etc) something which the author has made recourse to within this same work (p. 69, footnote 101), this approach can hardly yield a monolithic result. For example, it can be argued from the Qur’an that Prophets and Messengers are prone to sins and other aspects of fallibility depending on the suppositions one brings to the text; likewise with the debate surrounding the Imams and knowledge of the unseen, the Qur’an can be used to demonstrate one result either way. More crucially, the results upon jurisprudential rulings if this method were followed through consistently would also have long reaching consequences- for example the penal laws of fornication which is considered by jurists to be specified by the Sunnah.

Despite any shortcomings and weaknesses within the author’s thesis, Dr. Mavani should be commended for introducing this crucial area of Shi‘i discourse into the English speaking community, this contribution to Shi‘a studies will also make valuable reading for those interested in the field of both theology as well as hadith studies.

41 Verifiable from analyzing the recently published text of al-Sayyari, in which the exact isnad occurs with al-Sayyari in place of Ahmed b. al-Muhammad, which of course is also his name (See: Revelation and Falsification, the Kitab al-Qira‘at of Ahmed b. Muhammad al-Sayyari, Ed. Amir-Moezzi and Kohlberg, Brill, 2009: P.9 of the Arabic text)

42 A Shi‘ite Creed (Tr. Asif A.A Fyzee), WOFIS, Iran, 1982, p. 77-78.


