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The 'Ulama' of Iran in the 19th century hagiographical literature

Abada, Abdelfettah

The 'Ulamā' of Iran in the 19th Century

Hagiographical Literature

by

Abdelfettah Abada

B.A. University of Constantine

Diploma. University of Durham

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Abstract

This study is concerned with the biographies of the Shīʿī *ʿulamāʾ* in Iran during the 19th century, who played a major role in the emergence of the Shīʿī hierocracy as religious executors of state affairs.

Chapter I: provides an overview of the relations between state and *ʿulamāʾ* in the Safavid period and traces the development of *uṣūlī* doctrine as the dominant school of Shīʿī *fiqh* (jurisprudence).

Chapters II, III and IV: focus on the lives and works of three groups of the *mujtahids* divided according to their generation.

The first generation comprises the students of Bihbihānī, who were concerned primarly with the consolidation of the Uṣūlī school.

The second generation was responsible for the formulation of the concept of *wilāyat al-faqīh*.

Finally the third generation emphasised the concept of the role of the *marjaʿ al taqlīd*, thus paving the way for the *mujtahids* to intervene in affairs of state.

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Transliteration for Arabic

Letters of the alphabet:

ا		ء	ʾ
ب	b	ص	ṣ
ت	t	ض	ḍ
ث	th	ط	ṭ
ج	j	ظ	ẓ
ح	ḥ	ع	ʿ
خ	kh	غ	gh
د	d	ف	f
ذ	dh	ق	q
ر	r	ك	k
ز	z	ل	l
س	s	م	m
ش	sh	ن	n
		ه	h
		و	w
		ى	y

Vowels and diphthongs:

	a	ا ٰى	ā			
ِ	i	ِي	ī		َى	ay
ُ	u	ُو	ū		َو	aw

INTRODUCTION

This work comprises a survey of the *'ulamā'* of Iran in the thirteenth/ nineteenth century hagiographical literature. The basic purpose of this survey is to establish the process whereby, in the course of the nineteenth century, the clerics of Iran acquired political power and influence to an ever-increasing degree.

This political involvement stems directly from the triumph of the rationalist (*uṣūlī*) school over the traditionalist (*akhbārī*) school. Consequently, the whole course of the conflict between the *uṣūlī* and the *akhbārī* is reviewed in detail in this work.

The foundation of this study was the book of Hosein Modaressi entitled *An Introduction to Shi'i Law* (London 1984). Of great importance also was the Ph.D dissertation of A.J. Newman entitled *The Development and Political Significance of The Rationalist (uṣūlī) and Traditionalist (akhbārī) Schools in Imāmī Shi'i History from The Third/Ninth-to The Tenth/Sixteenth Century AD* (University of California, Los Angeles, 1976). These were supplemented by other biographical works where such were available and relevant. The absolute reliability for historical purposes of the biographical work is something which cannot be established conclusively. This factor has been taken into account, where possible, in the exposition which follows. Where relevant material on the individuals discussed exists from other sources, these have been consulted as a control on the accuracy of the biographies.

The Biographical Tradition:

In the pre-Islamic period, stories about individuals were preserved through oral tradition, some in the form of poetry. All later biographical work derives ulti-

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mately from the *Qur'ān*, which contains biographical accounts of the Prophets. Following the *Qur'ān*, the only purpose of the biographies in the early Islamic period was to convey an authentic report of the life of the Prophet and his companions, a literary category known as *al-Sīra al-nabawiya*. The function was to provide an ideal example of life which every Muslim should imitate.

The first such work was the book of Muḥammad ibn Isḥāq (d.151/768). The next stage in the evolution of this literary form was *al-Ansāb* of Muḥammad ibn al-Sā'ib al-Kalbī (d.146/763) and the category of *al-Ṭabaqāt*, of which the most important example is the book of Ibn Sa'd, (d.230/844-45) *al-Ṭabaqāt al-kabīr*. With this book we encounter for the first time biographical information about personalities other than the Prophet and his companions. However, some decades later -during the 'Abbāsid Caliphate- when both the religious sciences and art and science in general flourished, the writing of biographies increased and, moreover, was extended to include the biographies of famous individuals such as artists, religious leaders, scientists and rulers. The most important function of these biographies was to present the development of the Islamic community. Abū 'l-'Abbās Aḥmad ibn Muḥammad ibn Khallikān (b.608/1211 - d.681/1282), the author of *Wafayāt al-a'yān*, was the most prominent among the biographers of the early periods. This biographical dictionary was the first one to employ an alphabetical and chronological arrangement. However, in the fourth /tenth century an important biographical dictionary was composed by Abū 'l-Faraj Muḥammad ibn Isḥāq, known as Ibn al-Nadīm (d.385/995), under the title *al-Fihrist*. Ibn al-Nadīm's book was the only book which bears a resemblance to Ibn Khallikān's book in its general content.

These biographies were intended to give portraits of individual persons

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whose positions in history were strongly determined by their biographers. However, biographies of one famous individual could be composed by various authors, thus contributing to a more objective impression of the life of the person portrayed. Instead of getting one simple (possibly biased) impression, from this period onwards we are often able to look at the life of the person concerned from various points of view.

In the sources consulted for the present study, the lives of some of the *'ulamā'* dealt with fall into the category just mentioned. The present study concentrates on the biographies of the most influential *'ulamā'* of the late eighteenth-nineteenth centuries, with the main focus on the Qājār period. Primarily it is an attempt to demonstrate the increasing influence of the religious classes in politics during the period in question. The political involvement of the *'ulamā'* was the result of two main factors originating from both internal and external impulses. The internal impulse was the development of the Shī'ī theory that the *mujtahid* could claim to be the vice gerent of the Hidden Imām. This should lead to an almost unlimited extent increased in the power vested in the vice gerency. The external impulse was the weakness of Iran's foreign policies, which enabled the *'ulamā'* to oppose the government on the pretext of protecting national interests.

Structure of this Study

This study is divided into four chapters.

Chapter One

Provides (a)- an examination of the historical events which contributed to the emergence of the hierocracy as religious executors of state affairs and (b)- an examination of the process whereby Uṣūlism became consolidated as the dominant Shīʿi school after the period of the conflict with Akhbārism and other non-rationalist movements. The following three chapters provide mainly biographies of the *ʿulamāʾ* according to the generation they belonged to.

Chapter Two

The *ʿulamāʾ* of the first generation were:-

1 Āqā Muḥammad Bāqir Bihbihānī

2 Ākhund Mullā Muḥammad Mahdī Narāqī

3 Sayyid Muḥammad Mahdī Baḥr al-ʿUlūm

4 Shaykh Jaʿfar Najafī

5 Sayyid ʿAlī Ṭabāṭabāʾī

6 Mīrzā Abū ʾl-Qāsim Qummī

All the *ʿulamāʾ* of this group were students of Bihbihānī. Their main achievement was to consolidate the Uṣūlī school and to restrict Shiʿism considerably in accordance with Bihbihānī's teaching.

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Chapter. Three

The second generation is represented by:-

1 Sayyid Muḥammad Ṭabāṭabā'ī (mujāhid)

2 Ākhund Mullā Aḥmad Narāqī

3 Sayyid Muḥammad Bāqir Shaftī

4 Mullā Muḥammad Ibrāhīm Kalbāsī

5 Mullā Muḥammad Taqī Baraghānī

6 Mullā Muḥammad Ja'far Astarābādī

The members of this second group elaborated the Shī'i theory and emphasised the role of the vice gerency. The first major impact on politics by the *'ulamā'* was initiated during this time as a result of the second Perso-Russian war.

Chapter. Four

The third generation included *'ulamā'* such as

1 Shaykh Muḥammad Ḥasan Najafī

2 Āqā Sayyid Ibrāhīm Qazwīnī

3 Shaykh Murtaḍā al-Anṣārī

4 Mullā 'Alī Kanī

5 Shaykh Muḥammad Ḥasan Shīrāzī

6 Shaykh Muḥammad Taqī (Āqā Najafī)

The most significant occurrences of this period were the emergence of the *Marj'ayyiat al-taqlīd* and the direct interference by the *'ulamā'* in political affairs, ultimately paving the way for the Constitutional revolution.

The Sources

The main sources for this study are the biographical dictionaries. The main dictionary relied upon is Muḥammad ibn Sulaymān Tunukābunī's *Qiṣaṣ al-'ulamā'* (Tehran, n.d). However, the data provided in this biographical work fail to give accurate dates for events and historical incidents are sometimes described inaccurately. *Qiṣaṣ al-'ulamā'* is written in a literary style following the example of the earlier *Qiṣaṣ al-anbiyā'* of Quṭb al- Dīn al-Rawandī (d.573/1177-78). Comparable are two other works also consulted here:- Muḥammad 'Alī Kashmīrī's *Nujūm al-samā'* (Lucknow, 1303/1885-86) and Muḥammad Mahdī Kāẓimī's *Aḥsan al-wadi'a*, 2 vols. (Baghdad, 1347/1928-9). A highly meticulous source of information was provided by Āqā Buzurg Tihrānī in his *Ṭabaqāt a'lām al-shī'a*, (Najaf, 1954-56) and Mīrzā Muḥammad 'Alī Ḥabībābādī, in his *Makārim al-athār fi aḥwāl-i rijāl-i dawrayi Qājār*, (Isfahan, 1377/1957-58).

In addition to the aforementioned biographies, the first volume of *Rawḍāt al-jannāt fī aḥwāl al-'ulamā' wa 'l-sadāt*, of Mīrzā Muḥammad Bāqir al-Isfahānī, edited by Sayyid Muḥammad 'Alī Rawḍātī, (Isfahan, 1382/1961), and the 4 vols of Muḥammad 'Alī (Mudarres) Tabrīzī's *Rayḥānat al-adab fī tarājum al ma'rufīn bi 'l-kunyā aw al-laqab*, (Tehran, 1367/1956) have also been consulted. Both the *Encyclopaedia of Islam* and *Encyclopaedia Iranica* were of considerable relevance to the theme of this study.

Various chronicles such as *Tārīkh-i 'aḍudī* by Sulṭān Aḥmad Mīrzā, and *Nāsikh al-tawārīkh* by Mīrzā Muḥammad Taqī Sipihr (Tehran, 1337/1919-20) were composed with royal patronage and therefore biased but still provide a useful general history of the Qājār era with military and political events mentioned in detail. *Farsnāma-i Nāṣirī* provides a detailed account of the Qājār period. It was translated into English by H. Busse and published under the title of *History of Persia under the Qājār Rule* (New York& London, 1972). The chronical *Tārīkh-i mu'āṣir yā ḥayāt-i Yaḥyā* of Dawlatābādī was of great relevance for the last chapter (Tehran, 1336/1918).

Works about the history of the Qājār period published by Europeans are numerous but require careful sifting for critical historical use. Sir J. Malcom's *History of Persia* 2nd volume (London, 1829) is valuable for its account for the period from the reign of Nādir Shāh to Fatḥ 'Alī Shāh. Most relevant for the first chapter were the books of R. Savory, *Iran under the Safavids* (Cambridge, 1980), L. Lockhart's *The Fall of the Safavid Dynasty and the Afghan Occupation of Persia* (Cambridge 1958) and *Nādir Shāh* (Luzac, 1938) and the *Cambridge History of Iran* Vol 6, (Cambridge, 1986).

The political activities of the clerics are discussed in many books which have been published since the early 1960's. Among those frequently consulted is Hamid Algar's *Religion and State in Iran, 1785-1906* (Berkeley& Los Angeles, 1969). This work focuses mainly on the political involvement of the *'ulamā'* during the Qājār period. He also mentions biographical data on the *'ulamā'* but only in a general way. The most informative, however, is *The Shadow of God and the Hidden Imam* (Chicago, 1984) by Said Amir Arjomand which discusses primarily the main works and theories of the *'ulamā'* and, therefore, allows the reader to gain a very detailed, comprehensive

knowledge of the religious and philosophical background of the *'ulamā'*.

Another recently published book has its main emphasis on the development of Shī'ī doctrine: M. Momen's *An Introduction to Shi'i Islam* (Yale University Press, 1985). It contains short biographies of the most important *'ulamā'*. Another academic study of great importance for the present study is the Ph.D thesis of Denis MacEoin, *From Shaykhism to Babism* (Cambridge, 1979), which provided a detailed survey of the emergence of the Shaykhī school and the Bābī sect. On the same topic, repeated reference has been made in this study to Henri Corbin's book, *En Islam Iranien. Aspect Spirituels et Philosophiques* (Paris, 1972) which discuss in detail the philosophy of Shaykh Aḥmad Aḥsā'ī. Moreover, the books of P. Avery, *Modern Iran* (Chicago University Press, 1965), Hairi, *Shi'ism and Constitutionalism in Iran* (Leiden, 1977), M. Fischer, *Iran from Religious Dispute to Revolution* (Cambridge, 1980), Nikki R. Keddie, *Religion and Rebellion in Iran. (London, 1966), Religion and Politics in Iran* (Yale, 1983) have been repeatedly consulted.

Finally, in the preparation of this study the following periodicals have been used repeatedly: (Studia Islamica), (Vols 6, 22, 23, 29, 32, 38, 57, 59). (Iranian Studies), (No 18 winter 1985). (al-Tawḥid), (Vols 1, 1; 2, 3, 4; 4, 1, 2). And (International Journal of Middle East Studies), (2 , 1971).

CHAPTER ONE

HISTORICAL BACKGROUND

1.1 The Integration of the Religious Class into the State

The most significant feature of modern Iranian history from the closing period of the Safavids onwards is the increasing involvement of the *'ulamā'* in politics. The Safavids integrated the *'ulamā'* into the ruling classes after Shi'ism had been established as the state religion in Iran in 1501 (1). The highest public office created for the *'ulamā'* was the *ṣadr*, an official responsible for the religious affairs and institutions, on behalf of the state. The *ṣadr* was charged to impose doctrinal unity on Persia by the energetic propagation of Twelver Shi'ism (2). However, in late Safavid times a new post was created as the highest religious office, namely, that of *mullā-bāshī*, which can be described as one of the most important offices of the realm (3). A further post was that of the *shaykh al-islām*, who was the chief religious dignitary of a city. To him was affiliated the *qāḍī*, a religious judge. Both the *shaykh al-islām* and the *qāḍī* were scholars who had pupils and carried out teaching and were appointed by the state (4).

1.1.1 The Role of the 'ulamā'

In practice, the role of the *'ulamā'* was limited to two functions. Firstly, to support the legitimacy of the authority of the shah, who claimed to be descended from the seventh Imām and was thus assumed to be an agent of the Hidden Imām (5). In fact, the Safavids wanted to create a religious base for their authority. Secondly,

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to enforce Shi'ism in Iran by spreading its teaching, because the majority of the inhabitants of Iran in general and of Tabriz in particular were originally Sunnīs (6). It is stated that Shāh Ismā'īl at that time could not find any book on Twelver Shi'ism in Iran except one copy of *Qawā'id al-islām*, written by al-'Allāma al-Hillī (d.726/1325-26). In order to convert the Iranian population to Shi'ism, Shāh Ismā'īl and his successor Ṭahmāsp imported Shī'ī *'ulamā'* from the neighbouring countries, i.e. Iraq, Syria and Baḥrayn (7).

1.1.2   The Alliance between the 'ulamā' and the State

In the light of the foregoing, it is necessary to establish what the attitude of Shī'ī *'ulamā'* was towards the Safavid rulers claim to be the representatives of the Hidden Imām. In answer to this, it can be pointed out that the *'ulamā'* were in fact immigrants and were therefore dependent on the financial support and on the political largesse of the state. However, they were also interested in encouraging the first attempt to establish a state that was based on Shī'ī doctrine, to protect the Shī'ī community which had always been under attack by Sunnī state: for example, the attack of Sulṭān Selīm in 1511-12 against the Shī'ī Zaydī and in 1514 against Iran (8).

The alliance between the *'ulamā'* and the government and in particular the collaboration with the shah could only be maintained in times when the reigning shah had a high regard for Islamic law. During those periods, many *'ulamā'* cooperated very closely with the shah, for example Shaykh 'Alī al-Karakī (d.993/1585) who was a great religious leader during the reign of Shāh Ismā'īl (1501-1524) and his successor Shāh Ṭahmāsp (1524-1576). The latter had appointed him *shaykh al-islām* and gave

him the liberty to exercise his authority in both religious and political domains (9).

However, this alliance did not last for a long time and the *'ulamā's* support of the state had almost come to an end during the final stage of the Safavid rule, under Shāh Sulaymān and his successor Shāh Sulṭān Ḥusayn (10). The main reasons for this development were the following: Firstly, the shah's self-indulgence, exemplified by the pleasure he took in drinking wine and staying in the *ḥarem*. It is stated that Shāh Sulaymān had "remained in the ḥaram for seven years without once emerging " (11). Thus, he abandoned the running of the country "to ministers and the eunuch of the court as well as to the increasingly powerful mujtahids " (12). Secondly, the growing wealth of parts of the *'ulamā'* and the newly emerged elite of the Iranian *'ulamā'*, who were both completely independent from the state. Thus they did not exercise any government function but were preaching and making judgements in private religious institutions. This group earned its income from *waqf* revenues, and gifts of their followers (13).

1.1.3 The 'ulamā' during the Late Safavid Period

As a result of the increasing number of the non-state *'ulamā'* and the occurrence of certain political problems such as the decentralisation of Safavid power and independent rule by the nomadic tribes, the Safavid Shāh started to lose power (14). Thus the *'ulamā'* were saying: "How could it be possible that these......impious kings, drinkers of wine and carried off by passion, be the vicars of God and that they have communication with heaven, in order to receive thence the light necessary for the guidance of the faithful people? How can they resolve the cases of conscience and the doubts of faith, in the way in which a lieutenant of God must, they who sometimes

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scarcely know how to read? Our kings being iniquitous and unjust men, their domination is a tyranny to which God has subjected us to punish us, after having withdrawn from the world the legitimate successor of his Prophet. The supreme throne of the universe belongs only to a mujtahid " (15).

Hence the *mujtahid's* power increased almost to the extent that they would almost have been able to govern the country themselves, particularly during the time of Muḥammad Bāqir Majlisī (d.1110/1698-99) who had a strong influence over Shāh Sulṭān Ḥusayn (16).

However, the political disturbances and instabilities which occurred mainly in the first quarter of the eighteenth century led to the decline of the Safavids. Simultaneously the *'ulamā'* lost their influence and only during the Qājār period were they able to strengthen their position again and attain even more power than they had ever had before. Their wealth and the armies they were allowed to build up enabled them to oppose the government's plans. They started to make their mark on the course of Iranian history by forcing the government to comply with their interests. Most significantly, the *'ulamā'* forced Fatḥ 'Alī Shāh to lead the second war against the Russians. Although the outcome of the second Perso-Russian War was disastrous for Iran, the war was nevertheless important from the *'ulamā's* point of view. They had demonstrated their powerful authority and repeatedly showed their dominance on the course of Iranian history:- in 1873 when opposition arose against Ḥusayn Khān Sipahsālār, in 1891-92 in the repeal of the Tobacco Concession and in 1905-09 through the *'ulamā's* involvement in the Constitutional Movement. The *'ulamā's* impact on politics culminated in 1979 in the Iranian Revolution (17).

The development of the increasing participation of the *'ulamā'* in politics can be

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easily demonstrated by examining the *mujtahid* and his practical functions. therefore, it might be helpful to define the characteristics of the key terms *ijtihād* and *mujtahid*.

1.1.4 Definition of *ijtihād* and *mujtahid*

(a) ijtihād   *ijtihād* means the capacity to give expert opinion on matters of religion according to the four sources of the Muslim jurisprudence and in terms of undertaking the utmost effort to obtain a rule of the *shari'a* (18).

(b) mujtahid   This designates "a man who has accquired all the sciences to such a perfect degree that he can respond immediately and without prompting to all questions that are posed to him on religion" (19).

(c) The Condition of *ijtihād*   For one who intends to refer to the *Qur'ān* and *hadīth* (deeds and sayings of the Prophet) it is necessary to have full knowledge of the *tafsīr* (exegesis) of the *Qur'ān* and the meaning of its verses, as well as the capacity to distinguish the *nāsikh* (abrogating) verses and the *mutashābihāt* (ambiguous) verses from the *muḥkamāt* (explicit) and unequivocal verses of the *Qur'ān*. He should be able also to distinguish authentic traditions from the unreliable ones. Moreover, he should be able to resolve the contradictions of a *hadīth* for himself as far as possible.

In general the *mujtahid* should possess enough capacity and expertise to distinguish the authentic and suitable from the unauthentic and weak, and he should have acquired sufficient knowledge of the preliminaries to be able effectively to exercise his expertise (20). Over and above the foregoing, there are six major and specific requirements These are: 1. *bulūgh* (maturity). 2. *'aql* (intelligence). 3. *dhukurat* (being male). 4. *imān* (faith). 5. *'adāla* (justice). 6. *ṭahārat al-mawlid* (legitimate birth) (21).

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(d) The Function of the *mujtahid*

The main function of the *mujtahid* is to exercise *ijtihād* in the interpretation of religious law and doctrine. Furthermore, the *mujtahid* is regarded as the guardian of the unprotected, and the administration of *waqf* (endowments) and justice was controlled by him. Moreover, he has the task of certifying the legality of title deeds and other documents and has also to collect and distribute alms and *zakāt* (the purifying tax) (22).

1.2 Islamic Jurisprudence

Islamic jurisprudence derived mainly from the *Qur'ān* and the traditions concerning the sayings and deeds of the prophet. Indeed, the teaching of the *Qur'ān* deals mainly with two kinds of duties. the first of these is the duty of the Muslim towards God, *'ibādāt* (worship) and the second is *mu'āmalāt* (his duty towards his society) (23). Thus the Islamic law is a religious command from God to mankind. This law applies to the deeds of all *bāligh* (adult) and *'āqil* (wise muslim). The *'ulamā'* defined these deeds and divided them into 5 categories. The first of these is *farḍ, wājib,* (necessary or obligatory) a duty which, when neglected, will cause punishment. The second one is *harām,* (forbidden), an action which is punishable. The third one is *mandūb* or *mustahab,* (recommended). The fourth one is *jā'iz* or *mubāh,* (permissible). The fifth and last one is *makrūh,* (disapproved) (24).

1.2.1 Definition of *uṣūl al-fiqh*

Various, though similar, definitions have been offered for *uṣūl al-fiqh.* One of the most comprehensive definitions is given by ibn Khaldūn in his celebrated *al-*

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Muqaddima and reads: "The principles of jurisprudence are concerned with the evidence of the religious law from which the law and legal obligation of the Muslim are derived" (25).

1.2.2 The Sources of *uṣūl al-fiqh*

The main sources of *uṣūl al-fiqh* are the *Qur'ān*, traditions, concensus and reason. These 4 sources apply to the Uṣūlī school which is the predominant one. For the Akhbārī school the sources are confined to the *Qur'ān* and to the traditions of the Prophet and the Imāms (26). (for these two schools see page 18).

1.2.3 The Emergence of *uṣūl al-fiqh*

The literature about the origins of Islamic jurisprudence is vast. However, the reader will find various opinions on who first founded this science. In general, most of the scholars, such as ibn Khaldūn and al-Khadrī, have referred its origin back to al-Shāfi'ī. al-Khadrī states that the first book written on the sources of Islamic law is *al-Risāla* of al-Shāfi'ī (d.204/819-20). This work was intended to give an answer to the request of ibn Mahdī, who asked for a work dealing with the legal statements of the *Qur'ān, Sunna* and *'Ijmā'* (probative value of the consensus) (27). However, others assign the origins of *uṣūl al-fiqh* to scholars such as Abū Yūsuf (d.182/798), the first jurist to have written a book on *uṣūl al-fiqh*. In the Shī'ī sect Sayyid Ḥasan al-Ṣadr ascribed the foundation of this science to the fifth Imām, Muḥammad al-Bāqir (d.57/676-77) and the sixth Imām Ja'far al-Ṣādiq (d.80-3/699-702) (28).

Although there are different opinions about the foundation of this important science, *uṣūl al-fiqh* certainly existed in its earliest form, *ijtihād* since the dawn of

Islam. We can cite one *hadīth* by the Prophet's companions." While the Prophet was sending Muʿād ibn Jabal to Yemen, he asked him: On what do you base your judgement? Muʿād replied: On the book of Allāh. Then the Prophet asked him: If you do not find it there? Muʿād answered: According to the Sunna of the Apostle of Allāh. The Prophet asked him again: If you do not find it there, too? Muʿād said: I exert my own *ra'yī* (opinion)" (29). From this *hadīth* one can draw the conclusion that the gate of *ijtihād* was open to the Prophet's companions and to the *'ulamā'* who came after them for deduction of *aḥkām* (rules). Thus, it is obvious that the companions were acting according to the principal sources of *uṣūl al-fiqh* which were at that time, the *qur'ān , sunna* and *ijtihād*.

1.3 The Development of Shīʿī Jurisprudence

There are three distinct periods in the development of the Shīʿī jurisprudence and these led to the emergence of various schools.

1.3.1 (a) The first Period

The first period began during the lifetimes of the Imāms and lasted until the greater occultation (329/940-41). During the first three centuries, the Shīʿī's *uṣūl al-fiqh* was not yet established as distinct from that of the Sunnī. This was due to the belief of the Shīʿī community that the *'ulamā'* who were companions of the Imāms used to say that there is no need for *uṣūl al-fiqh* in the presence of the Imāms, whose words and deeds were *adilla* (authentic proofs) (30).

Although this period was characterised by the domination of the traditionalists over the field of jurisprudence, a group of rationalist scholars emerged among the

Shī'ī 'ulamā'. This group was encouraged by the Imāms, who urged the 'ulamā' to use their minds when instructions regarding particular problems were not explicitly and clearly given in the two major sources, the Qur'ān and Sunna. The Imāms used to say that "Our duty is the explanation of general rules and it is upon the 'ulamā' to derive branches " (31).

However, the influence of the Traditionalists on the Shī'ī community was strong. They regarded the Imāms with great veneration. Consequently, they represented obstacles to the advancement of the rationalists who refrained from arguing or debating on Shī'ī fiqh. Therefore, the Shī'ī law at that time was based only on the transmission of the traditions and any kind of rational argumentation was rejected. Particularly in Qum, the traditionalists 'ulamā' preserved their domination over Shī'ī religious centres (32).

Two reasons may be suggested to explain their dominance. An agent, the so-called al-Nā'ib al-khāṣṣ, emerged and acted as the intermediary between the Hidden Imām and the Shī'ī community. Furthermore, in order to gain more influence the traditionalists invented some traditions which condemned rationalisation and attributed these traditions to the Imāms (33).

Because of the traditionalist's predominance, the main work of the 'ulamā' was limited only to the collection of traditions. One of the major collections was al-Kāfī by Muḥammad ibn Ya'qūb al-Kulaynī (d.328/939-40), which was written in forty-three volumes and included 16,000 ḥadīth (34). Another collection was Man lā yaḥduruh al-faqīh, composed by Abū Ja'far Muḥammad ibn 'Alī ibn Bubawayh al-Qummī, known as Shaykh al-Ṣadūq (d.381/991-92). Most of the bibliographers such as Āqā Buzurg stated that al-Ṣadūq had written about 300 books, most of them were a collections of

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akhbār (traditions) of the Imāms amongst which *Man lā yaḥḍuruhu al-faqīh* is widely

known (35). Most of the books in that period were serving for the propagation of the

traditionalists's doctrine.

Although al-Ṣadūq is considered a traditionalist, he tried through his writings

to overcome the differences with the rationalists. Though the traditionalist *'ulamā'*

dominated the Shī'ī centres and suppressed the rationalist scholars there, the mod-

erate ways of Shaykh al-Ṣadūq led, at the end of this period, to the foundation of a

new school by his students and their disciples. The most prominent of them were ibn

Abū 'Aqīl (d.381/991-92) and ibn al-Junayd, (d.381/991-92) and both were support-

ers of the rationalist cause (36). Through their writing they paved the way for the

establishment of the rationalist school.

1.3.2 (b) The second Period

At the beginning of the fifth/eleventh century the rationalist school was es-

tablished by Shaykh al-Mufīd (d.413/1022-23). Although he studied under Shaykh

al-Ṣadūq, he criticised the traditionalists for their extreme attitude. Consequently,

many debates took place between the two schools. The traditionalists became known

as the *akhbāriyya* and the rationalists as the *uṣūliyya* (37).

1.3.3 (c)The third Period

In the second half of the fifth/eleventh century another religious scholar named

Shaykh al-Ṭā'ifa Muḥammad ibn Ḥasan al-Ṭūsī (d.460/1067-68) established a mod-

erate school. Shaykh al-Ṭā'ifa was a prolific writer. The most important among his

works were two collections of traditions, *Tahdhīb al-aḥkām* and *al-Istibṣār* (38). Over

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the course of three centuries, his school passed through three stages.

The first stage was characterised by a pure imitation of al-Ṭūsī's method. The second stage was marked by a critical movement. The third and final stage was a mere purification and reorganisation of al-Ṭūsī's method. The leading scholars of the last stage were al-Muḥaqqiq al-Ḥillī (d.676/1277-78) and al-'Allāma al-Ḥillī (d.726/1326), the latter wrote many books on Shī'ī law which are regarded as the first major works on Shī'ī jurisprudence (39).

The Uṣūlī school maintained its domination, particularly after the Safavids adopted Shi'ism as the state religion of Iran. The most famous Uṣūlī scholars of the Safavid period are al-Karaki Nūr al-Dīn 'Alī al-'Āmilī (d.940/1533-34), his student Shahīd al-Thānī Shaykh Zayn al-Dīn ibn 'Alī (d.966/1558-59) and Shaykh Ḥasan, known as *Khaṭīb al-uṣūliyyīn* (preacher of the Uṣūlī) (d.1011/1602-03) (40).

However, in the last quarter of the sixteenth century the trend towards the Uṣūlī school lost momentum because of an Akhbārī resurgence through the teaching of Mūsā Muḥammad ibn 'Alī al-Astarābādī (d.1028/1619) who encouraged his student Mullā Muḥammad Amīn Astarābādī (d.1033/1623-24) to articulate the Akhbārī school's views in his writing (41). In his book *al-Fawā'id al-madaniyya* Muḥammad Amīn tried to dislodge the *mujtahid's* authority. He proposed a reestablishing of the early Akhbārī school which predominated until the time of al-Mufīd (42). He rejected strongly the doctrine of the *uṣūlī 'ulamā'*, in particular that of his contemporaries. His teaching overshadowed the *'ulamā'* of the following two centuries. The most famous *'ulamā'* who espoused the Akhbārī school after Astarābādī were al-Ḥurr al-'Āmilī (d.1104/1692-93), author of the most extensive collection of *Akhbār al-imāms, Tafṣīl waṣā'iṭ al-shī'a ila aḥkām al-shari'a* (43); al-Muḥadith 'Abd al-'Alī ibn Aḥmad al-

Dirāzī al-Baḥrānī (d.1177/1763-64), the author of *Iḥyā' ma'ālim al-shī'a* (44), Sayyid Ni'amat Allāh al-Jazā'irī (d.1112/1700-01) (45) and a Shaykh Yūsuf al-Baḥrānī the author of *al-Ḥadā'iq al-nāḍira* (d.1186/1772-73). However, the latter held a moderate position between the two schools (46).

During the last quarter of the eighteenth century and up to the mid - nineteenth century, the political situation in Iran became increasingly stable. During this period, the *'ulamā'* were mainly concerned with the resolution of the Uṣūlī-Akhbārī conflict in which Uṣūlism emerged as the dominant Shī'ī school, and also with the emergence of the Shaykhī and Bābī movements, with the resurgence of the conflict with Sufism and with the increasing involvement of the *'ulamā'* in politics, exemplified by the declarations of *jihād* against Russia and the restriction of the Tobacco Concession.

1.4 The Interregnum Period

During the eighteenth century most important political and cultural achievements, established over the preceding two centuries, were diminished and devastated. Significant changes occurred in the political and religious life during this century.

In 1722 the Afghans replaced Shāh Sulṭān Ḥusayn Safavi's incompetent and weak rule, which had lasted roughly for the first quarter of the eighteenth century (1694-1722). When unstable political conditions arose, the Russians attacked Iran from the north and the Ottoman Turks from the west, while the Afghans succeeded in strengthening their position in the south. The Afghan invasion of Iran led not only to the fall of the Safavids but also destroyed the whole cultural and religious life of Iran. Particularly Isfahan, both the Safavid capital and more the religious centre, had to suffer a lot. Many inhabitants of the capital escaped this stage of disorder and

confusion through migrating to India or to the *'atabāt* (shrines cities of Iraq) namely

Karbalā', Najaf and Kāzimayn. The majority of the *'ulamā'* however, went to the

'atabāt where a movement of renovation and replacement was to be started among

Shī'ī scholars and where the main disagreement which accompanied this period of

reorientation, namely, the conflict between the Akhbāris and the Uṣūlis, was to be

carried out (47).

1.4.1 The Rule of Nādir Shāh

In 1736 Nādir Shāh took over governmental affairs after he had defeated

the Afghans, had succeeded in driving out the Turks from the territory occupied

by them in the North-West, and after the Russians withdrew from their conquered

provinces by agreement (48).

A man of humble origins, he tried to collaborate with the Afghans in order to use

them as allies in his attempt to establish his own dynasty. He wanted to consolidate

Iran under his rule by opposing Shi'ism, because he feared the Shī'ī clerics as a

potential threat to his rule. It is almost certain that he himself originated from a Shī'ī

background. The tribe he belonged to -the Afshārs who belonged to the main turkish

tribes- had enabled the Safavids to establish their power -and thus Shi'ism in Iran.

Moreover, the names of members of his family make his Shī'ī background perfectly

clear (49). Therefore, it must be considered why he tried to support Sunnism and even

to impose it on Iran. In his campaigns against Shi'ism, he treated the *'ulamā'* very

badly: he confiscated *waqf* property, abandoned the post of *ṣadr*, curtailed jurisdiction

of *'urf* courts and strangled the *Mullā-bāshī*, the most important religious functionary

(50). The real motivations behind his anti-Shi'ism are likely to remain dubious.

However, a key factor could be the Sunnī origin of the majority of his army, who were Sunnī Afghans and whose loyalty he must have wanted to ensure. Another factor was his ambition to gain sole control of the Islamic world which, of course, had a Sunnī majority, and his conversion to Sunnism would have facilitated this objective.

Nādir Shāh disapproved of the religion of Shāh Ismā'īl, the first Safavid ruler, and considered it as his task to supersede his religion and thus to suppress the Shī'ī clerics. For this reason the *'ulamā'* rejected his kingship and sought the restoration of the Safavid dynasty, which they considered legitimate and which had guaranteed them influence and autonomy (51). Nādir Shāh was able to confiscate the *waqf* because the attitude of the populace towards the *'ulamā'* who were around Shāh Sulṭān Ḥusayn was hostile (52).

However, Nādir Shāh's attempt to integrate and affiliate Shi'ism with Sunnism was almost of necessity, destined to fail. The power and influence which the *'ulamā'* had gained was already deeply rooted in the minds of the people of Iran and had taken a permanent hold in Iran by this time. Thus Shi'ism was not likely to be converted to Sunnism and the *'ulamā'* because they considered the Shī'ī doctrine the only true transmission of the Islamic religion through the medium of the Imāms persisted without compromise (53). Nādir Shah intended the Ja'farī school- named after its founder Ja'far al-Ṣādiq, the sixth Imām-to be recognised as a fifth column in *Ka'ba* in Mecca and related to the four Sunnī schools. It was also his intention that the authority of the sixth Imām should be equal to that of the founders of the Sunnī schools. Nādir Shāh wrote in his rescript on the subject :"Since the Shia schism has prevailed this land has been constantly in disorder. Let us all become Sunnis and this will cease. But, as every national religion should have a head, let the holy Imām

Ja'far, who is of the family of the Prophet and whom we all reverence, be our head"
(54).

This attempt, interpreted as an attack on the *'ulamā's* position, could find no
support. Therefore Nādir Shāh's plan to weaken the *'ulamā'* influence had no sig-
nificant or lasting effect. Altough the *'ulamā'* lost their importance and remained
impoverished and in a weak condition, nevertheless, they survived as the leading reli-
gious class in Iran and reconstituted a hierocracy by the close primordial ties between
themselves. The brief interlude of Nādir Shāh's reign, which lasted only for eleven
years (1736-1747), ended with his assassination by three of his generals in 1747 (55).

During the time between Nādir Shah's death and the consolidation of the Qājār
dynasty an interregnum of great confusion and lawlessness followed, headed by the
two leading tribes, the Zands and Qājārs. They rivalled each other in their lust for
power and a fight with one another was inevitable. Karīm Khān Zand who along
with the Qājār chief Muḥammad Ḥasan Khān, exercised great influence and power
over the central parts of Iran succeeded gradually in defeating all other pretenders.

Through his killing of Muḥammad Ḥasan Khān, he was enabled to consolidate
his position and he emerged as the main ruler at least uncontested in the south-west of
Iran. He made Shiraz the capital of his reign and assumed the title of *wakīl al-ra'ayā*
(deputy of subjects) (56). The *'ulamā'* were allowed to exercise a limited function in
public life. The *shaykh al-islām* was appointed by the ruler himself and controlled,
albeit in a restricted way, the *shar'* jurisdiction (57).

Although Karīm Khān built the *imāmzādah* of Mīr Ḥamza and the *madrasa-i
khān* and renovated the *Shāh Chiragh*, his devoutness was probably only an outward

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demonstration. He seems to have wanted to be regarded as a pious believer, but the Zands had no ultimate religious justification for their rule and never sought one (58). Under Karīm Khān Zand's successor, the subliminal power struggle became obvious. Upon his death after twenty-nine years of more or less stable conditions, in which the areas under his command prospered and the 'ulamā' could exercise their religious duties without fear, the Qājār tribe regained political influence. The struggles between the tribes took place without any participation of the religious classes and ended with the preminence of Āqā Muḥammad Ḥasan Qājār who became the new ruler (59).

1.5 The Uṣūlī-Akhbārī Conflict

In the course of the second quarter of the eighteenth century a great number of Shī'ī clerics and merchants left Iran for the 'atabāt (shrine cities of Ottoman Iraq). During the last period of the Safavid dynasty the 'ulamā' of high rank in Iran had consolidated the uṣūlī school of jurisprudence, which allowed and justified the participation of the 'ulamā' as legal authorities in society and allowed them to exercise ijtihād in a direct way by interpreting the Holy Qur'ān and the tradition.

The shrine centers of Iraq by comparison -ruled by the Sunnī Ottomans- were dominated by the traditionalists (60). With the decline of Shī'ī rule in Iran and the anti- Shī'ī attitude of the subsequent ruler, the 'ulamā' lost completely their active social role in every respect. The emigration of many of the cleric families to the 'atabāt brought them under the traditionalist influence.(61).

In 1110/1699 one of the most powerful figures of the seventeenth century, Muḥammad Bāqir Majlisī, a descendant of a cleric family of Isfahan, died. He was to exert great

influence on the forthcoming eighteenth century and exemplified the Uṣūlī ethos (62). Due to the anarchical conditions during the first half of the eighteenth century, almost no scholars of first rank arose. However, two of Majlisī's students namely Bahā al-Dīn Muḥammad Isfahānī known as Fāḍil Hindī (d.1137/1724-25) author of *Kashf al-lithām dar sharḥ qawā'id al-aḥkām* (63), and Mullā Ismā'īl Khwājū'ī (d.1173/1759-60) were of considerable importance (64). When the hostile policies of Nādir Shāh towards Shī'ī scholars led the *'ulamā'* transferring the centre of Shī'ī scholarship from Isfahan to the shrine cities of Iraq e.g. Kāzimayn, Najaf and especially to Karbalā', a crucial battle on how Shi'ism was to be interpreted began.

Shaykh Yūsuf ibn Aḥmad al-Baḥrānī (d.1195/1781) was among the first to flee to Karbalā' after his house was attacked and much of his property were looted in 1163/1750 (65). Due to the influence of his father and grandfather he abhorred Akhbārism initially and attended Uṣūlī classes, but later he rejected his early learning and adopted Akhbārī scholarship. He converted to Akhbarism but interpreted Akhbārī theory in a more liberal and modified way. He constructed a neo-Akhbārī (moderate) movement denying the strict uncompromising Akhbārī position, which although rejecting Uṣūlī principles of using syllogistic methods and legitimizing the declaration of *jihād*, nevertheless continued some Uṣūlī elements (66).

During the interregnum period of the Afghans and the unstable time between the rule of Nādir Shāh and Karīm Khān Zand, the Akhbārī scholars attempted to influence the Iranians who came to the *'atabāt* and particularly to Karbalā' to adopt the Akhbārī school. However, it was only when Āqā Muḥammad Bāqir ibn Muḥammad Akmal, known as Waḥīd Bihbihānī (d. circa 1206/1791-92), consolidated the *'atabāt* as the domain of the Uṣūlī school and Karbalā' as the formost centre of contemporary

Shī'ī scholarship (67).

From the middle of the Safavid epoch to the days of Waḥīd Bihbihānī, Shī'ī schol-arship was dominated by the Akhbārī school. This school of traditionalists was revived by Muḥammad Amīn Astarābādī (d.1036/1626-27) in the early eleventh/seventeenth century. The Akhbārīs based their interpretation of Shi'ism on a strictly restricted theoretical base. Two main issues were its foundation, but served also as a defence against the Uṣūlī school. Firstly, Akhbārī scholars considered as the possible source of law exclusively the *Qur'ān* the traditions of the Prophet and the Imāms, and re-stricted themselves to these only. Secondly they approved of the *muḥaddith*, who is a direct intermediary from the Imāms, exercising jurisprudence though this was prohib-ited to almost all other Shī'ī during the Imām's absence. Moreover, they disapproved of any splitting of the Shī'ī community into laymen and *mujtahid*, arguing that every believer must imitate the Twelver Imāms without any further intermediary (68).

By contrast with the Akhbārīs, the rationalist Uṣūlīs emphasized that concensus among the *mujtahids* could also serve as a source of legal judgements just as well as could the independent reasoning of the jurists. The Uṣūlī scholars divided the Shī'ī community into *mujtahids*, (the professional trained jurists) and *muqallid* (laymen), demanding that the latter had to follow the former in all matters concerning religious law. They declared the *mujtahids* to be the representatives of the Hidden Imām, who speaks and act for him in exercising religious duties, such as in carrying out legal judgements in the performance of ruling, in the collection and distribution of *zakāt* and *khums*, in the declaration of *jihād* and in leading the Friday prayers *imām jum'a* (69).

Although the conflict between those two rival groups started over minor dif-

ferences, it gradually increased and culminated in Bihbihānī declaring the Akhbārī *kuffār* (infidels) (70). In the course of the eighteenth century the Uṣūlīs, headed by Bihbihānī, triumphed over the Akhbārīs and repulsed them from their strongholds in the *'atabāt*. Only the south of Iraq, Baḥrayn and very few cities in Iran remained under Akhbārī influence for sometimes longer (71).

After Bihbihānī had excommunicated the Akhbārīs he carried on Majlisī's attempt to restrict the doctrine of Twelver Shi'ism. Thus, in order to expel the Sufis, whom he considered a fringe group and with whose principles of reasoning he disagreed, he declared as well *takfīr* against them, although Majlisī had accepted an agreement to tolerate different opinions (72). Bihbihānī's strictness in his insistence on the principles of reasoning and *ijtihād* as potential sources of law, overshadowed the increase of influence and power of the *mujtahids* in the Qājār period and finally led to the emergence of *marja' al-taqlīd*. Later generations respected and acknowleged him as the *mu'assis* (founder) of the Uṣūlī, *ustād al-kull*, (universal teacher), as *murawwij*, (propagater) of Uṣūlism and as *mujaddid* (renewer) of Islam in the thirteenth/eighteenth century (73).

Bihbihānī not only renewed the theory of jurisprudence. In order to lay special emphasis on his concerns, he developed the religious execution of judgements as a means of enforcing his own decisions. Previously, the *'ulamā'* had to depend on secular authorities for this, whereas Bihbihānī, who was accompanied by *mīr-ghaẓabs*, carried out both corporal and capital punishments immediately and mostly under his supervision (74). He succeeded to influence a number of Baḥrānī's students to forsake the Akhbārī school and attend his classes, such as Mīrzā Muḥammad Shāhrastānī, Sayyid Muḥammad Mahdī Baḥr al-'Ulūm, and Mullā Muḥammad Mahdī Narāqī who

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became famous Uṣūlī clerics and consolidated the teaching of the Uṣūlī school among the Shī'ī community in Iraq and Iran .(75)

1.6   The Emergence of the Shaykhī School

During the Qājār era there occurred a further revival of traditionalism through the Shaykhīs, a school which emerged and became consolidated as a self-contained group particularly after the death of Shaykh Aḥmad al-Aḥsā'ī the founder of this school, whose philosophy was considered heterodox by some of the Uṣūlī 'ulamā'. Orthodox representatives of Shi'ism who had continued the restriction of the religious doctrine did not tolerate any theories apart from rationalism. They reacted as Bihbihānī had responded to the revival of Akhbārism and declared the Shaykh an unbeliever in 1822 (76).

The strong rejection of Shaykhism by the Uṣūlī had its roots in fundamental differences between both schools. Where as the Akhbārīs primarily did not concur with the Uṣūlī in the field of jurisprudence and in some peripheral matters, the Shaykhī school had established a new field of doctrine and basic principles (77). Nevertheless Shaykhism on a certain level may be related to *Ḥikmat-i ilāhi*, the school of Isfahan, and thus it may interpreted as a further development of Akhbārism. However, the main differences provided too deep a contrast to the orthodox position of the Uṣūlī school (78).

Shaykh Aḥmad Aḥsā'ī was an advocate of Shī'ī gnosis. He was expelled by the Shī'ī hierocracy because in his philosophy a preference for intuitive knowledge was to be found. He claimed to have obtained his knowledge spiritually and directly from the

Imāms(79). The *'ulamā'* feared that this point of view would seriously threaten their authority, because they claimed that their knowledge was derived through the rational process of *ijtihād*. As consequence of the continuation of a policy of limiting Shi'ī doctrine, the Shaykhīs with their gnostic ideas were encouraged to form a separate sect. Due to the campaign against traditionalism the Shaykhī scholars were forced to separate from the Uṣūlī if they were to maintain their ideas.(80)

During his life time Shaykh Aḥmad had appointed Sayyid Kāẓim Rashtī (d.1259/1843) as his successor (81). After Shaykh Aḥmad's death and during the succession of Rashtī as the leader of the Shaykhīs the conflict with the Uṣūlīs increased and led to a split in the Shaykhī school into two main factions, after his death; the *Shaykhiyya*, headed by Ḥājjī Muḥammad Karīm Khān Kirmānī in Kirmān, and the *Bābiyya* in Shiraz under Sayyid 'Alī Muḥammad Shīrāzī. The Bābī movement, however, separated from the Shaykhī school completely. During the last half of the nineteenth century anti-Shaykhī riots took place frequently. However, successive Shaykhī leaders during the twentieth century brought the Shaykhī doctrine more and more closely into line with orthodoxy. Today the Shaykhīs have remained merely as a minority group in the Shi'ī world (82).

1.6.1   Shaykh Aḥmad Aḥsā'ī (b.1166/1753 - d.1241/1826)

Shaykh Aḥmad ibn Zayn al-Dīn was born on Rajab 1166/ May 1753 in a small village near [the Oasis] of *al-Aḥsā'* in Baḥrayn (83). His family belonged to the clan of *maḥāṣir*. His ancestors were nomadic Sunnīs who had converted to Shi'ism five generations before (84). According to his autobiographies, his study in his youth was not supported very strongly by his family. He looked for teachers himself and

completed his early studies in a village near to his home (85). When he was twenty,
he looked for better teachers and succeeded in reaching a satisfying standard in Shi'i
theology.

However, none of his teachers in this early stage is known. It seems likely that
he did not travel to cities in the region to gain more sophisticated teachers (86).
Nevertheless, when he arrived in Iraq in 1205/1790 his education showed that he had
been influenced by highly qualified teachers and it became obvious that his teachers
in Bahrayn must have been of some standard comparable to those of the 'atabāt.
However, he himself mentioned that he had dreams and visions in which the Prophet
and the Imāms appeared befor him and transmitted supernatural knowledge to him
(87).

Aḥsā'ī left Bahrayn for the first time in 1186/1723-24 and travelled to Karbalā'
and Najaf to study under the 'ulamā' who had been pupils of Bihbihānī. However,
an outbreak of the plague forced him to go back to al-Aḥsā' (88). After spending
sometime in Bahrayn, probably studying many works on fiqh and ḥikmat, including
works of Mullā Ṣadra, Shaykh Aḥmad received an ijāza from Shaykh Aḥmad ibn
Ḥasan al-Baḥrānī (89).

He left Bahrayn again for the 'atabāt when the Wahhābīs threatened to attack
it. He studied in Karbalā' and Najaf and obtained some ijāzat from his teachers,
namely Sayyid 'Alī Ṭaba ṭabā'ī (d.1231/1815-16); Sayyid Muḥammad Mahdī Baḥr al-
'Ulūm (d.1212/1797-98); Shaykh Ja'far Najafī (d.1228/1813); and Muḥammad Mahdī
Shahrastānī (d.1215/1800-01) (90). His last ijāza was dated on Jumāda I, 2, 1214/
October 2, 1799 and was given to him by Shaykh Ḥusayn ibn Muḥammad al-Darāzī
(d.1216/1801-02), a nephew and pupil of Shaykh Yūsuf al-Baḥrānī (91).

In 1221/1806-07 he went to Mashhad to visit the shrine of the eighth Imām ‘Alī Riḍā and on his way he passed Yazd, where he was warmly welcomed by both the ‘ulamā’ and the people of Yazd, and decided to take up residence there after his pilgrimage (92). He attracted ‘ulamā’ from other towns and finally the news of his fame reached Fatḥ ‘Alī Shāh who invited him to Tehran (93). According to Algar the Shah's correspondence with Shaykh Aḥmad Aḥsā’ī was deeply devout and obedient. the relationship with Fatḥ ‘Alī Shāh was intimate. However, Shaykh Aḥmad Aḥsā’ī failed to accept the Shah's invitation to Tehran. Nevertheless, Aḥsā’ī composed treatises for the Shah. Due to the ruler's persistence in requesting him to come to Tehran, he eventually left Iran and returned to Iraq (94).

Finally, however, Aḥsā’ī accepted the Shah's invitation but refused to reside in Tehran and wrote the following declaration. "In my opinion, kings and governors excute their orders and their laws through tyranny. Since the masses regarded me as someone whose word is to be obeyed they would turn to me in all matters and would seek refuge with me. Now it is incumbent on me to defend the people of Islam and to fulfil their needs. Where I to seek intercession for them from the king, one of two things would occur: either he would accept my intercession, thereby suspending the operation of his authority, or he would refuse it, thus causing me to be humiliated and disgraced" (95). Therefore the Shah succeeded only temporarly in having Aḥsā’ī near him in Tehran.

Afterwards Aḥsā’ī travelled to Kirmanshah in 1229/1814. The prince governor and son of Fatḥ ‘Alī Shāh Muḥammad ‘Alī Mīrzā persuaded Aḥsā’ī to stay there for two years (96). Tunukābunī reports that Prince Muḥammad ‘Alī Mīrzā bought one

of the gates of paradise for one thousand tūmān from Shaykh Aḥmad who received

additionally an annual allowance of seven hundred tūmān after he had returned to

the 'atabāt (97). But in 1234/1818-19 after Aḥsā'ī returned from Ḥijāz and Iraq ,

he stayed in Kirmanshah again until the death of Muḥammad 'Alī Mīrzā in 1821.

Thereafter he travelled to Mashhad, Qum and Isfahan, and was warmly received

everywhere (98).

Presumably because of the constant devotion of the Shah and his family, envy

arose among some of the 'ulamā' and could have been responsible to some extent for

his takfīr by Mullā Muḥammad Taqī Baraghānī (d.1263/1847), when Aḥsā'ī passed

via Qazwin to Isfahan (99). (For more details about Baraghānī see pages 88-90).

There was rumor that the Shah had spent one hundred thousand tūmāns to pay

Aḥsā'ī's debts and had given him a small village near Isfahan (100). The doctrinal

reason for his takfīr, however, is to be found in his denial of the resurrection of the ma-

terial body and of the material nature of the mi'rāj (the Prophet's ascension) (101).

The 'ulamā' who initiated and supported the takfīr against him were: Muḥammad

Taqī Baraghānī; Āqā Sayyid Muḥammad Mahdī Ṭabāṭabā'ī (d.1260/1844-45); Mullā

Muḥammad Ja'far Astarābādī (d.1263/1847); Sayyid Ibrāhīm Qazwīnī (d.1262-4/1846-

48) (102).

This conflict between Aḥsā'ī and the Uṣūlī 'ulamā' arose because Aḥsā'ī used

a mystical terminology which was combined with a strong rejection of Sufism. The

underlying allegorical explanation connected with traditional cosmology contradicted

the traditional philosophy of some of the 'ulamā' (103). The elevation and spirituality

of Aḥsā'ī's personality inspired and stimulated the Shaykhī school strongly. The

Shaykhī school was a renewal both of primitive Shī'ī gnosis and of traditional teaching

including roots referring back to the Holy Imāms. Initially there seemed no likelihood that the Shaykhī school inevitably would into a separate *madhab* (doctrine). It seems that Aḥsā'ī's *takfīr* contributed to the establishment of distinct school which led ultimately to the split with orthodoxy.

Aḥsā'ī left many important works. The most noticeable were written during the time when *takfīr* was proclaimed against him. The most important one is *Sharḥ al-ziyyāra al-jami'a al- Kabīra* (1230/1815) which consists of 30,000 vereses and is considered his magnum opus (104); *Sharḥ al-fawā'id* was written in 1233/1817 and printed in 1272/1855 (105). During his stay in Kermanshah, he wrote *al-Risāla al-sultāniyya* as a response to the questions of Fatḥ 'Alī Shāh (106). He also wrote a commentary on *al-Mashā'ir* of Mullā Ṣadra's book in 1234/1818 entitled as *Sharḥ al-mashā'ir* (107). Moreover, Khwānsārī enumerates one hundred treatises were written by Aḥsā'ī (108)

After his *takfīr* (excommunication), Shaykh Aḥmad decided to leave Iran via Iraq to Mecca. On his way he died near Medina on Dhū al-qa'da 21, 1241/ June 27, 1826 and was buried in Medina (109)

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Footnotes:

1. Roger Savory, *Iran under the Safavids*, (Cambridge University Press, 1980), p. 27.

2. Momen, *An Introduction to Shi'i Islam*, (Yale University Press, 1984), p. 402; David Morgan, *Medieval Persia, 1040-1797*, (New York, 1988), p. 121. The Ṣadr was also charged with the distribution of *waqf* revenue to the needy (poor and orphan) and the deserving.

3. Said Amir Arjomand, *"The Office of Mulla-bashi in Shi'ite Iran"*, (Studia Islamica, 57) (1983), p. 135.

4. Said Amir Arjomand, *The Shadow of God and the Hidden Imam*, (University of Chicago Press, 1984), pp. 124-25 ; Moojan Momen, *An Introduction*, p. 108; Morgan, *Medieval Persia*, p. 122.

5. Peter Avery, *Modern Iran*. (London, Ernest Benn, 1965), p19; John Obert Voll, *Islam Continuity and Change in the Modern World* (Boulder Colorado, Essex, 1982), p. 83; Savory, *Iran* , p.3 .

6. Savory, *Iran*, p. 29.; Morgan, *Medieval Persia*, p. 120.

7. Arjomand, *Shadow*, pp. 106-107.

8. The Cambridge History of Iran, *The Timurid and the Safavid Period*, ed. by P. Jackson, (Cambridge University Press, 1986), Vol 6, pp. 310-324.

9. Muḥammad 'Alī Tabrīzī, *Rayḥānat al-adab fī tarājum al-ma'rūfīn bi'l-kunya wa'l-laqab*, (Tehran, 1367/1947-48), Vol 3, pp. 489-492. At the time of 'Alī al-Karakī supervision of the post of *shaykh al-islam* there were other *'ulamā'* appointed to this post in other cities e.g. Mīr 'Abd al-Ṣamad Ḥusayn al-'Āmilī (d. 984/1576-77) was *shaykh al-islām* of Harat then later of Khurasan. Mīr Sayyid Ḥusayn, known as *mujtahid al-zamān*, was *shaykh al-islām* of Ardabil.

10. Morgan, *Medieval Persia*, p. 149.

11. The Cambridge History of Islam, *The Further Islamic Lands Islamic Society and Civilization*, ed. by P. M. Holt, A. K. S. Lambton, B. Lewis, (Cambridge University Press, 1970), Vol 1, p. 424.

12. Voll, *ISLAM Continuity and Change*, p. 83.

13. Nikki R. Keddie, *Roots of Revolution, an Interpretive History of Modern Iran*, (Yale University Press, 1981), p. 17.

14. Ibid, p. 20.

15. A. K. S. Lambton, *A Nineteenth Century View of jihād,* (Studia Islamica, 30) (1970), p. 185; Nikki R. Keddie, *The Roots of the 'ulamā' Power in Modern Iran,* (Studia Islamica, 29), (1968-69), p. 44.

16. Momen, *Introduction,* pp. 114-115.

17. Hamid Algar, *Religion and State in Iran 1785-1906. The Role of the 'ulamā' in the Qājār Period,* (University of California Press, Berkeley and Los Angeles, 1969), pp. 257-260; Momen, *Introduction,* pp. 245-260.

18. Muḥammad al-Khaḍrī, *Uṣūl al-fiqh,* (Egypt, 1352/1933), p. 15.

19. Keddie, *Roots of Revolution,* p. 44.

20. al Khaḍrī, *Uṣūl al-fiqh,* pp. 454-457.

21. Algar, *Religion,* p. 8.

22. Ibid, pp. 11-13.

23. Muḥammad Farūq al-Nabhān, *al-Madkhal ila 'l-tashrī' al- islāmī,* (Beirut, 1977), p. 162.

24. Mac Donald, *Development of Muslim Theology, Jurisprudence and Constitutional Theory,* (Lahore, 1960), p. 73.

25. ibn Khaldūn, *The Muqadima,* trsl. by Franz Rosental, (London, 1958), Vol 3, p. 23.

26. Hossein Modarresi, *Rationalism and Traditionalism in Shi'ī Jurisprudence,* (Studia Islamica, 59), (1984), p. 141; Momen, Introduction, p. 223.

27. al-Nabhān, *al-Madkhal,* p. 286.

28. Sayyid Ḥasan al-Ṣadr, *Ta'sīs al-shi'a al-kirām lifunūn al-aḥkām,* p. 310. The important role of Muḥammad al-Bāqir and his son Ja'far al-Ṣādiq in laying the foundation of the Shī'ī *uṣūl al-fiqh* is stated that: before the Imāma of Muḥammad al-Bāqir the Shī'ī community did not know what was lawful and what was unlawful, except what they learned from their preceeding generation, until Muḥammad al-Bāqir became the Imām and taught them the science of *uṣūl.*

29. al-Ḥāfiẓ al-Mundhir, *Mukhtaṣar Sunnan Abū Dāwud,* ed. by Muḥammad Ḥāmad al-Faqī (Matba'at al-Sunna, 1368 /1949), Vol 5, pp. 212 -213.

30. Hossein Modarressi Ṭabāṭabā'ī, *An Introduction to Shi'ī Law. A Bibliographical Study,* (London, 1984), p. 25.

31. A. J. Newman, *The Development and Political Significance of the Rationalist (usuli) and Traditionalist (akhbari) School in Imāmi Shi'ī History from the Third/Ninth*

to the Tenth/Sixteenth Century A.D, (Ph.D thesis University of California, Los Angeles, 1986), p. 64; al Muḥaqqiq al-Karakī, *Ṭarīq istinbāṭ al-aḥkām,* trsl from persian by ʻAlī Qulī Qarāʼī, (al-Tawḥid, Vol 2/3, (1985), p. 47.

32. Newman, *Development,* pp. 136-37 ; Modarressi, *Rationalist,* p. 151.

33. Modarressi, *Introduction,* p. 26

34. Newman, *Development,* pp. 55-128 ; Āqā Buzurg Tihrānī, *al- Dharīʻa ila taṣānīf al-Shīʻa,* (Beirut, 1403/1983), Vol 17, p. 254.

35. Newman, *Development,* pp. 136-46 ; Āqā Buzurg, *al-Dharīʻa,* Vol 22, p. 230. It is stated that ibn Bubawayh had considered the Imāms immune from greater and lesser sins but liable to *sahuw* (inadvertent error)

36. Newman, *Development,* pp. 182-85.

37. Ibid , p. 214-224.

38. Modarressi, *Introduction,* pp. 44-48 ; Newman, *Development,* pp. 234-261.

39. Denis Mac Eoin, *From Shaykhism to Babism,* (Ph.D, thesis Cambridge University, 1979), p. 19.

40. Tunukābunī, *Qiṣaṣ al-ʻulamāʼ,* (Tehran, n.d.), p. 346-348.

41. "Akhbāriyya" ,*The Encyclopaedia of Islam,* New Edition, Supplement fascicules 1-2, (Leiden, 1980), pp. 56-57.

42. See, p. 18-19. in this Thesis

43. Āqā Buzurg, *al-Dharīʻa,* Vol 4, pp. 352-353.

44. Ibid, Vol 1, p. 309.

45. Kashmīrī Muḥammad ʻAlī, *Nujūm al-samāʼ,* (Lucknow, 1303/1885-86), pp. 168-72.

46. Tunukābunī, *Qiṣaṣ,* pp. 271- 75.

47. Khwānsārī Muḥammad Bāqir al-Isfahānī, *Rawḍāt al-jannat fī aḥwāl al-ʻulamāʼ wa ʼl-sādāt,* ed. by Sayyid Muḥammad ʻAlī Rawḍātī, (Isfahan, 1337/1918-19), Vol 1, pp. 300-01.

48. Morgan, *Medieval Persia,* p. 154.

49. L. Lockhart, *Nādir Shāh,* (London, 1938), pp. 17-20.

50. Arjomand, *Shadow,* pp. 215- 16. Nādir Shāh even had forbiden the *muharram* ceremonies and ordered that the names of the rightly guided Caliphs (Abū Bakr, ʻUmar and ʻUthmān) be pronounced in the *khutba.*

51. Lockhart, *Nādir*, pp. 99-100.

52. Algar, *Religion*, p. 31.

53. Lockhart, *Nādir*, p. 140.

54. Ibid, p. 101.

55. Ibid, p. 262.

56. J. R. Perry, *Karīm Khān Zand*, (University Chicago Press, 1979), p. 215; Morgan, *Medieval Persia*, pp. 156- 57.

57. Algar, *Religion*, p. 32.

58. Avery, *Modern Iran*, pp22-25; Perry, *Karīm*, pp. 220- 21.

59. Algar, *Religion*, p. 33.

60. M. Fischer, *Iran from Religious Dispute to Revolution*, (Cambridge, 1980), p. 30.

61. (61) J. Cole, *Shī'ī Clerics in Iraq and Iran, 1722-1780*, (Iranian Studies 1985), Vol 18, p. 15.

62. Arjomand, *Shadow*, p. 186.

63. Tunukābunī, *Qiṣaṣ*, p. 312; Āqā Buzurg, *al-Dharī'a*, Vol 18, p. 56.

64. Sayyid Muḥsin al Amīn, *A'yān al-Shī'a*, (Beirut, al-Anṣāf, 1369/1950) Vol 13, pp. 118- 23; Khwānsārī, *Rawḍāt*, Vol 1, p. 296.

65. " Baḥrānī", *Encyclopedia Iranica*, (London, 1985-88), Fascicles 5, Vol 3, p. 529 .

66. Modarressi, *Rationalist*, p. 158; Cole, *Shī'ī Clerics* p. 14-15.

67. Momen, *Introduction*, p. 186.

68. Sayyid Muḥsin al-Amīn, *A'yān al-Shī'a*, Vol 17, pp. 452-59; Newman , *Development*, pp. 27- 38 .

69. Ibid, pp. 452-59.

70. Tunukābunī, *Qiṣaṣ*, p. 201.

71. Momen, *Introduction*, p. 127.

72. Arjomand, *Shadow*, pp. 217-219.

73. Tunukābunī, *Qiṣaṣ*, p. 199.

74. Algar, *Religion*, pp. 35-36.

75. Cole, *Shī'ī Clerics*, p. 21.

76. "Ahsā'ī" ,*Encyclopedia Iranica*, Vol 1, P. 675.

77. Momen, *Introduction*, pp. 225-226.

78. Ibid, p. 226.

79. Tunukābunī, *Qiṣaṣ*, p. 37; H. Corbin, *En Islam Iranien. Aspects spirituels et philosophiques*, (Paris, 1972), Vol 4, p. 218-219.

80. Arjomand, *Shadow*, pp. 252- 53.

81. Khwānsārī, *Rawḍāt*, Vol 1, p. 225.

82. Avery, *Modern Iran*, p. 56; Momen, *Introduction*, p. 231.

83. Āqā Buzurg, *Ṭabaqāt a'lām al-Shī'a*, Ed. 'Alī Naqī (Beirut, 1390 / 1971), Vol 2, p. 89; Corbin, *Islam*, p. 216.

84. Mac Eoin, *Shaykhism*, p. 51.

85. Corbin, *Islam*, p. 217.

86. "Ahsā'ī" , *Encyclopedia Iranica*, Vol 1, p. 674.

87. Tunukābunī, *Qiṣaṣ* p. 47; Corbin, *Islām*, pp. 218-219.

88. Corbin, *Islam*, p. 222.

89. Mac Eoin, *Shaykhism*, p. 59.

90. Khwānsārī, *Rawḍāt*, Vol 1, p. 224; Āqā Buzurg, *Ṭabaqāt*, Vol 2, p. 89.

91. Mac Eoin, *Shaykhism*, p. 68.

92. Corbin, *Islam*, p. 223.; Āqā Buzurg, *Ṭabaqāt*, Vol 2, p. 89.

93. Corbin, *Islam*, pp. 223-224.

94. Algar, *Religion*, p. 67.

95. Sulṭān Aḥmad Mīrzā, *Tārīkh-i 'aẓudī*, (Tehran, 2353 Shāhinshāh), p. 128; Mac Eoin, *Shaykhism*, p. 69.

96. Corbin, *Islam*, p. 224.

97. Tunukābunī, *Qiṣaṣ*, p. 36 ; Kashmīrī, *Nujūm* , p. 368.

98. Mīrzā Muḥammad 'Alī Ḥabībābādī, *Makārim al-āthār dar aḥwāl-i rijāl-i dawra-i Qājār*, (Isfahan, 1973), Vol 4, p. 1135; Tunukābunī, *Qiṣaṣ*, p. 42.

99. Algar, *Religion*, p. 68.

100. Tunukābunī, *Qiṣaṣ*, p. 47.

101. Bakhtāvar Kāmil al-Dīn, *Tārīkh wa 'aqā'id-i adyān wa madhāhib-i sāmī,* (Tehran, 1339/1960), Vol 1, p. 398; Tunukābunī, *Qiṣaṣ,* p. 47.

102. Khwansārī, *Rawḍāt,* Vol 1, p. 223

103. Momen, *Introduction,* pp 226-30.

104. ibn Karīm Abū 'l-Qāsim b. Zayn al-'Ābidīn, *Fihrist-i kutub-i Shaykh Aḥmad Aḥsā'ī wa sā'ir mashāyikh-i 'iẓām,* (Tehran n.d.), Vol 2, pp. 15-16.

105. Ibid, Vol 2, p. 17.

106. Ibid, Vol 2, p. 31-32

107. Ibid, Vol 2, p.17

108. Khwānsārī, *Rawḍāt,* Vol 1, p.230

109. Ibid, p222.

CHAPTER TWO

BIOGRAPHIES OF THE FIRST GENERATION

2.1 Bihbihānī, (b.1118/1706-7- d.1206/1791-2)

Āqā Muḥammad Bāqir Bihbihānī, known as *Waḥīd* and *Ustād-i akbar*, the unique and great professor, was born in Isfahan some time between the years 1116/1704-05 and 1118/1706-07 (1). He was the son of Mullā Muḥammad Akmal al-Isfahānī. On both his father's and mother's sides he was descended from Mullā Muḥammad Taqī Majlisī (d.1070/1659-60) (2). After Bihbihānī had spent his childhood in Isfahan he moved to Bihbihan, accompanied by his father. Bihbihānī's father was a great clergyman who had obtained an *ijāza* from his teacher Muḥammad Bāqir Majlisī and also from other *'ulamā'* such as Āqā Jamāl Khwānsārī (d.1121-25/1709-13), Mullā Mīrzā Shirwānī and Shaykh Ja'far Qāḍī (d.1115/1703-04) (3).

In Bihbihān, Āqā Muḥammad was taught by his father before moving to Karbalā' where he attended the classes of great figures in theology such as Shaykh Yūsuf al-Baḥrānī (4). However, Āqā Buzurg Tihrānī says that although biographers have not mentioned any of his teachers except his father, it seems that he was taught by Mullā Ṣadr al-Dīn al-Riḍawī (d.1150-60/1737-47) (5). Bihbihānī obtained three *ijāzat*, the first two from his teachers; his father and Mullā Ṣadr al-Dīn. The third one was from Sayyid Muḥammad Burujirdī (6). Through his *ijāza* Bihbihānī possessed a chain of transmission *riwāya* going back to Mullā Muḥammad Bāqir Majlisī (7). Thus he is considered as the connection between the *'ulamā'* of the late Safavid period and those of the early Qājār period. The author of *Makārim al-āthār* states that " if we did not possess the link of their *riwāya* (transmission) from him and if his *silsila* (chain) of transmission and one or two other chains apart from his did not go back to

al-'Allāma Majlisī and certain others in the twelfth century, there might have been a break in the chain of transmission of the Shī'ī 'ulamā' during that troubled interval" (8). " Thus Bihbihānī was both spiritually and genealogically related to Majlisī" (9).

It is stated that after concluding his studies in Karbalā', Bihbihānī planned to leave the town but was advised against doing so by the appearance to him in a dream of the Third Imām (10). Obeying the instruction of the dream, he remained and made Karbalā' the foremost centre of Shī'ī scholarship (11). However, from the second half of the Safavid rule to the early Qājār period, the Shī'ī centres both in Iran and in Iraq were dominated by the Akhbārī school. Habībābādī states that the Akhbārīs were so assured of their dominance that anyone carrying with him books of *uṣūl al-fiqh* was obliged to hide them for fear of being attacked (12).

While Bihbihānī stayed in Karbalā' he was engaged in fierce conflict with the adherents of the Akhbārī school. Gradually Bihbihānī was able almost totally to succeed in uprooting the Akhbārīs and in eliminating their influence from the *'atabāt* (13). He used various methods against the Akhbārīs. For instance, he pronounced *takfīr* against them, and he composed treatises in which Akhbārī ideas were categorically refuted, such as his book *al-Ijtihād wa 'l-akhbār*. Moreover, Algar records the statement by one of Bihbihānī's students that Bihbihānī was constantly accompanied by a number of *mīr-ghaẓabs* (punishers) who would immediately execute any judgement that he passed (14). These methods were followed by his students and by their disciples after him such as Shaykh Ja'far Najafī *Kāshif al-ghitā'* (see page. 50) and Sayyid Muḥammad Bāqir Shaftī (see page. 81).

Bihbihānī succeeded in reintegrating the role of the *mujtahid* and "laid the basis for a system of *fiqh* which has been in use in Twelver Shi'ism ever since he reformed

and refashioned the bases of jurisprudence." (15). Through his success in achieving his aims Bihbihānī became known as the *mu'assis* (founder) and *mujaddid* (renewer) of the nineteenth century by his contemporary *'ulamā'* (16). The majority of the admired Shī'ī *'ulamā'* of the early Qājār period studied under Bihbihānī and obtained their *ijāzat* from him. The most famous, cited by Tunukābunī, are the following:- Bihbihānī's nephew and son in law Āqā Sayyid 'Alī Ṭabāṭabā'ī (d.1231/1815-16); Sayyid Muḥammad Mahdī Baḥr al-'Ulūm (d.1212/1797-98); Shaykh Ja'far Najafī, known as *Kāshif al-Ghitā'* (d.1228/1813); Mīrzā Abū 'l-Qāsim Qummī (d.1231/1815-16); Mullā Muḥammad Mahdī Narāqī (d.1209/1794-95); Mīrzā Muḥammad Mahdī Shahrastānī (d.1216/1801-02); and Ḥājjī Muḥammad Ibrāhīm Kalbāsī (d.1262/1845-46). In addition to these *'ulamā'* Bihbihānī also taught his sons, Āqā Muḥammad 'Alī, known as the *Ṣūfī-kush* (killer of the Sufi) (d.1216/1801-02) and 'Abd al-Ḥusayn (17). (for his students see chart I)

According to Bihbihānī's biographiers he left a precious bibliography. There are around sixty books attributed to Bihbihānī (18). However, there is disagreement about the exact number of his books. For instance, whereas Muḥammad 'Alī Tabrīzī, the author of *Rayḥānat al-adab*, estimates the number of books at twenty or more, Ḥabībābādī cites forty-seven titles. It is not possible here to enumerate all his works but the outstanding ones are: *Sharḥ al-mafātiḥ* (printed in 1195/1781 and 1206/1791-92 (19); and *Ibṭāl al-qiyās*, which wrote as a conclusion to his commentary on al-Dakhīra (20); and *Uṣūl al-islām wa 'l-imān*, concluded on Rabī' I, 22, 1183/July, 27, 1769 (21). The most important of his works are *al-Ijtihād wa 'l-akhbār*, concluded on 1155/1742 and printed in Iran 1314/1896-97 (22), and *Risālat 'ibādat al-jāhil*, copied by Sayyid Mahdī al-Mūsāwī in 1225/1810 (23).

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There are uncertainties concerning the death of Bihbihānī. Some put the date of his death in 1205/1790-91 (24) while others put it in 1207/1792-93 or 1208/1793-94. He was buried in Karbalā' (25).

2.2 Ākhund Mullā Muḥammad Mahdī Narāqī, (d.1209/1794-5)

Muḥammad Mahdī was the son of Abū Dharr ibn Ḥājj Muḥammad Qummī. He was born in Kashan. According to the author of *Lubāb al-alqāb*, he lived approximately 60 years and died in 1209/1794-95. He was buried in Najaf (26).

His early studies took place in Isfahan under the theologian Mullā Ismā'īl Khwājū'ī (d.1173-77/1759-64) and lasted three years (27). At that time he was very poor. Tunukābunī states that when he was studying he could not even afford enough money to buy a lamp for studying at night so he used to stay in the toilet, using its light (28). From this statement one can infer Narāqī's love of knowledge. In Isfahan he attended the classes of some other outstanding *'ulamā'* such as Mullā Muḥammad Harandī (d.1203/1788-89), and Shaykh Muḥammad Kāshānī (d.1205/1790-91) (29).

While Narāqī was studying in Isfahan his father was murdered. His family sent him a letter about the murder of his father. However, because he was very much concerned with his studies he did not read the message. Another letter was sent to Isfahan addressed to his teacher, asking him to inform Muḥammad Mahdī about the death of his father and to send him back (30). He returned to Kashan and remained there for three days. After he had fulfilled his mourrning duty for his father he went to Iraq where he studied under Shaykh Yūsuf al-Baḥrānī and, when Bihbihānī came to Karbalā', Narāqī forsook the Akhbari classe for the Uṣūlī school (31).

Having completed his studies in Karbalā', he returned to Iran and settled down in Kashan where he established a teaching circle. His wide knowledge on various subjects attracted a huge number of students to his circle (32). Tunukābunī reports that before Narāqī came to Kashan there was no 'ālim to be found but, after his return, many 'ulamā' settled down there. Among the famous 'ulamā' who attended his classes were his son Mullā Aḥmad Narāqī , the only 'ālim who obtained an ijāza from him (33); Ḥājjī Muḥammad Ibrāhīm Kalbāsī; and Ḥājjī Sayyid Muḥammad Bāqir Shaftī and others (34).

In addition to his teaching he wrote various important books on commercial law for merchants and in defence of uṣūl (jurisprudence). Ḥabībābādī enumerates twenty-seven titles of which the most noteworthy are the following:- Anīs al-tujjār, a book on commerce which was concluded on Rajab 12, 1180 / September 14, 1766 (35); Anīs al-muwaḥḥidīn, on uṣūl, published in 1325/1916-17, written in Persian and translated into Arabic by Shaykh Abd al-Rasūl al-Jawāhirī (36); Jāmi' al-sa'ādāt, concluded in 1196/1781-82, translated into Persian by his son Mullā Aḥmad Narāqī, and published in Tehran in 1320/1911-12 (37); Jāmi' al-afkār, described by Āqā Buzurg as the most important and famous book on the subject of Itbāt al-wājib, concluded in Kashan in Rabī' II, 1193/1779 (38); and Mushkilat al-'ulūm, which deals with different sciences and is comparable to the Kashkūl of Shaykh Baha'ī (39). Later on he composed many rasā'il on different subjects. Ḥabībābādī mentiones the following: Risāla dar 'ibādāt, Risāla dar manāsik and Risāla dar 'ilm al-'uqūd (40).

Apart from his first son, Mullā Aḥmad Narāqī, he had two other sons. One was Abū 'l-Qāsim, who also became a famous clergyman and succeeded his brother Aḥmad Narāqī from whom he obtained an ijāza (41). He died in 1256/1840 after

returning from Mecca. The other was Mullā Muḥammad Mahdī who was born after the death of his father in 1209/1794-95 and studied under his older brother Mullā Aḥmad. He obtained his *ijāza* from both his brother Mullā Aḥmad Narāqī and Shaykh Ja'far Najafī *Kāshif al-ghiṭā'* (42). He settled down in Kashan and succeeded his older brother Abū 'l-Qāsim as a religious leader in Kashan. He died in 1268/1851-52 and was buried in Qum (43).

2.3 Baḥr al-'Ulūm, (b.1155/1742-d.1212/1797-98)

Āqā Sayyid Muḥammad Mahdī ibn Murtaḍā Ṭabāṭabā'ī Burūjirdī was born in Shawwāl, 1155/ November/December, 1742 in Karbalā' (44). Tunukābunī states that on the night of his birth his father Sayyid Murtaḍā saw in his dream the eighth Imām 'Alī Riḍā giving a candle to Muḥammad ibn Ismā'īl ibn Bāzī (d.220/835) who lit it in Sayyid Murtaḍā's house (45). Sayyid Murtaḍā was a resident of Burūjird and moved to Najaf in 1199/1784-85. He was one of the great scholars of his time. He remained in Najaf until he died in 1204/1789-90 (46).

Baḥr al-'Ulūm's early learning started under his father. Then he continued his studies under Shaykh Yūsuf al-Baḥrānī (d.1186-87/1772-73), the author of *al-Ḥadā'iq al-nādira*. After having spent some time in Karbalā' studying, Baḥr al-'Ulūm set off to Najaf in 1169/1755-56 where he was taught by many prominent *'ulamā'* such as Shaykh Muḥammad Mahdī al-Fatūnī (d.1183/1769-70), Shaykh Muḥammad Taqī al-Darūqī and others. Then he returned to Karbalā' and attended the classes of Āqā Muḥammad Bāqir Bihbihānī and Āqā Mīrzā Abū 'l-Qāsim Mudarris (d.1102/1787-80) for four years. However, Ḥabībābādī states that both of them, Baḥr al-'Ulūm and Mīrzā Abū 'l-Qāsim, taught each other:- Baḥr al-'Ulūm taught him *uṣūl* and *fiqh*, and

he studied *ḥikma* and *kalām* under Abū 'l-Qāsim (47).

Baḥr al-'Ulūm obtained many *ijāzat*. Probably the first one was given to him by his teacher Shaykh Yusuf al-Baḥrānī (48). The other *ijāzas* were from Shaykh 'Abd al-Nabī al-Qazwīnī(49), Muḥammad Mahdī al-Fatūnī (d.1183/1769-70), Āqā Muḥammad Bāqir Bihbihānī and from Muḥammad Bāqir Hazārjarībī (d.1205-1790-91). The last one was dated in Jumāda II, 1195/ June, 1781 (50). Because of his acquisition of wide knowledge, Muḥammad Mahdī became known as Baḥr al-'Ulūm (51).

Having completed his studies, he returned to Najaf where he established his own classes. After the death of Bihbihānī, Baḥr al-'Ulūm became the leading *mujtahid* of the shrine cities of Iraq and was widely known in Iraq and Iran (52). He is generally regarded as one of the most learned *mujtahids* of the *'atabāt*. He taught many famous *'ulamā'* such as Shaykh Ja'far Najafī *Kāshif al-ghitā* who succeeded him, Mullā Aḥmad Narāqī (d.1245/1829-30), Shaykh Aḥmad Aḥsā'ī (d.1241/1825-26) (the latter had obtained an *ijāza* from him and was highly respected by Baḥr al-'Ulūm) and Ḥājjī Muḥammad Ibrāhīm Kalbāsī (d.1262/1845-46) (53).

In 1186/1772-73 a catastrophic plague spread all over Iraq claiming an uncountable number of people (54). This epidemic became more widespread because the Shī'ī *'ulamā'* and aristocrats used to transport their corpses to the shrine cities for reburial. The *'ulamā'* did their best to evacuate the inhabitants from the shrine cities and they themselves left the holy places. For example, Āqā Muḥammad Bāqir Bihbihānī strongly advised his son Muḥammad 'Alī to leave Kāẓimayn for Iran (55). Baḥr al-'Ulūm set off with his family from his residence in Najaf to Mashhad. He

remained there seven years, teaching and giving *ijāza* in Isfahan and Khurasan until his return in 1193/1779. On his way to Najaf Baḥr al-'Ulūm passed through Isfahan where he obtained an *ijāza* from Āqā Mīr 'Abd al-Bāqī (d.1207/1792) the *Imām jum'a* of Isfahan. From Najaf Baḥr al-'Ulūm travelled to Mecca to perform his pilgrimage and he remained there two years teaching in the *Masjid al-Ḥarām*, where he gathered a large number of students around himself (56).

The *'ulamā'* of the early Qājār period were predominantly pupils of Bihbihānī and, like their contemporary, held Baḥr al-'Ulūm in extraordinary respect. Many miracles were attributed to him by some of his followers, and he was even regarded by some as the Hidden Imām himself (57). In one of his biographies it is reported that one of the *'ulamā'* stated that, if he had claimed infallibility- an attribute which is attributed only to the Prophets and the Imāms- this claim would hardly have been rejected (58).

Baḥr al-'Ulūm wrote relatively few books. Tunukābunī justifies this by stating that he devoted his time to reading and solving ambiguous problems (59). However, the author of *Makārim al-āthār* listes twelve titles, amongst which are the following: *al-Durra al-manẓūma*; concluded in 1205/1790-91 but not printed before 1320/1902-3; later on many exegeses were composed on this book (60). The author of *Rawḍāt al-jannāt* states that this book is still reliable and many *'ulamā'* such as Shaykh Muḥammad Ḥasan Najafī, the author of *Jawāhir al-kalām*, based their ideas on its contents (61). *Fawā'id uṣūliyya* was printed in 1271/1854-5 (62). *Maṣābīḥ dar sharḥ mafātiḥ*, supposedly edited by his student Shaykh Qāsim ibn Muḥammad al-Dallizī and printed in Rabī' II 18, 1231/ March 18, 18160. His son in law Sayyid Muḥammad Ṭabāṭabā'ī (d.1242/1826), gave some of his book the same title (63).

(see page 68). Baḥr al-'Ulūm wrote another book, a collation of his debates and arguments with the Jews. According to the author of *Rawḍāt* this book was written by one of Baḥr al-'Ulūm's students who was present at the debates (64). In addition to these books he composed many *Rasā'il* on different religious matters and an elegy on the Third Imām entitled *al-'Uqūd al-ithnā 'ashariyya* (65).

Baḥr al-'Ulūm spent his whole life reading, writing and teaching, especially after he succeeded Bihbihānī as the religious leader in the shrine cities. He was infected by a disease which led to his death on Jumādā I 24, 1212/ November 14, 1797 in Najaf and was buried in the *Masjid al-Ṭusī* which became a place of blessing. Baḥr al-'Ulūm was succeeded by Shaykh Ja'far Najafī - who composed an elegy on his death- as religious leader for the Shī'ī of Iran and Iraq (66).

2.4 Shaykh Ja'far Najafī, known as *Kāshif al-ghiṭā'*, (b 1156/1743-4–d1228/1813)

Shaykh Ja'far Najafī, known as *Shaykh al-kabīr*, was the son of Shaykh Khidr ibn Shaykh Yaḥyā ibn Sayf al-Dīn al-Mālikī. His origin goes back to the tribes of Banī Mālik, one of the tribe of Iraq. His father, Shaykh Khidr, migrated from Qināqiya to Najaf and had a strong interest in learning. He was considered as a religious leader distinguished by his reforms and piety (67).

Shaykh Ja'far was born in 1156/1743-44 in Najaf (68). He devoted his life to learning and studied first under his father (69). He attended the classes of many scholars, such as Shaykh Muḥammad Taqī al-Darūqī, Sayyid Ṣādiq al-Faḥām (d.1205/1790-91), Shaykh Muḥammad Mahdī al-Fatūnī and Āqā Muḥammad Bāqir Bihbihānī (70). Finally he was taught by Sayyid Muḥammad Mahdī Baḥr al-'Ulūm for at least half a year in order to gain blessings and holy guidance (71). Baḥr al-'Ulūm described

Shaykh Ja'far as a great philologist and as a shining example of his age. Not only was he a genius but he was pious and obedient as well (72). He was a great man of high aspirations and sublime courage, with great strength of intellect and insight. "Shaykh Ja'far had a strong appetite for licit sex and food, and for establishing links with kings and rulers, for the sake of the religious benefits he believed to lie therein" (73).

After Baḥr al-'Ulūm had consolidated Najaf as a centre where Shī'ī scholarship was practised, Shaykh Ja'far succeeded him. He was the most eminent *mujtahid* of his time and the doyen of the hierocracy. He was the leader of the Shī'ī, the most preferred and the most honoured *'ālim*, not only because of his vast religious knowledge, but also because his efforts at mediation prevented many wars. For instance he was closely connected with the defence of Najaf when the Wahhābīs attacked and surrounded Najaf in 1218/1803 and 1221/1806 (74). The Wahhābīs were repulsed due mainly to the fact that Shaykh Ja'far had command over the warriors. Later on he was involved in the incident of the *Shamarāt* and *Zakarāt* tribes in the history of Najaf (75).

In 1219/1804-05 when the hostilities between Iran and Turkey had broken out and the Iranian army was approaching Baghdad, 'Alī Pasha, the governor of the city, sent Shaykh Ja'far to negotiate with the commander of the Iranian troops, Muḥammad 'Alī Mīrzā, Dawlatshāh, Governor of Kirmanshah, in order to bring about the release of Sulaymān Pasha the commander of the Turkish army who had been captured after he had penetrated into the Iranian territory (76). Shaykh Ja'far's mission was successful and Sulaymān Pasha was set free (77).

When the first war against the Russians broke out the crown prince 'Abbās Mīrzā, governor of Azarbayjān, asked his minister Mīrzā Buzurg Farāhānī to write

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to the *'ulamā'* of the shrine cities of Iraq and the *'ulamā'* of Iran in order to obtain a *fatwa* (religious decree) for the war. Shaykh Ja'far was among other *'ulamā'* who delivered the requested *fatwa* indicating the duties of *jihād* (78).

Shaykh Ja'far pointed out in his *fatwa* that the war against the Russians is compulsory and gave Fath 'Alī Shāh the authority to lead the *jihād* against the Russians on behalf of the Hidden Imām. In his *fatwa* Shaykh Ja'far argues that his power to authorize the Shah is based on the agreement of all *mujtahids*, namely of *niyābat-i 'āmma*, (the general vice-gerency) (79). According to Shaykh Ja'far the power to authorize the Shah is founded in the sacred law, which during the occultation devolves upon the *mujtahids*, through the loyalty, courage and truthfulness of their collective office and on him as the agent of the Hidden Imām. Lambton suggestes that when Shaykh Ja'far uses the expression in his statement " I give permission " it carries with it the important corollary that they could give by this authorization validity, or at least temporary validity, to the rule of the Shah whom they appointed to engage in *jihād* (80).

The impact of the *'ulamā'* on the Shah is thus clear. Shaykh Ja'far, however, qualified his authorization for involvement in *jihād* according to Qā'im Maqām (d.1237/1821-22) who quotes him in a later passage of his book on *jihād* as saying "If I be a man of *ijtihād* and worthy of the vicegerency of the Imām, peace be upon him: I give permission to the ruler....etc"(81)

In addition to Shaykh Ja'far's religious power he had his own armed following which was recruited from his students, and he made his house a store of armaments. He trained and paid the fighters and, apart from being a spiritual leader,

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he was also chief fighter, whose decisions were considered and taken into account. According to Tunukābunī, Shaykh Ja'far permitted Fatḥ 'Alī Shāh to mount the throne and appointed him as his deputy (82). Thus the general character of Shaykh Ja'far's relationship with the Shah was indicated at the very beginning of Fatḥ 'Alī Shāh's reign. The conditions which he allowed him to ascend the throne were the following: a mu'adhin (calling for prayer) had to be appointed to each brigade of the army, an imām (a prayer leader) to each battalion, and the troops had to listen to a preacher once a week (83).

The attitude of the Shah towards Shaykh Ja'far is given in an anecdote which relates how Fatḥ 'Alī Shāh showed disrespect towards him and how, finally, his devotion caused him to regret having done so. According to Tunukābunī, Shaykh Ja'far undertook not only regular journeys to Iran to collect zakāt (the purifying tax) and khums (a fifth of any comercial profits) but is said to have gone so far as to consider anyone who refused payment of khums as a rebel against the Imām and his vicegerent. On one occasion Fatḥ 'Alī Shāh was displeased with his action and when Shaykh Ja'far visited Tehran he refused to receive him and announced his intention publicly. Ignoring this refusal Shaykh Ja'far was respectfully allowed in by the servants and courtiers, and when he called out ya Allāh! the Shah greeted him in his usual way (84).

But it was not only the Shah who proclaimed his devotion and obedience to Shaykh Ja'far. When the mother of Fatḥ 'Alī Shāh went to pilgrimage to the 'atabāt she met Shaykh Ja'far in Najaf and begged him to pray for her and her son: " Since my son is king he commits much oppression and cruelty towards his subjects, I

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beg of you, contrive somehow that God allmighty may forgive our sins and resurrect us with Ḥaḍrāt Fāṭima".(85)

From his widely read book, *Kashf al-ghitā' 'an al-sharī'at al-gharrā'*, a popular legal work dealing with *shari'a* and *jihād* Shaykh Ja'far and his family's name derived as *āl-Kāshif al-Ghitā'*. The author of *Qiṣaṣ al-'ulamā'* states that Shaykh Ja'far recommended to his family to spend at least two hours every night studying *fiqh* and preparing some food. His family respected his advice and carried out his request so that they all, both male and female, became *fuqahā'* (86). Shaykh Ja'far stated that the science of *fiqh* was still young and that no one had studied it deeply except him, his oldest son Shaykh Mūsā (d.1243/1827-28) and Shahīd al-Awwal (d.786/1384) (87). Through his book *Kashf al-ghitā'* Shaykh Ja'far gave revealing remarks about religious law, and the book had an excellent range in religious sciences as well. Because of this outstanding work Shaykh Ja'far became known in Iraq and Iran as *Āyat Allāh fī al-'ālamīn* (sign of God in the universe) (88).

In his second book *Kashf al-ghitā' 'an ma'āyab Mīrzā Muḥammad 'aduwwu al-'ulamā'*, he disapproved of Muḥammad Akhbārī's teaching and accused him of having composed an anonymous commentary in the margins of a book which was intended to lessen the Shah's respect towards the *'ulamā'*. Akhbārī's sharp reaction influenced the *'ulamā'* against him and Shakh Ja'far pronounced him *kāfir* (infidel) (89). Thereafter Muḥammad Akhbārī had to flee the *'atabāt* and seek protection in Tehran. Shaykh Ja'far warned the Shah about him and tried to influence him against the Akhbārī. When at last Muḥammad Akhbārī was exiled to Iraq he feared the pupils of Shaykh Ja'far and withdrew to Baghdad (90). However, later on he was killed by the followers of Shaykh Ja'far and his body was fed to dogs (91). After his death the Akhbārī school

never again achieved any prominence.

In contrast to the Safavids, the Qājār dynasty could not claim hereditary charisma. As Weber remarks " if the legitimacy of the ruler is not clearly identifiable through hereditary charisma, another charismatic power is needed; normally this can only be hierocracy" (92). As the Qājār came to power under Aqā Muḥammad Shāh just on the basis of military force, the 'ulamā' were responsible for the justification of their rule. This gave the 'ulamā' some derived de-jure legitimacy for the Qājār government, such as the composing of legal decisions by Shaykh Ja'far.

Shaykh Ja'far left many important works which were widely known and consulted. Apart from his celebrated book *Kashf al-ghitā'*, which was published many times in Iran (93), he wrote the following books. *al-Ḥaqq al-mubīn* (Tehran, 1316/1898-99) (94); *al-Qawā'id al-ja'fariyya* (1316/1898-99) on which his son Shaykh Ḥasan later did a commentary (95); *Manāsik al-ḥajj* (96); *Ghāyat al-ma'mūl* (97); and *Minhāj al-rashād* 1343/1924-25) (98).

After Baḥr al-'Ulūm had transferred the centre of Shī'ī scholarship from Karbalā' to Najaf, it was Shaykh Ja'far who consolidated it. His teaching circle included such outstanding figures as: Shaykh Aḥmad Aḥsā'ī (99), Mullā Aḥmad Narāqī (100), Sayyid Muḥammad Bāqir Shaftī (101), and Muḥammad Ibrāhīm Kalbāsī (102).

When Shaykh Ja'far finally died in Najaf on Rajab 22, 1228/ July 21, 1813, he was buried in his cemetery near his house. Thousands of people attended his funeral and the whole country went into mourning for a long period. His perpetuity and fame was guaranteed by many writers who mentioned him in their introductions (103). Shaykh Ja' far's descendants were *mujtahids* of the first rank in almost every

generation, particularly his sons who succeeded him. The eldest son was Shaykh Mūsā (b.1180/1766-67–d.1243/1827-28). He took over the leadership role of his father. After his death he was succeeded by his brother Shaykh 'Alī (d.1235/1837-38). And the youngest one was Shaykh Muḥammad Ḥasan (d.1262/1845-46) who was the religious leader in Hilla at first, becoming religious leader in Najaf in 1235/1827-28 after the death of Shaykh 'Alī. (104).

2.5 Āqā Sayyid 'Alī Ṭabāṭabā'ī, Known as Ṣāḥib al-Riyāḍ, (b. 1161/ 1748–d. 1231/ 1815-16)

He was the son of Sayyid Muḥammad 'Alī Ṭabāṭabā'ī, whose wife was the sister of Mullā Muḥammad Bāqir Bihbihānī (105). Sayyid 'Alī was born on Rabī' I 12, 1161/ March 1, 1748 in Kāẓimayn (106). His early studies started under his maternal uncle's son Āqā Muḥammad 'Alī Bihbihānī (d.1216/1801-02). After having reached a certain level of knowledge he attended the classes of his uncle Waḥīd Bihbihānī. The author of *Qiṣaṣ al-'ulamā'* reports that Sayyid 'Alī studied under Bihbihānī after he grew older and after his son Sayyid Muḥammad known as *mujāhid* was born (b.1180/1766-67). He attended the classes on his uncle's insistence (107). Additionally, the author of *Rawḍāt al-jannāt* states that among his teachers was Shaykh Yūsuf al-Baḥrānī (1186/1772) under whose instruction Sayyid 'Alī had written the whole of his *al-Ḥadā'iq al-nāḍira* (108). However, because of the conflict which took place at that time between the Akhbārī and Uṣūlī *'ulamā'*, Sayyid 'Alī was strongly recommended by his uncle not to attend any further classes of Shaykh Yūsuf al-Baḥrānī. Having spent some time with his studies under Bihbihānī, Sayyid 'Alī occupied himself with writing books and teaching in Karbalā'(109).

After Sayyid 'Alī had married the daughter of his uncle Bihbihānī, he gave one of his daughters in marriage to Āqā Muḥammad Ismā'īl, the grandson of Bihbihānī (110). The strong links and relationships between the *'ulamā'* which derive from such intermarriages is obvious. As MacEoin points out: "Sayyid 'Alī provides us with an excellent example of an increasingly common phenomenon in the period under review. The *'ālim* with close links not only by means of *ijāza* but also through physical descent and marriage with other *'ulamā'*" (111). (see chart N 2.)

Although Sayyid 'Alī did not involve himself in political affairs, his influence increased to such an extent that he was among the *'ulamā'* who could have succeeded Shaykh Ja'far Najafī. Due to his piety and fame, Karbalā remained an important centre of teaching after the demise of Bihbihānī. He established his own lecture circles in which, beside him, both his sons Sayyid Muḥammad, known as *mujāhid* (d. 1242/1826-27) and Sayyid Muḥammad Mahdī (d. 1260/1844-45) used to teach. According to his biographers he trained students including such outstanding figures as Shaykh Aḥmad Aḥsā'ī (112), Mullā Aḥmad Narāqī (113), Āqā Sayyid Ja'far al-Thānī, the grand father of Muḥammad Khwansārī, the author of *Rawḍāt al-jannāt.* The latter states that his grandfather had obtained an *ijāza* from Sayyid 'Alī which was the longest *ijāza* of his students (114). Among Sayyid 'Alī's students were also ḤajjMuḥammad Ibrāhīm Kalbāsī who was also rewarded with an *ijāza* by him (115), Mullā Muḥammad Taqī Baraghānī (d.1263/1847) (116), Mullā Muḥammad Ja'far Astarābādī (d.1263/1847) (117). And both of them had received *ijāza* from him. (see pages 89, 92)

The author of *Rayḥānat al-adab* points out that Sayyid 'Alī witnessed the attack on Karbalā' dy the Wahhābīs 1216/1801-02. He states that after Sayyid 'Alī had sent

his family out of the city he tried to save one child who was forgotten in the house and became surrounded by the Wahhābī troops in the house. He escaped the enemy by hiding himself and the child in a big basket (118).

Sayyid 'Alī wrote some important works, most of them in the form of *Rasā'il*. The most famous and influential is his book *Riyāḍ al-masā'il fī bayān aḥkām al-shar' bi 'l-dalā'il*, by which he became known as *Saḥib al-riyāḍ*. This book was written in two volumes and is also known as the *Sharḥ-i kabīr*. He completed this book on Safar 27, 1192/ March 27, 1778 and it was printed many times such as in 1272/1855-56 (119). There are different opinions about the sources of this book. The author of *Rawḍāt*, for instance, notes the opinion that " The book of Sayyid 'Alī is a summary of two books, namely of *Sharḥ-i lam'a* and *al-ḥadā'iq*, additionally it consists of some quotations from his uncle's book *Sharḥ mafatīḥ* and *Kashf al-lithām* of Fāḍil al-Hindī (d.1137/1724-25). Further on he states that even its title *Riyāḍ al-masā'il* is copied from the title of the book *Riyāḍ al-dalā'il wa ḥujjat al-masā'il* of Shaykh Aḥmad ibn Muḥammad Khatī al-Baḥrānī (120). But Āqā Buzurg remarks that *Riyāḍ al-masā'il* is said to be a commentary on *al-Mukhtaṣar al-nāfi'* of al-Muḥaqqiq al-Hillī (d.676/1277-78) (121).

In fact this book reflects the high spirit and knowledge of Sayyid 'Alī. Moreover, because of its thoroughness and comprehensiveness this book became the most important source for the students on *uṣūl*. Its importance was comparable to the *Qawānīn al-uṣūl* of Mīrzā Qummī. Among his other books are :*Sharḥ kitāb mabādi' al-uṣūl* of al-'Allāma al-Hillī (d.726/1325-26) (122) as well some glosses on *al-Ḥadā'iq* of Shaykh Yūsuf al-Baḥrānī. In addition to these he composed many *Rasā'il* on var-

ious religious procedures (123). Sayyid 'Alī held many debates, particularly with Mīrzā Muḥammad al-Akhbārī (d.1232/1816-17) (124).

Sayyid 'Alī died in Karbalā' in Muḥarram, 1231/ December, 1815 and was buried near the tomb of Bihbihānī (125). He left two sons, namely, Sayyid Muḥammad known as Ṣāḥib manāhil (see page 62) and Sayyid Muḥammad Mahdī, who supported the takfīr against Shaykh Aḥmad Aḥsā'ī. Both became great clerics and succeeded him as leaders in Karbalā'. Sayyid 'Alī had also three daughters, who were married to 'ulamā' (126).

2.6 Mīrzā Abū 'l-Qāsim Qummī, known also as Fāḍil Qummī. (b.1151/1738-39– d.1231/1815-16)

He was the son of Muḥammad Ḥasan al-Gīlānī al-Shaftī al-Qummī, one of the pillars of religion and a famous scholar of the nineteenth century. Qummī's father Ākhund Mullā Ḥasan was a native of Shaft in the province of Gīlān and moved to Isfahan, where he studied under Mīrzā Ḥabīb Allāh and Mīrzā Hidāyat Allāh. When his two teachers obeyed the order of the ruler and moved to Chapūllāq for teaching, Mullā Ḥasan accompanied them. There he married the daughter of his teacher Hidāyat Allāh. Qummī's father was a famous cleric who wrote a book on the metres of the Kashkūl one of Shaykh Bahā'ī's books (127).

Mīrzā Abū 'l-Qāsim Qummī was born in 1151/1738-9 in Chapūllāq. He spent his childhood there and started his early learning under his father. Then he moved to Khwansar and studied uṣūl and fiqh under Āqā Sayyid Ḥusayn Khwānsārī (d.1191/1771).

He obtained an *ijāza* from him and married his sister (128). He emigrated to Iraq

and attended the classes of Āqā Muḥammad Bāqir Bihbihānī in Karbalā' from whom

he obtained another *ijāza* (129). Tunukābunī states that when Mīrzā Qummī was

studying under Bihbihānī he lived a pious life in extreme poverty. Bihbihānī ap-

pointed him as *imām* (prayer leader), so that he could earn enough money to support

himself (130). In addition to the two mentioned *ijāzāt*, Mīrzā Qummī obtained oth-

ers, namely from Muḥammad Mahdī al-Fatūnī (d.1183/1769-70) and Āqā Muḥammad

Bāqir Hazārjarībī (d.1205/1790-91) (131). Probably he had studied under them while

he was in Iraq.

After Qummī concluded his studies he returned to Iran. He stayed in his father's

village, known as Darā-bāgh. Later he moved to another village named Qal'at-bābū

and taught there. However, because of the lack of students [only two attended his

classes] and the unsatisfying living conditions there, he set off to Isfahan where he

taught at the *madrasa kāsah gīrān*. After having spent some time there a quarrel arose

between him and some of the *'ulamā'*. For this reason he travelled to Shiraz where

at that time Karīm Khān Zand was the ruler of the South West of Iran and had his

residence (132). Mīrzā Qummī remained in Shiraz for about three years. According to

Tunukābunī he was not yet *mujtahid* by that time and after he had received an amount

of roughly one hundred eighty to two hundred *tūmān* from a certain Shaykh Abd al-

Muḥsin and his son Shaykh al-Mufīd, Qummī went back to Iṣfahan and purchased

many books in order to complete his studies on his own. Eventually he returned to

the village of Qal'at-bābū where he taught *fiqh* and *uṣūl* (133). Finally Mīrzā Qummī

was invited by the second Qājār ruler Fatḥ 'Alī Shāh to settle down in Qum. There

he taught first at the *madrasa* in *sutūḥ* (medium level), a post of teaching reserved

only for a new *mujtahid* (134). Later he succeeded in establishing a teaching circle which attracted a large number of students amongst whom were Sayyid Muḥammad Bāqir Shaftī (d.1260/1844), Ḥājj Muḥammad Ibrāhīm Kalbāsī, Mullā Muḥammad Taqī Baraghānī and Ḥājj Mīrzā Masīḥ (d.1263/1847-48) (135).

Mīrzā Qummī was among those *'ulamā'* who could have succeeded Shaykh Ja'far Najafī, and this fact shows his importance and significance among the *'ulamā'*. He was the author of one of the most important and most influential works on *uṣūl*. His book *Qawānīn al-uṣūl* consisted of two volumes. It became the major source of jurisprudence and all the later studies on *uṣūl al-fiqh* were based on it (136). The contemporaries of Mīrzā Qummī wrote many commentaries on his *Qawānīn al-uṣūl* such as that of Muḥammad Taqī Isfahānī (d.1248/ 1832-33) the grand father of Āqā Najafī - in his *Ḥāshiyat al-ma'ālim*, his brother Muḥammad Ḥusayn in his *al-Fuṣūl*, Muḥammad Ibrāhīm Kalbāsī in his *Ishārāt*, Aḥmad Narāqī in his *al-Manāhij*, Āqā Sayyid Ibrāhīm Qazwīnī (d.1262-64/1846-48) in his *Dawābiṭ al-uṣūl*, and Shaykh Murtaḍā al-Anṣārī (d.1281/1864) in his *Ishārāt al-uṣūl*. Tunukābunī said that " because so many prominent *'ulamā'* had commented on Qummī's book, I also did the same under the title *Muḥkamāt min fuḍalā'i al-sab'a*". Further on he said that Mullā Muḥammad Salīḥ Baraghānī (d.1283/1866-67) had told him that Mīrzā Qummī wrote his book *Qawānīn* after he had become almost deaf; for that reason he responds to Narāqī's comment by writing (137).

In addition to *Qawānīn* Mīrzā Qummī had written another book on *uṣūl* called *Sharḥ tahdhīb al-uṣūl*, Tunukābunī points out that although he had never seen this book, he had heard that *Tahdhīb al-uṣūl* was of greater quality than *Qawānīn al-uṣūl* (138).

The influence of prominent *'ulamā'*, like Shaykh Ja'far Najafī and Mīrzā Qummī, grew and extended throughout the reign of Fatḥ 'Alī Shāh. The Shāh's support for the *'ulamā'* emboldened their claims and strengthened their prestige. They repeatedly intervened on behalf of rebellious princes and oppressed inhabitants and such interventions were generally succeessful.

Before Fatḥ 'Alī Shāh assumed the throne he promised to pay special attention to the *'ulamā'* and, in accordance with this vow, he took special care of Qum where a large number of the *'ulamā'* had their residence, in particular Mīrzā Qummī, in whom he placed great trust (139). Because Fatḥ 'Alī Shāh wanted to intensify his relationship with the most famous *'ulamā'*, and to show his piety and religious policy, he encouraged *'ulamā'* to settle down in various places and particularly in Tehran. Moreover he appointed some of them to the posts of *shaykh al-islām* in order to gain their support such as Muḥsin ibn Abū 'l-Ḥasan al-Jazā'irī in Shushtar and Mullā 'Abd al-Aḥad Kazāzī in Kirmanshah (140).

When Fatḥ 'Alī Shāh had almost completed the *Masjid-i jum'a* of Tehran, he consulted Mīrzā Qummī to recommend an *'ālim* who was suitable for this; the latter proposed Sayyid Muḥammad Bāqir Shaftī, but Shaftī rejected the suggestion (141). It could be that the main reason of Shaftī's rejection was due to his religious position in Isfahan and that he would not want to be attached to the ruler. (see page 81-84).

Mīrzā Qummī was highly respected and frequently consulted by the Shah and the *'ulamā'*. For instance, when the Shah offered five thousand tūmān to Mīrzā Shafī' to drink a cup of wine, the latter refused the proposal and took care to inform Qummī

of his refusal (142).

The real value of Qummī's personality became particularly obvious after his
death. For instance the town of Qum had to suffer from an intellectual famine until
the emergence of Ayat Allāh Khumaynī and the madrasas almost lost their relia-
bility after Mīrzā Qummī's demise, although some of the madrasas were restored
and rebuilt under Fath 'Alī Shāh (143). The latter had showed excellent sensitiv-
ity and a personal capacity for understanding in building up his relationships with
the 'ulamā' of his time. Most of all he approved greatly of and encouraged Mīrzā
Qummī and supported his revival of the madrasas after the long period of decay. It
was 'ulamā' such as Mīrzā Qummī and Sayyid Ja'far Kashfī (d.1267/1850-51), who
composed a fully developed Shī'ī theory of politics, giving a basic justification for
the Qājār dynasty (144). Because Fath 'Alī Shāh needed legitimation to secure his
reign, he consulted the Shī'ī hierocracy and many of the prominent mujtahids replied
favourably, especially Mīrzā Qummī.

During the first decade of Fath 'Alī Shāh's reign Mīrzā Qummī published the
foundations of the authority of temporal rule. He did this by reiteration of the
patrimonial theories of kingship. The basis of the ruler's authority was to be found
according to Qummī in justice. He identified the position of the king with the shadow
of God. However, he explicitly insisted most strongly on the proper explanation of how
he wanted this term to be interpreted and suggested three meanings of it by carefully
trying to avoid any of the Safavid's claims. He rejected the Safavid claim of the Shah's
infallibility. Qummī argued that the Shah's reign should be regarded merely as an
attempt to be infallible and he has to be held morally and ethically responsible for
his decisions and actions and will be punished for abuses. Furthermore, he pointed

out the interdependence of kingship and religion by specifying the role of the Shah in preserving order and that of the *'ulamā'* in protecting religion (145). However only in a later generation of the hierocracy was this patrimonial theory adopted as an actual Shī'ī doctrine (146).

The most intensive contributions to *ijtihād* and its related concept *taqlīd* are to be found in the works with a strong anti-Akhbarī notion, such as in Mīrzā Qummī's *Qawānīn al-uṣūl*. In addition to this book Qummī wrote many important works such as *Ḥāshiyat al-qawānīn*, concluded in 1277/1860-61 by Mullā Bāqir ibn Ghulām 'Alī al-Tustarī (d.1327/1909) (147); *Jāmi' al-shitāt fī ajwibat al-su'ālāt* consists of religious questions and answers in Persian and Arabic and of independent treatises organized by others into two chapters. The first chapter deals with religious faith, logic and a reply against Sufism which attacks some of their leaders such as Abū Yazid al-Bastamī, Jalāl al-Dīn al-Rūmī and Muḥyī al-Dīn al-A'rābī. The second chapter turns to legislative judgements classified according to all the books on *fiqh* (148). Among his other works the following are the most worthy: *al-Ghanā'im* known as *Ghanā'im al-ayām*, printed in Tehran 1319/1901-02 (149); *Mu'īn al-khawāṣṣ* (Najaf 1227/1812) (150); *Murshid al-'awām* (151); *Sharḥ Tahdhīb al-uṣūl*, an exegesis on the book of al-'Allāma al-Ḥillī (152). In addition to these books Mīrzā Qummī wrote many *Rasā'il* and a *dīwān* consisting of five thousand verses (153).

Mīrzā Qummī had three daughters and one son. According to Tunukābunī, Fatḥ 'Alī Shāh wanted to make a family tie with Qummī's family by marrying his daughter to Mīrzā Qummī's son, but his son drowned in a lake (154). Mīrzā Qummī died in 1231/1815-16 and was buried in Qum. He was portrayed by many *'ulamā'* in

their works, such as Ḥasan al-Ṣadr in his *al-Takmila* (155).

Footnotes:

1. Tunukābunī, *Qiṣaṣ*, p. 199, but 1117/1705 according to Algar, p. 34 without any source.

2. Cole, *Shi'i Clerics*, pp. 6-9.

3. Kashmīrī, *Nujūm*, p. 230.

4. Ḥabībābādī, *Makārim*, Vol 1, pp. 223-224.

5. Āqā Buzurg, *Ṭabaqāt*, Vol 2, p. 171.

6. Ḥabībābādī, *Makārim*, Vol 1, p. 229.

7. Mac Eoin, *Shaykhism*, p. 25 .

8. Ḥabībābādī, *Makārim*, Vol 1, p. 231.

9. *Encyclopaedia of Islam*, New edition, Supplement, 3& 4, p. 134.

10. Tunukābunī, *Qiṣaṣ*, p. 199.

11. Ḥabībābādī, *Makārim*, Vol 1, p. 224.

12. Ibid, Vol 1, p. 224.

13. Āqā Buzurg, *Ṭabaqāt*, Vol 2, p. 172.

14. Algar, *Religion*, pp. 35-36 .

15. Mac Oein, *Shaykhism*, p. 26.

16. Āqā Buzurg, *Ṭabaqāt*, Vol 2, p. 172.

17. Tunukābunī, *Qiṣaṣ*, p. 202.

18. Kashmīrī, *Nujūm*, p. 305.

19. Āqā Buzurg, *al-Dharī'a*, Vol 14, p. 75.

20. Ibid, Vol 1, p. 70.

21. Ibid, Vol 2, p. 177.

22. Ibid, Vol 1, pp. 269-270.

23. Ibid, Vol 15, p. 211.

24. Kashmīrī, *Nujūm*, p. 307; Āqā Buzurg, *Ṭabaqāt*, Vol 2, p. 172.

25. Tabrīzī, *Rayḥānat*, Vol 1, p. 22.

26. Ḥabībābādī, *Makārim*, Vol 2, p. 364.

27. Kashmīrī, *Nujūm*, p. 319; Tunukābunī, *Qiṣaṣ*, p. 132.

28. Tunukābunī, *Qiṣaṣ* p. 132.

29. Ḥabībābādī, *Makārim*, Vol 2, p. 360.

30. Tabrīzī, *Rayḥānat*, Vol 4, p. 186.

31. See chap 1, of this thesis, p. 28.

32. Tunukābunī, *Qiṣaṣ*, p. 133.

33. Ḥabībābādī, *Makārim*, Vol 2, p. 364.

34. Ibid, Vol 2, p. 364.

35. Āqā Buzurg, *al-Dharī'a*, Vol 2, p. 453.

36. Ibid, Vol 2, p. 466.; Ḥabībābādī, *Makārim*, Vol 2, p. 361.

37. Āqā Buzurg, *al-Dharī'a*, Vol 5, p. 41.

38. Ibid, Vol 5, p. 58-59; Ḥabībābādī, *Makārim*, Vol 2, p. 361.

39. Āqā Buzurg, *al-Dharī'a*, Vol 21, p. 66.

40. Ḥabībābādī, *Makārim*, Vol 2, p. 362.

41. Ibid, Vol 2, p. 364.

42. Ibid, Vol 2, p. 365-66.

43. Ibid, Vol 2, p. 366.

44. Kashmīrī, *Nujūm*, p. 315; Tabrīzī, *Rayḥānat*, Vol 1, p. 144.

45. Tunukābunī, *Qiṣaṣ*, p. 168.

46. Ḥabībābādī, *Makārim*, Vol 1, pp. 178-79.

47. Ibid, Vol 2, p. 416.

48. Āqā Buzurg, *al-Dharī'a*, Vol 1, p. 266.

49. Ibid, Vol 1, p. 207.

50. Kashmīrī, *Nujūm*, p. 294; Āqā Buzurg, *al-Dharī'a*, Vol 1, p. 147.

51. Ḥabībābādī, *Makārim*, Vol 2, p. 416.

52. Kashmīrī, *Nujūm*, p. 316.

53. Ḥabībābādī, *Makārim*, Vol 2, p. 423-25.

54. Ibid, Vol 2, p. 417.

55. Cole, *Shī'ī Clerics*, p. 21.

56. Ḥabībābādī, *Makārim*, Vol 2, p. 417.

57. Tunukābunī, *Qiṣaṣ*, p. 173.

58. Ḥabībābādī, *Makārim*, Vol 2, p. 417.

59. Tunukābunī, *Qiṣaṣ*, p. 169.

60. Āqā Buzurg, *al-Dharī'a*, Vol 8, pp. 109-10.

61. Khwānsārī, *Rawḍāt*, p. 680.

62. Āqā Buzurg, *al-Dharī'a*, Vol 16, p. 325.

63. Ibid, Vol, 21 p. 82.

64. Khwānsārī, *Rawḍāt*, p. 680.

65. Ḥabībābādī, *Makārim*, Vol 2, p. 419.

66. Ibid, Vol 2, p. 426.

67. Muḥsin Amīn, *A'yān al-Shī'a*, Vol 15, p. 413; Āqā Buzrg, *Ṭabaqāt*, Vol 2, p. 248.

68. Ḥabībābādī, *Makārim*, Vol 3, p. 853.

69. Muḥsin Amīn, *A'yān al-Shī'a*, Vol 5, p. 432.

70. Ḥabībābādī, *Makārim*, Vol 3, p. 854. reak

71. Āqā Buzurg, *Ṭabaqāt*, Vol 2, p. 249.

72. Ibid, Vol 2, p. 248.

73. Cole, *Shī'ī Clerics*, p. 23.

74. Mīrzā Muḥammad Taqī Sipihr, *Nāsikh al-tawarīkh*, (1337/1919). pp. 68-69; Busse, *History of Persia under Qājār Rule*, (New York / London 1972), p. 103.

75. Muḥsin Amīn, *A'yān al-Shī'a*, Vol 15, p. 424-432. Shamarāt and Zakarāt are two tribes in Iraq, probably used to live in Najaf. They were fighting each-others. A considerable account about the involvement of Shaykh Ja'far Najafī in this incident is provided in the above mentioned source.

76. Momen, *Introduction*, p. 315.

77. Sipihr, *Nāsikh*, pp. 91-91.

78. Algar, *Religion*, p. 79.

79. A. K. S. Lambton, *Qājār Persia*, (London 1987), pp. 197-98.

80. A. K. S. Lambton, *View of jihād*, (studia Islamica, 1970), Vol 32, p. 187-89.

81. Ibid, pp. 186-89; Arjomand, *Shadow*, p. 225.

82. Tunukābunī, *Qiṣaṣ*, p. 191.

83. Ibid, p. 191.

84. Ibid, p. 191.

85. Ibid, p. 191.

86. Ibid, p. 185.

87. Ibid, p. 183.

88. Kashmīrī, *Nujūm*, p. 342.

89. Algar, *Religion*, pp. 64-65.

90. Ḥabībābādī, *Makārim*, Vol 3, pp. 930-34.

91. Āqā Buzurg, *al-Dharī'a*, Vol 18, p. 45.

92. Arjomand, *Shadow*, p.222

93. Ibid, Vol 17, p. 37-38.

94. Ibid, Vol 17, pp. 183-84.

95. Ibid, Vol 3, p. 133.

96. Ibid, Vol 16, p. 16.

97. Ibid, Vol 18, p. 45.

98. Ibid, Vol 23, p. 186.

99. Āqā Buzurg, *Ṭabaqāt*, Vol 2, p. 89.

100. Ibid, Vol 2, p. 116.

101. Ibid, Vol 2, p. 193.

102. Tunukābunī, *Qiṣaṣ*, p. 118-20.

103. Ḥabībābādī, *Makārim*, Vol 3, pp. 852-56; Muḥsin Amīn, *A'yān al-Shī'a*, Vol 15, p. 413.

104. Ḥabībābādī, *Makārim*, Vol 3, pp 856.

105. Tunukābunī, *Qiṣaṣ*, p. 175; Kashmīrī, *Nujūm*, p. 339.

106. Ḥabībābādī, *Makārim*, Vol 3, p. 902.

107. Tunukābunī, *Qiṣaṣ*, p. 176; Ḥabībābādī, *Makārim*, Vol 3, p. 902.

108. Khwānsārī, *Rawḍāt*, p. 415.

109. Ḥabībābādī, *Makārim*, Vol 3, p. 902.

110. Ibid, Vol 3, p. 902-03.

111. Mac Eoin, *Shaykhism*, p. 36.

112. Āqā Buzurg, reiterated in *Ṭabaqāt*, Vol 2, p. 89; and confirmed in *al-Dharī'a*, Vol 1, p. 219.

113. Ḥabībābādī, *Makārim*, Vol 3, p. 906.

114. Khwansārī, *Rawḍāt*, Vol 1, p. 127.

115. Tunukābunī, *Qiṣaṣ*, p. 118.

116. Ibid, p. 19.

117. Āqā Buzurg, *Ṭabaqāt*, Vol 2, p. 253; Kashmīrī, *Nujūm*, p. 414.

118. Tabrīzī, *Rayḥānat*, Vol 2, p. 429.

119. Āqā Buzurg, *al-Dharī'a*, Vol 11, p. 336.

120. Khwānsārī, *Rawḍāt*, p. 415.

121. Āqā Buzurg, *al-Dharī'a*, Vol 11, p. 336

122. Ibid, Vol 14, p. 53.

123. Kashmīrī, *Nujūm*, p. 340.

124. Tunukābunī, *Qiṣaṣ*, pp. 179-80.

125. Tabrīzī, *Rayḥānat*, Vol 2, p. 429.

126. Ḥabībābādī, *Makārim*, Vol 3, p. 910.

127. Tunukābunī, *Qiṣaṣ*, p. 180.

128. Ḥabībābādī, *Makārim*, Vol 3, p. 912.

129. Āqā Buzurg, *Ṭabaqāt*, Vol 2, p. 52; Muḥsin Amīn, *A'yān al-shi'a*, Vol 7, p. 142.

130. Tunukābunī, *Qiṣaṣ*, p. 180.

131. Ḥabībābādī, *Makārim*, Vol 3, p. 917; Āqā Buzurg, *Ṭabaqāt*, Vol 2, p. 52.

132. Muḥsin Amīn, *A'yān al-Shī'a*, Vol 7, p. 143; Āqā Buzurg, *Ṭabaqāt*, Vol 2, p. 52.

133. Tunukābunī, *Qiṣaṣ*, p. 181; Muḥsin Amīn, *A'yān al-Shī'a*, Vol 7, p. 143.

134. Momen, *Introduction*, p. 200 .

135. Tabrīzī, *Rayḥānat*, Vol 4, p. 125.

136. Tunukābunī, *Qiṣaṣ*, p. 182.

137. Ibid, p. 182.

138. Ibid, p. 132.

139. Algar, *Religion*, p. 46

140. Kashmīrī, *Nujūm*, p.333; Arjomand, *Shadow*, p. 218 .

141. Tunukābunī, *Qiṣaṣ*, p. 143

142. Algar, *Religion*, p. 70

143. Fischer, *Iran*, p.109 .

144. Momen, *Introduction*, p. 194

145. Arjomand, *Shadow*, pp. 222-23

146. Āqā Buzurg, *al-Dharī'a*, p.174

147. Āqā Buzurg, *ṭabaqāt*, Vol 2, p. 54

148. Ibid, Vol 16, p. 63

149. Ibid, Vol 21, p. 284

150. Ibid, Vol 20, p. 307

151. Ibid, Vol 4, p. 512

152. Ḥabībābādī, *Makārim*, Vol 3, p. 914

153. Tunukābunī, *Qiṣaṣ*, p. 11

154. Tunukābunī, *Qiṣaṣ*, p. 11

155. Āqā Buzurg, *Ṭabaqāt*, Vol 2, p. 53

CHAPTER THREE

BIOGRAPHIES OF THE SECOND GENERATION.

3.1 Āqā Sayyid Muḥammad Ṭabāṭabā'ī, known as *mujāhid* and (1180/1766-7–1242/1836-7)

Āqā Sayyid Muḥammad ibn Sayyid 'Alī Ṭabāṭabā'ī was born in 1180/1766-67 in Karbalā' (1). As far as we know he was descended from a family of *'ulamā'*. He was the grandson of Āqā Muḥammad Bāqir Bihbihānī. After the death of Bihbihānī his father Sayyid 'Alī Ṭabāṭabā'ī, known as *Saḥib al-riyāḍ*, succeeded in maintaining the importance of Karbalā' as a centre of religious studies. (See page 54-56). However, not only was his father a famous clergyman but even his mother, the daughter of Bihbihānī, was a *mujtahida*. According to Tunukābunī, Sayyid Muḥammad's mother supported her husband Sayyid 'Alī when he was writing his book *Riyāḍ al-masā'il* on the subject of *ḥayḍ* (menstrual period) (2). From this account we can conclude that his family and the environment in which Āqā Sayyid Muḥammad grew up had a great influence on his education.

He started his early learning under his father in Karbalā' and then continued his education in Najaf under Sayyid Muḥammad Mahdī Baḥr al-'Ulūm, whose daughter he later married (3). Āqā Sayyid Muḥammad received *ijāza* from each of the following *'ulamā'*: his father Sayyid 'Alī, his father in law Baḥr al-'Ulūm and Shaykh Ja'afar Najafī (4). He started to teach with his father in Karbalā' but after the shrine city was sacked by the Wahhābīs in 1216/1801-02, many inhabitants had been killed and the Wahhābīs were grinding their coffee on the tomb of Imām Ḥusayn, Āqā Sayyid Muḥammad went to Isfahan and remained there thirteen years (5).

In Isfahan he established his own teaching circle and wrote many books. His most important book was *Mafātiḥ al-uṣūl* on *uṣūl al-fiqh*, which consisted of forty thousand verses (6).

The Uṣūlī school had extended and reinstated the juridical authority of the Shī'ī hierocracy. This topic is most emphatically and carefully discussed, albeit with an anti-Akhbārī attitude, in Sayyid Muḥammad's *Mafātiḥ al-uṣūl*. This work represents one of the main sources for *ijtihād* and the practice of *taqlīd*. The main thrust of the arguments focuses on the permissibility of taqlīd and analogically on the " non incumbency of *ijtihād* upon each and every individual" (7). It is permitted to follow a *mujtahid* in all matters of rational deduction concerning the sacred law. The acquisition of the essential knowledge of *ijtihād* is not possible for every person, because it would stop him from earning his living. Therefore, he has to follow the instructions of a specialist, namely the *mujtahid*, who is capable of performing *ijtihād*. However, there exists no obligation to obey the *mujtahids*. From this it follows that *Mafātiḥ al-uṣūl* was intended to legitimize a professional monopoly in jurisprudence, overcoming the protests of the traditional Akhbārī school.

In the first period of *ijtihād*, the disregarding of matters of an ethical or moral nature led to inconsistencies in Uṣūlī jurisprudence. The contradiction between rationalisation and practice was not easily overcome. For example, in *mafātiḥ al-uṣūl* Sayyid Muḥammad refused to agree that transactions concerning positive rule could be assumed to be legal if concluded in a formally correct sense. He pointed out that it was obligatory for the parties to such transactions to believe, whether it was through following an authority or through the independent exercise of their judgement (8). He emphasises how desirable it is that mistakes should be avoided in the exercise of

religious duties. He wrote one section about "the neccessity of following a *mujtahid* for him who has not (yet) reached the rank of *ijtihād*" (9). By arguing thus, he split the hierocracy into two groups: the *mujtahids* and the non-*mujtahids*. Before reaching the rank of *mujtahid*, the applicant was assumed to have become a *muqallid*. However, to restrict the emergence of certain levels in the higher ranks of the hierocracy, it was not allowed for one *mujtahid* to observe *taqlīd* for another *mujtahid* (10).

Because of his father's death in 1231/1815-16 Āqā Sayyid Muḥammad returned to Karbalā'. He succeeded his father as the eminent *mujtahid* of his time in Karbalā'. He taught most of the leading *'ulamā'* of the following generation such as Mullā Muḥammad Taqī Baraghānī, Mullā Muḥammad Ja'far Astarābādī, Āqā Sayyid Ibrāhīm Qazwīnī (d.1262-64/1846-48), Shaykh Murtaḍā al-Anṣārī (d.1281/1864-5) (11) .

In 1236/1820-21 Karbalā' was surrounded by Dawūd Pasha the governor of Baghdad. Many inhabitants, among them the *'ulamā'*, were forced to leave Karbalā'. Āqā Sayyid Muḥammad set off to Kāẓimayn where he settled down for almost five years, then he set off to Iran in order to lead the *jihād* against the Russian (12).

After the first Perso-Russian war, the Russians oppressed the inhabitants of the occupied territories dreadfully and slaughtered whole villages. Such atrocities alarmed both the *'ulamā'* and particularly 'Abbās Mīrzā the prince governor of Tabriz and members of his court, who encouraged the religious agitation and sought to direct it against the monarch's reluctance.

When it was reported to Āqā Sayyid Muḥammad that the Russians had behaved barbarously against the Muslim inhabitants and that the population of the occupied

areas was unanimously hostile to Russia, he wanted to find out Fatḥ ʿAlī Shāh's intentions. Sayyid Muḥammad had become suspicious about the Shah's plan to conclude a peace treaty with the Russians. He sent one of his confidants, Mullā Muḥammad Riẓā Khū'ī, to Tehran with a (draft) order for *jihād* and to investigate the Shah's intention and to urge for the Holy War. Mullā Riḍā returned to Sayyid Muḥammad assuring him of the Shah's benevolence and his approval of *jihād* (13). However, Sayyid Muḥammad remained doubtful about the Shah's intention. The *ʿulamā'*, roused against the Russians under Sayyid Muḥammad's leadership, declared themselves prepared to lead the *jihād* even without the Shah's agreement (14). Āqā Sayyid Muḥammad set off for Iran with a group of theologians and arrived in Tehran at the end of Shawwāl, 1241/mid-May, 1826. He was warmly received and treated with high respect by the the whole population of the capital, particularly by the *ʿulamā'* and by the princes. He was so highly esteemed by the populace that the water he used for his absolution was thought to be miraculous simply through contact with his person (15). Fatḥ ʿAlī Shāh desired him to come as he was considerd the most distinguished *mujtahid* of his time. He obeyed him in all matters and was entirely devoted to him. Fatḥ ʿAlī appointed ʿAbd Allāh Khān Amīn al-Dawla as Sayyid Muḥammad's official host and, to give his intention of leading the *jihād* more credibility, the Shah expanded military expenditure to 300,000 *tūmān*. Nevertheless, Sayyid Muḥammad could not be convinced by mere gestures. He informed the *ʿulamā'* of the provinces and urged them to agitate for *jihād* and to meet him in Tehran. On Shawwāl 26, 1241/ June 5, 1826 Fatḥ ʿAlī Shāh left Tehran for Sulṭāniyya, [his summer residence], but Āqā Sayyid Muḥammad, accompanied by some *mujtahids*, followed him in order to urge him to agree to the declaration of *jihād* against Russia.

The *'ulamā'* who had issued the *fatwa*, in which they pointed out that the *jihād* was neccessary and that any opposition to it indicated unbelief, were the following: Āqā Sayyid Muḥammad, Mullā Aḥmad Narāqī, Ḥājj Mullā Muḥammad Ja'far Astarābādī (d.1263/1847), Mullā Muḥammad Taqī Baraghānī (d.1263/1847), Āqā Sayyid Nāṣir Allāh Astarābādī (16).

On Dhū al-qa'da 17, 1241/June 23, 1826 Āqā Sayyid Muḥammad arrived at Sulṭaniyya. Col. Willock, an eyewitness, reports his arrival. "Much enthusiasm was manifested by the populace. To the sied's person they could get no access, but they kissed the litter, kissed the ladder by which he had ascended to it, and collected the dust which had the impressions of the mule's feet which bore him" (17). Fatḥ 'Alī Shāh, pressed by the *'ulamā'*, could delay no longer his assent and was forced to agree to *jihād*. So once again the *'ulamā'* directed state affairs and channelled the national feelings in order to defend Islām. Thus, the survival of Iran as a nation and as an Islamic nation coincided. Initially, the *'ulamā'* supported the *jihād* but, when the first successful advances were reversed, the *'ulamā'* withdrew (18). In the early, victorious, stages Sayyid Muḥammad accompanied the crown prince 'Abbās Mīrzā but he returned when disagreement arose (19). It appears that 'Abbās Mīrzā did not want his first successes to be attributed to Sayyid Muḥammad's presence.

After the war had been lost Āqā Sayyid Muḥammad remained in Tabriz. However, because of the disagreement with the prince governor and the outcome of the *jihād*, enmity arose towards him amongst the inhabitants of Tabriz. He decided to return to Karbalā' via Qazwīn. On his way he was affected by a chronic diarrhoea which caused his death on Jumāda II 13, 1242/ January 12, 1827 (20). However, Āqā Buzurg states that he died on Safar 26, 1242/ September 26, 1826 (21). His

corpse was transported to Karbala' where he was buried. This involvement in the war earned him the title of *mujāhid* (warrior) by which he was widely known. The author of *Rawḍāt al-jannāt* points out that, in spite of Āqā Sayyid Muḥammad's religious knowledge and piety, he had never been *imām jum'a* (leader of congregational Friday prayer (22).

Many *'ulamā'* obtained *ijāzat* from him. For example, Mullā Muḥammad Taqī Baraghānī and his brother Mullā Muḥammad Saliḥ Baraghānī, both of whom studied under him. There was also Shaykh Murtaḍā al-Anṣārī.

In addition to his book *Mafatīḥ al-uṣūl* he left other important books and treatises. His student Mullā Muḥammad Saliḥ Baraghānī said that none of the *'ulamā'* of the following generation had written so many books as his teacher Sayyid Muḥammad had done (23). The author of *Rayḥānat al-adab* listes thirteen titles, among these *al-Iṣlāḥ* (1224/1809), dealing with *fiqh*, *mu'āmalāt* and *i'bādāt*. He wrote this book for *al-muqallidūn* (imitators) (24); *Miftāḥ al-aḥkām*, concluded in 1228/1813; (25) *Mafatīḥ al-uṣūl*, concluded in 1229/1814 and published twice in 1270/1853-54 and 1290/1873 in Iran (26); *al-Manāhil* on *fiqh*. This book was first entitled *Masābīḥ* (27). *al-Aghlāṭ al-mashhūra* and *Jāmi' al-'abā'ir* (28) .

3.1 Mullā Aḥmad Narāqī, (b.1185/1771- -d.1245/1829-30)

Ḥājjī Mullā Aḥmad Narāqī, the son of Ḥājjī Mullā Muḥammad Mahdī ibn Abū Dharr, was a native of Narāq and, like his father, took up residence in Kashan. Mullā Aḥmad was born on Jumāda II 14, 1185/ September 25, 1771 in Narāq, where he spent his childhood (29). His early studies started under the supervision of his father in Kashan and in 1205/1790-91 Narāqī moved to the *'atabāt* accompanied

by his father. In Karbalā' both of them attended the classes of Muḥammad Bāqir Bihbihānī. After his father's death in 1209/1794-95, at the age of twenty four Narāqī returned to Kashan where he remained for almost three years, teaching the students of his father (30).

In 1212/1797-98 Narāqī went to Najaf and attended the classes of Sayyid Muḥammad Mahdī Baḥr al-'Ulūm, who was considered as the most learned *mujtahid* at the *'atabāt* after Bihbihānī. Then Narāqī studied under Shaykh Ja'far Najafī (31). From Najaf he set off to Karbalā' where he was taught by Mīrzā Mahdī Shāhrastānī (d.1216/1801-02) and Sayyid 'Alī Ṭabāṭabā'ī (32). Mullā Aḥmad Narāqī had obtained many *ijāzat* from his teachers and a *riwāya* (transmission) from his father (33). When he returned to Iran, he settled down in Kashan. Many people gathered around him and consulted him on religious matters, becoming one of the principal *mujtahids* in Fatḥ 'Alī Shāh's reign.

In Kashan Narāqī was confronted with a severe, unjust and cruel governor who oppressed the populace. Narāqī himself cast him out of the city. By doing so Narāqī brought on himself Fatḥ 'Alī Shāh's opposition and indignation. This event indicates the ambiguity of Fatḥ 'Alī Shāh's reign. The actual tyranny and his proclaimed devotion to the *'ulamā'* contradicted each other. Fatḥ 'Alī Shāh summoned Aḥmad Narāqī to come to Tehran and reprimanded him angrily for his behaviour. Narāqī did not show any remorse and proclaimed: " ya Allāh this unjust king appointed an unjust governor over the people. I put an end to his oppression and now this oppressor is angry with me." Being afraid of further such judgements, Fatḥ 'Alī Shāh asked Narāqī for his pardon. Ultimately, his devotion triumphed over his tyranny and he appointed a new governor for Kashan (34) .

Narāqī was one of the distinguished *'ulamā'* and, apart from his remarkable knowledge concerning religious subjects such as *uṣūl* and *fiqh*, he excelled just as much in mathematics and astronomy and had an inclination towards literature, in particular towards poetry. He himself wrote poetry as well and published it under the soubriquet of *Ṣafī* (35) . By contrast with his rigorous attitude towards the Shah, he considered it as righteous to shelter the satirical poet *Yaghmā* after he had been called an infidel by the *Imām jum'a* of Kashan (36) .

Fatḥ 'Alī Shāh's interest in theological questions is discernible through his requests for works from many of the *'ulamā'*. For example he commissioned from Narāqī a translation of an ethical work of Narāqī's father, the *Mi'raj al-sa'āda* from Arabic into Persian (37).

On the death of Shaykh Ja'far Najafī (d.1228/1813), none of the *'ulamā'* appeared to be an obvious successor to him. Among the applicants was Mullā Aḥmad Narāqī. When in 1237/1822 Mullā Muḥammad Taqī Baraghānī of Qazwīn declared *takfīr* against Shaykh Aḥmad Aḥsā'ī, who had clashed with some of the *mujtahid* , not one of the first rank *'ulamā'*, including Aḥmad Narāqī and Ḥājj Ibrāhīm Kalbāsī, approved the *takfīr* (38) .

The period after the defeat of the Iranians in the first war against Russia saw the Muslim subjects being treated badly in the occupied places, with the *mujtahids* receiving reports concerning the maltreatment of the conquered Muslim inhabitants. The *'ulamā'* reacted quickly and began to agitate for a *jihād*. Narāqī, who had already participated in the request to supply *fatwa* during the first Perso-Russian war by setting out the duties and conditions of *jihād*, was amongst the agitators.

Fatḥ ʿAlī Shāh, who was unwilling to start another war against Russia, set off to his summer residence but the ʿulamāʾ followed him in two groups. Narāqī was in the second one. They were dressed in shrouds which symbolised the preparation for jihād and shahādat (martyrdom), and when they arrived in the royal camp, Fatḥ ʿAlī Shāh was finally forced to consent (39) From this event we can deduce that the ʿulamāʾ had already emerged as a powerful and controlling force. The ʿulamāʾ had gained the ability to influence and determine the course of national politics.

After the protest against ijtihād had been overcome and the practice of ijtihād had been established in Iranian society, the mujtahids went on to claim the vice-gerency of the Imām as the foundation of ijtihād. With that, the sacred law became compulsory for the believer. The obligations of the law necessitated the use of a jurist to interpret and determine the legal principles. Therefore, Mullā Aḥmad Narāqī emphasised in his book ʿAwāʾid al-ayyām the incumbency of following taqlīd upon the common man ʿammi (40). He also enumerates in this book various traditions which served to consolidate the vicegerency position of the jurists and which pointed to their sole deductive authority as the representatives of the Hidden Imām during the occultation. Narāqī repeatedly pointed out that the mujtahid is authorised and endowed with all the power to act as the successor of the Imām. Basically, his arguments were built upon akhbār (tradition), ijmāʿ (consensus) and ʿaql (reason). Before Narāqī the representation of the Imām was not specifically defined. The claims which the ʿulamāʾ made were not based on any one principle but were split into several categories of fiqh: qaḍāʾ (justice), jihād (holy war), khums (fifth of all profit earned) and ijtihād. Fundamentally these were guidelines for clarifying the actions of the jurist in certain cases and represented no absolute commitment to religion (41).

Narāqī was concerned in his book ‘Awā’id al-ayyām with Qawā‘id al-fiqh (the rules of jurisprudence) giving an exposition of the legal powers of wilāyat (devotion of the Shī‘ī faithful) by describing their duties and their legitimation. He dealt firstly with the wilāyat-i faqīh (the rule of cleric) as an independent subject, collecting all traditions and examples of juristic reasoning which were known to him in order to establish the ‘ulamā’s rights and duties according to wilāyat. The second striking feature is that he differentiated between wilāyat-i ‘āmma and wilāyat-i khāṣṣa (42).

To affirm the authority of the religious jurist, as Narāqī intended, denotes the effort to set up a hierocratic authority. However, the impact and the implicit incompatibility between religious and political forces appeared unacceptable to the government. Khumaynī has referred to Narāqī’s book ‘Awā’id al-ayyām as the only legal work on the independence and absolute power of the jurist (43). Nevertheless, the main thrust of Narāqī’s arguments about the vice-gerency is directed at increasing the juristic influence of the mujtahids. He concludes his argumentation about the preeminence of the jurists by claiming that the jurists had to observe the functions of the Imāms, for example, by acting impartially in public affairs and in specific testamentary questions which came under their jurisdiction (44). Later, Khumaynī declared (quoting Narāqī) that the same principles applied to rulership itself (45).

Although Āqā Muḥammad Bāqir Bihbihānī was convinced that the mujtahids were authorised to construct proof, he considered them as vicegerents of the Imāms but did not extend his principal ideas as Narāqī and Khumaynī did later. Narāqī’s exposition on jurisprudence marked and inaugurated the chapter of wilāyat-i faqīh. It is of relevance that Narāqī in respect of wilāyat-i faqīh "had an image of an ideal governance by the faqīh" (46). He started the doctrine of wilāyat-i faqīh under the

strong influence of the Uṣūlī of his time, whose strong rationalist tendency was of great advantage to him.

In the course of the second war against Russia the attitude of the 'ulamā' towards foreign influence became more and more hostile. Henry Martyn, an English missionary, was involved in controversy in Shiraz. Henry Martyn pretended to adopt Islam and studied religious sciences under Mullā 'Alī Nūrī (d.1246/1830-31). He composed an apologia of the prophet Muḥammad which, in fact, rather discredited Islam. An exchange of polemical treatises increased after his arrival and Narāqī refuted Henry Martyn in a tract called *Sayf al-umma*. Narāqī included in this work a number of translations into Persian from the Old Testament and Jewish theological works (47).

In addition to this work he wrote many books and treatises. The most important are the following: *Aṣrār al-ḥajj* published in 1321/1903-04 (48); *'Awā'id al-ayyām* published in Iran in 1266/1849-50 (49); *al-Khazā'in* known also as *Kashkūl Narāqī* published many times; 1308/1890-91 (50); *Miftāḥ al-aḥkām*, completed on Rabī' II 18, 1228/ April 21, 1813 and published in 1249/1833-34 in Qum (51); *Mi'rāj al-sa'āda;* translated from Arabic into Persian and published many times in Iraq and Iran. Najaf 1238/1822-23; Mashhad 1245/1829-30 (52). *Mustanad al- shī'a fī aḥkām al-sharī'a;* completed on Sha'bān 10, 1234/ June 5, 1819 and published in 1325/1907 (53); *Sayf al-umma wa burhān al-milla*, completed on Safar 17, 1233/ December 28, 1817 and published in 1267/1849-50 and 1331/1913 in Iran (54) .

During his life he taught many students. The most famous of them were Shaykh Murtaḍā al-Anṣārī, and Sayyid Muḥammad Bāqir Shaftī (55). Narāqī spent all his life in Iran teaching and publishing until he died on Sunday Rabī' II 23, 1245/

October 24, 1829 in Narāq. His corpse was transported to Najaf and buried near that of his father (56). Narāqī's death was caused by an epidemic. The author of *Rawḍāt* states that at that time an epidemic spread throughout Iran. Afraid of the epidemic, Narāqī advised the people around him to remain silent about the effects of the epidemic on the inhabitants of Narāq. However, one day a woman visited him to question him on religious matters and informed him about the effect of the epidemic on the people. She mentioned that ten thousand people had died already. A few hours after her visit, Narāqī died (57).

3.3 Sayyid Muḥammad Bāqir Shaftī, (b.1175/1761-62–d.1260/1844)

His full name is Sayyid Muḥammad Bāqir Shaftī ibn Sayyid Muḥammad Naqī ibn Muḥammad Zakī ibn Muḥammad Taqī, known as *Ḥujjat al-islām*. He was born in 1175/1761-62 in a small village near Shaft in the province of Gilān (58). Having spent his childhood in his birthplace he moved to Shaft at the age of seven. He lived in Shaft almost ten years and probably had his early learning there. At the age of seventeen he started to seek knowledge and travelled to various places. Thus, in 1192/1778 he went to Iraq to study for eight years in the *'atabāt*. After he had studied in Karbalā' under Muḥammad Bāqir Bihbihānī and Sayyid 'Alī Ṭabāṭabā'ī, he moved to Najaf in 1193/1779 where he attended the classes of Sayyid Muḥammad Mahdī Baḥr al-'Ulūm and Shaykh Ja'far Najafī *Kāshif al-ghiṭā'* Then he went to Kāzimayn, where he was taught certain aspects of Islamic law by Muḥsin al-A'rajī Kāzimī (d.1240/1824-25). In 1200/1785-86 Shaftī travelled to Qum, met Mīrzā Abū 'l-Qāsim Qummī, (d.1231/1816) the author of the celebrated book *Qawānīn al-uṣūl*, and became his student. Finally he moved to Kashan where he studied under Mullā

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Aḥmad Narāqī. Having concluded his studies, he took up residence in Isfahan in 1206/1791-92) (59).

Although originally poor, Shaftī gradually became rich and gained great influence. "He was considered as one of the most powerful *mujtahids* of the Shī'a Imāmiyya and one of the richest men in the history of Iran" (60). The author of *Qiṣaṣ al-'ulamā'* characterises this as a manifestation of the power of God. How he obtained his wealth is by no means obscure, although there has been an atmosphere of mystery around it. He was considered by some to have the ability of an alchemist (61). The actual basis of his wealth was to be found in a donation from the Khān of his village. The latter was highly impressed by his personality and gave it to him to invest in marchandise and property (62).

He spent his profits both on charity and on his own aggrandisement. To enlarge his profits and to accumulate his wealth he acquired estates and various shops which he sold afterwards at a profit. Within a short period he owned a remarkable estate, consisting of four hundred caravanserais, two thousand shops in Isfahan and many villages both nearby and in other areas (63). From what he possessed in the region of Burujird he received an income of six thousand tumans a year (64). Shaftī's house was occupied by over one hundred people and each of his seven sons lived in a separate house. Although he was always increasing his possessions, he has always donated a considerable part of his income to charitable works (65). According to Tunukābunī he regularly provided two thousand families with bread and meat. Shaftī was highly respected and entrusted by others with collecting and distributing alms. According to the custom the merchants of Iṣfahan gave him money on the day of *'īd al-ghadīr*, which he distributed amongst the poor (66). Moreover, from various other parts of

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Iran and even from India alms reached him and were transmitted by him to those in need.

Besides his impressive wealth, which appeared to be a heavenly reward, and the influence which he obtained by transmitting *zakāt*, Shaftī's sovereignty in Isfahan had another foundation. He successfully carried out all of the functions concerning jurisprudence which Bihbihānī, his teacher, had regained for the *mujtahid* (67). Like his teacher he was very much interested in proclaiming judgement. Shaftī was concerned with the *Shari'a* law, which he wanted to be practised during the occultation of the Imām. He himself carried out the punishments which had been passed according to the law. Shaftī is known to have condemned between eighty and one hundred people to death (68). He is reputed, although rigorousness and severity were his main characteristics, to have been just and reliable to a very high degree. A description of Shaftī is given in a quotation by H. Algar from the book of the Russian traveller de Bode, *Travels in Luristan and Arabistan*. It states that "he was distinguished for the spirit of toleration, justice and impartiality with which he treats the Christian population of Julfa". (69) So outstanding was the elevation of Shaftī and so dominant was he that the governors of Isfahan were compelled to wait respectfully in his house if they wanted to meet him, until he condescended to notice them (70). Sayyid Muḥammad Bāqir Shaftī's influence and domination in pecuniary matters were extended to a level where almost all governors found themselves in his debt (71). The nobility, devoutness and severity of his personality emerged uniquely and gave him the power to raise the *shari'a* to a dominant position in the administration of justice. This was probably the ultimate goal he wanted to attain, rather than mere wealth or strictness of judgement.

Although Fath 'Alī Shāh did not succeed in persuading him to live in Tehran, he nevertheless favoured him. When he visited him in Isfahan he actually failed with various proposals but at least he was asked for abolition of the royal *naqāra khāneh* (drummers attached to the royal palace) (72). Inconsistencies concerning disagreements in affairs of settlement which were connected to the *shar'* were passed on to him by the Shah: e.g. those of the residents of Malāyir and the governor Shaykh 'Alī Mīrzā and those between the tribes of Persian Iraq (73). When Fath 'Alī Shāh asked if he could share with Shaftī the costs of the mosque which was to be built in Bidabād, the latter refused to accept this offer (74).

During the disturbances which arose after Fath 'Alī Shāh died, Shaftī was one of the leading figures who supported the revolt of Husayn 'Alī Mīrzā Farmānfarma, who proclaimed himself Shah in Shiraz (75). Presumably he did this because of Farmānfarma's attitude against the Sufis, but also because of his inclinations to support the *'ulamā'*, incontrast to the new ruler Muhammad Shāh and his minister who had an inclination to Sufism. At that time Shaftī's relations with the *lūṭis* (brigandage) started. The *lūṭis* were sometimes actively concerned with lawlessness and were an executive force of the authority of the clergy. When Fath 'Alī Shāh died, they started at once to plunder Isfahan. Shaftī's involvement in these activities is ambiguous. It remains uncertain whether he encouraged their involvement or tried to restrain them (76).

Shaftī's popularity reached a great level and his name became more and more famous and gained veneration. He attracted a large number of students to his classes. The most famous of those who gained an *ijāza* from him were: Āqā Muhammad Mahdī ibn Hājj Muhammad Ibrāhīm Kalbāsī; Sayyid Fadl Allāh Astarābādī, whose

ijāza was dated on Dhū al-ḥijja 3, 1252/ March 12, 1837 (77); and Mīrzā Muḥammad ibn Sulaymān Tunukābunī, who points out in his book *Qiṣaṣ al-'ulamā'* that Shaftī intended to give him an *ijāza* but died one day before the issue of the *ijāza*. Therefore he got his *ijāza* from one of Shaftī's students(78).

Shaftī wrote a number of books such as *Maṭāli' al-anwār* consisting of 6 volumes (published in 1244/1828-29) (79); *Manāsik al-ḥajj* (published in 1258/1842) (80); *al-Suāl wa 'l-jawāb* (published in 1248/1832/33) (81); *Tuḥfat al-abrār* (82) and *Adab ṣalāt al-layl* (83). In addition to these books Shaftī wrote many *rasā'il* on various religious subjects such as *Risālat iqāmat al-ḥudūd* and *Risālat ḥukm al-tazwuj 'alā al-mutallaqa* (84).

Shaftī's popularity reached such a level that when he died in Rabī' II, 1260/May 1844 the bazars were closed for several days and all the people mourned for him (85).

3.4 Ḥājj Muḥammad Ibrāhīm Kalbāsī, (b.1180/1766-d.262/1846)

He was a prominent religious leader who was involved in the political events of the nineteenth century. Kalbāsī spent his life as an ascetic. He was the son of Muḥammad Ḥasan Kalbāsī, born in Rabī' II 19, 1180/ September 24, 1766 in Isfahan (86). After spending his childhood in his birthplace he emigrated to Iraq to study. Although his early learning is not mentioned by most of his biographers, he studied under his father and Mullā Muḥammad Rafi' al-Gilānī. He travelled to the shrine cities of Iraq and attended the classes of the *'ulamā'* there. Probably, he first studied in Karbalā' under Bihbihānī and Sayyid 'Alī Ṭabāṭabā'ī and moved then to Najaf to pursue his study under Muḥammad Mahdī Baḥr al-'Ulūm and Shaykh Ja'far Najafī

(87). During this period of studies he obtained many *ijāzat* from his teachers and other *'ulamā'*. Tunukābunī reports that he had heard from Kalbāsī directly that he had been studying for a long time under Bihbihānī and Baḥr al-'Ulūm but did not obtain *ijāza* from them, because he did not ask for it. But if he had asked they would have been given to him (88). However, he got *ijāzat* from Sayyid 'Alī Tabātabā'ī, Shaykh Ja'far Najafī (89) and Shaykh Aḥmad Aḥsā'ī (90). When he returned to Iran he attended the teaching circles of Mīrzā Abū 'l-Qāsim Qummī in Qum, from whom he obtained another *ijāza* for *riwāya*, dated on Shawwāl 4, 1218/ January 7, 1804 (91).Finally Kalbāsī moved to Kashan where he studied under Mulla Muḥammad Mahdi Narāqī (92). When he returned to Iṣfahan he was welcomed by the *'ulamā'* there and was soon recognized as a religious authority.

In Isfahan, Kalbāsī shared the religious leadership with Sayyid Muḥammad Bāqir Shaftī, with whom he had a close relationship (93). He undertook various religious responsibilities in cooperation with Shaftī. In addition to his teaching he was the Imām and preacher in the Ḥakīm mosque (94).

The author of *Qiṣaṣ al-'ulamā'* illustrates the authority and remarkable influence which Kalbāsī had. When he was told one day that Āqā Sayyid Mazandarānī had accused the Mullā of having no religion, he sentenced him to death. Only when Mazandarānī told him that he suffered from insanity did he spare his life. He did, however, exile him for more than one year to Najafabād, a small town situated twenty-five kms to the south of Isfahan. Only Shaftī could convince him to permit his return to Isfahan (95). However, the author of *Rayḥānat al-adab* states that because of Kalbāsī's piety and virtuousness he never got himself involved in the condemnation of people. And later he never issued any *fatwa* or *Risāla 'amaliya* (Vade Mecum)

until Mīrzā Qummī strongly insisted on him to do so (96).

When Baraghānī pronounced the *takfīr* against Shaykh Aḥmad Aḥsā'ī, Kalbāsī refused to support the *takfīr* probably due to his religious piety and his respect to his teacher who rewarded him by an *ijāza* (97).

Fatḥ 'Alī Shāh respected him highly and visited him on one of his trips to Isfahan (98). However, his relationship to secular power was not always without troubles. When one of the governors of Isfahan aroused his dislike, Kalbāsī sent him a letter which concluded with the following distich by Sa'di: " you see that the blood of the moth, unjustly shed by the candle, did not permit it to burn even until dawn." (99).

During the course of the events which took place in Tehran in Rajab 1244/1828-29, shortly after the second Russo-Persian war, when Griboyedov, the Russian Minister, was killed and riots broke out, Ḥājj Mīrzā Masīḥ *mujtahid*, the head of the *'ulamā'* in Tehran, was punished by the Tsar. Kalbāsī tried to convince Mīrzā Masīḥ to leave Tehran for the *'atabāt* in order not to become the cause of another war with Russia. However Mīrzā Masīḥ refused to leave Tehran immediately. He was brought by force to Masjid-i Shāh and the riots increased. When Fatḥ 'Alī Shāh no longer hesitated to agree with the *'ulamā'* and threatened a massacre, it was again only through the intervention of Kalbāsī that Mīrzā Masīḥ was able to leave Tehran in peace where he lived, for eighteen years until his death (100)

During the conflict which arose between the *'ulamā'* and the British missionary Henry Martyn, Kalbāsī among others produced a treatise refuting him (101).

In addition to this he wrote some books. The most important and widely known, written in three years, is *Ishārāt al-uṣūl*. Tunukābunī in his biography supplies a

comment of Sayyid Ibrāhīm Qazwīnī (d.1262-4/1846-8) on Kalbāsī's book. After he

had read half a page he said that the book had no value. Because of the ambiguity

of this statement, Tunukābunī elucidated the meaning of Sayyid Ibrāhīm's comment

as follows: Because of the importance of this book and its value Sayyid Ibrāhīm

could not find anything comparable to it. This book was published in the year when

printing was introduced in Iran (102). Amongst his other books were: *Manāhij* in six

volumes, dealing with *uṣūl* (103); *Shawāri' al-hidāya ilā Sharḥ al-kifāya* on *fiqh* (104);

al-Irshād, printed 1244/1828-29 (105); *al-Nukhba fī 'l-'ibādāt* published in Isfahan,

1246/1830-31,1267/1850-51, 1267/1850-51, 1279/1862-63 and 1285/1868-69. (106)

According to Muḥammad 'Alī Tabrīzī he died in 1262/1846 in Isfahan and

was buried near the Ḥakīm mosque where he used to teach. (107) However, the author

of *Rawḍāt*, referring to one of Kalbāsī's grandsons, dates his death of Jumāda I 8,

1261/ May 15, 1845 (108). Kalbāsī was succeeded by his first son, Shaykh Muḥammad

Mahdī (d.1278/1861-62). His other sons were Shaykh Ja'far (d.1292/1875), Shaykh

Muḥammad (d.1292/1875). Shaykh Muḥammad Riẓā *Shaykh al-islām*, Shaykh Nur

Allāh and Shaykh Abū 'l-Ma'ālī (109).

3.5. Mullā Muḥammad Taqī Baraghānī, known as *Shāhid al-thālith*, (b.1173/1760-d.1263/1847)

Muḥammad Taqī Baraghānī ibn Muḥammad al- Qazwīnī was the oldest of three brothers and was born in Baraghān near Tehran in about 1173/1760. He descended from a family of *'ulamā'* which dated back to the Buweihīd period (110).

Baraghānī started his early learning in Qazwīn, and moved later to Qum, where he attended the classes of Mīrzā Qummī. Because he was not satisfied with Qummī's classes, he set off to Isfahan to continue his studies in *ḥikma* and *kalām* based on the works of Mullā Ṣadra. Later he went to the *'atabāt* where he was taught by Āqā Sayyid 'Alī Ṭabāṭabā'ī, and his son Sayyid Muḥammad, *Ṣāḥib manāhil* and Shaykh Ja'far Najafī. After Baraghānī had obtained *ijāzat* from both Sayyid 'Alī and Ja'far Najafī he achieved the rank of *mujtahid* (111). He then returned to Tehran but, after a dispute with Fatḥ 'Alī Shāh, Baraghānī showed his disagreement with the Shah by leaving Tehran to settle in Qazwīn (112). There Baraghānī was warmly received by Mullā 'Abd al-Wahhāb Qazwīnī, the *imām jum'a* of Qazwīn, who spread his fame all over the city (113).

Baraghānī established there his own teaching circle, and became *imām jum'a* and preacher. He attracted a large number of worshippers as well as a group of *'ulamā'* to his mosque (114).

According to Kashmīrī controversies arose between Baraghānī and some of the *'ulamā'*. Different opinions existed on whether it was correct to charge a special fee for writing or issuing a *fatwa*. Baraghānī declared that it was permissible to do so

because it was not a central part of his duties. Others claimed that writing or issuing *fatwa* and delivering it were not inseparable from the main task of the *mujtahid* (115). Tunukābunī reports that Baraghānī produced many *fatāwī*, some of which were of doubtful nature and provoked disapproval from some *'ulamā'*, such as Mīrzā Qummī, Āqā Sayyid Muḥammad Bāqir Shaftī and Sayyid Muḥammad *mujāhid* (116).

When Shaykh Aḥmad Aḥsā'ī visited Qazwīn in 1238/1822, Baraghānī was the first to agitate against his philosophy. In the same year he pronounced the *takfīr* against him and other *'ulamā'* confirmed the pronouncement with the exception of the leading *'ulamā'* such as Shaykh Mūsā Najafī. (see page 28) During this time 'Alī Naqī Mīrzā Rukn al-Dawla the governor of Qazwīn, tried to negotiate between Baraghānī and Aḥsā'ī because he wanted to avoid disturbing Fatḥ 'Alī Shāh. However, he failed in his attempt at reconciliation (117).

Baraghānī was amongst the *'ulamā'* who, were influenced by Āqā Sayyid Muḥammad Ṭabāṭabā'ī, started to preach against the Russians and to agitate for *jihād*. However, the result of the war was even more disastrous than the outcome of the first Perso-Russian war. Because of Baraghānī's involvement in the second war the following anecdote connected with the war is given about him. When the war was lost and the *'ulamā'* had reasserted control over state affairs, Fatḥ 'Alī Shāh asked Baraghānī why the *jihād* had been unsuccessful. Baraghānī replied that the *jihād* had failed because of Abbās Mīrzā's insincerity about his intentions (118). Because of various disagreements, particularly concerning the leading of *jihād* and probably because of Baraghānī's attitude against Aḥsā'ī, Fatḥ 'Alī Shāh disliked him and enmity even arose against him. Nevertheless Fatḥ 'Alī Shāh changed his attitude towards him because of Baraghānī's response. He showed him great respect and

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rewarded him with a small village. Tunukābunī states that Baraghānī, who, had received this village near Qazwīn as fief, sold it after a time for a great amount and had declared it as being of unidentified ownership. Once again Baraghānī is shown in an unfavourable light. In any case he had the right of disposal for the village in his capacity of *shar'*. In the first decade of Muḥammad Shāh's reign, his prime minister Ḥājjī Mīrzā Āqāsī's policies appeared to develop a strong tendency against the *'ulamā'*. His policy was likely to clash with Baraghānī. Āqāsi tried to take away his land and to exile him from Iran (119). This inevitably provoked a strong reaction of the *'ulamā'* against Āqāsi.

Baraghānī composed a considerable number of works, the best known of which are: *Manāhij al-ijtihād*, written in 24 volumes and concluded before 1258/1842 (120); *Majālis al-muttaqīn*, written for Muḥammad Shāh in 1258/1842 and printed three times in Iran 1275/1858-59, 1300/1882-83 and 1316/1898-99 (121); *'Uyūn al-uṣūl*, written in 2 volumes 1238/1842. According to Āqā Buzurg, Baraghānī wrote *'Uyūn al-uṣūl* as an objection to the book of Mīrzā Qummī, *Qawānīn al-uṣūl* (122). Many *rasā'il* were written by Baraghānī such as *Risālat ṣalāt al-jum'a*, *Risāla ṭahārat wa namāz wa ṣawm* (123). Through his writing on the suffering of the third Imām Baraghānī attained fame, particularly with his book *Majālis al-muttaqīn*.

Predominantly in his last years, Baraghānī became notorious because of his never ending condemnation and denunciation of the Shaykhī school. Note only did he bring Shaykhism into discredit but also condemned the Bābīs after they had consolidated into a separate movement. Baraghānī was killed on Dhū 'l-Qa'da 15, 1263/ October 25, 1847 in his mosque in Qazwīn (124). What happened exactly is uncertain and different opinions concerning his assassination remain unclear. However,

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his murderers were apparently Bābīs whose deed was motivated by the persistence of Baraghānī's condemnation of them. By killing Baraghānī the Bābīs indicated their resistance to the hostility which the *'ulamā'* provoked in order to suppress the movement. Due to the circumstances of his assassination Baraghānī was given the title of *Shahīd thālith* (third martyr) (125).

3.6 Mullā Muḥammad Jaʿfar Astarābādī, (b.1198/1783-84-d.1263/1847)

Mullā Muḥammad Jaʿfar ibn Mullā Sayf al-Dīn Astarābādī known as Sharīʿatmadār was born in Nukandah, a village near Astarabad, in 1198/1783-84 (126). His father was a pious man who devoted all his money to the education of his son. When Sharīʿatmadār reached the age of learning he attended the madrasa at his birthplace, then went to Barfurūsh to continue his studies (127). It is reported that he used to copy every book he studied, such as the book of *al-Muṭawal* in 1217/1802 (128). Having concluded his primary education, Sharīʿatmadār set off to the *'atabāt* in search of higher education. In Karbalā' he attended the teaching circle of Sayyid ʿAlī Ṭabāṭabāʾī (129). According to Ḥabībābādī, he wrote two books while he was studying under Sayyid ʿAlī. His first book is known as *Malād al-awtād* and was a protocol of his teacher's lectures. The second is known as *Shawārīʿ al-anām*. When he showed these two books to his teacher, the latter highly appreciated his efforts and rewarded him by writing an *ijāza* on the back of the second book, which was written in 1228/1813 (130).

It was probably in 1229/1814 that Sharīʿatmadār returned to his country. At that time the leader of the *'ulamā'* in the province of Astarābād was Mullā Muḥammad Riḍā Astarābādī, one of the students of Bihbihānī (131). *Sharīʿatmadār* remained

more than a year in Astarabad and wrote another book, *Mishkāt al-warā'*. He remarked on this book that he had concluded it in Astarābād after fourteen months (132). Dissatisfied with the living conditions in Astarābād, he set off for Qazwīn. At that time Mullā 'Abd al-Wahhāb Qazwīnī was the leader of the *'ulamā'* there. When Fatḥ 'Alī Shāh visited Qazwīn, he met Sharī'atmadār there and, in order to spread the prestige of his capital, Fatḥ 'Alī Shāh tried to persuade him to live in Tehran. Once Sharī'atmadār arrived in Tehran the Shah offered him a house near to his palace and appointed him to the madrasa which had been built by the Shah's mother. In Tehran Fatḥ 'Alī Shāh used to visit him at least once each month (133). Sharī'atmadār became widely known and achieved a high position among the inhabitants of Tehran.

Sharī'atmadār was well received by the Shah, although he was among the *'ulamā'* who followed Fatḥ 'Alī Shāh to his summer residence and tried to convince him about the necessity of leading *jihād* against the Russians (134). After the Iranians were defeated Sharī'atmadār went to Mecca to perform his pilgrimage. When he returned from the holy places, he settled down in Karbalā' (135). In 1246/1830 an epidemic spread over the shrine cities of Iraq which caused the death of many of his family, probably including his wife. Thus he married the daughter of Muḥammad 'Alī Khān (136).

As he was among the *'ulamā'* who opposed the Shaykhī doctrine, and debated with Kāẓim Rashtī (d.1259/1843) the successor of Shaykh Aḥmad Aḥsā'ī, and declared *takfīr* against Aḥsā'ī, he had to take refuge in the shrine of 'Alī Riḍā, fearing that some of the disciples of Shaykh Aḥmad Aḥsā'ī might try to kill him (137). In fact, they inflicted some injuries on him, but his injuries were not severe (138).

When in 1824 Karbalā' was besieged by the army of 'Alī Pasha, *Sharī'atmadār*
returned to Iran and travelled to many places. He remained for a certain time in
Kirmanshah, Tehran and Astarabad and stayed in Mashhad until 1255/1839 (139).
During this period he had to face great opposition from Mullā 'Abd al-Khāliq, one
of Shaykh Aḥsā'ī's students. However, when Muḥammad Shāh, the successor of Fatḥ
'Alī Shāh, returned from the Harat war, he urged *Sharī'atmadār* to return to his
residence in Tehran. After the Shah had taken an oath to protect him, he followed
his invitation (140). In Tehran he was warmly welcomed and highly esteemed by
the inhabitants. All the people of Tehran regarded him as a religious and spiritual
leader, so that they sought his solutions to their various religious problems (141). He
remained in Tehran, teaching and writing, until he died in Ṣafar 10, 1263/ January
29, 1847 and was buried in Najaf (142).

Sharī'atmadār left many important works on different religious sciences,
such as *fiqh, uṣūl*, interpretation of the Holy *Qur'ān* and also mathematics, astronomy
and astrology (143). The most important and influential of them are the following:
Shawārī' al-anām, concluded in 1228/1812 (144); *Malad al-awtād*, consisting of eight
thousand verses and concluded in 1228/1812 (145); *Ḥayat al-arwāḥ*, written as a re-
jection of Aḥsā'ī's thought in 1240/1824 and published in 1256/1840 (146); *Manāsik
al-ḥajj*, published in Tehran 1261/1845 (147); *Mawā'id al-'awā'id*, consisting of seven-
teen thousand or forty thousand verses, copied by Muḥammad Ḥasan al-Hazrajirbī
in 1243/1827 (148); and *Anīs al-zāhidīn wa jalīs al-'ābidīn*, concluded in 1238/1822
(149); and *Zīnat al-ṣalāt.* According to Āqā Buzurg was summarized from his book
Anīs al-zāhidīn (150). He wrote also many *Rasā'il* and commentaries, among them
Silk al-bayān fī mushkilāt al-Qur'ān published in Bomay (151). Ḥabībābādī enumer-

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ates sixty nine works altogether. In addition, Sharī'atmadār established a teaching circle, to which he attracted a large number of students, most of whom became famous 'ulamā', such as Tunukābunī, the author of *Qiṣaṣ al-'ulamā'*, Sayyid Nāṣir Allāh Astarābādī and Mīrzā Muḥammad Andrumānī (152).

Footnotes

1. Āqā Buzurg, *al-Dharī'a*, Vol 5, p. 297.

2. Tunukābunī, *Qiṣaṣ*, p. 127.

3. Ibid, p. 125; Kashmīrī, *Nujūm*, p. 363.

4. Tunukābunī, *Qiṣaṣ*, p. 129.

5. Sipihr, *Nāsikh*, pp. 68-69; Momen, *Introduction*, p. 143.

6. Tunukābunī, *Qiṣaṣ*, p. 126.

7. Arjomand, *Shadow*, p. 231.

8. Ibid, p. 236.

9. Ibid, p. 243.

10. Ibid, p. 243.

11. Tabrīzī, *Rayḥānat*, Vol 2, p. 447.

12. Ḥabībābādī, *Makārim*, Vol 2, p. 494.

13. Busse, *History*, p. 174.

14. Kashmīrī, *Nujūm*, p. 364.

15. Ḥabībābādī, *Makārim*, Vol 4, p. 1160.

16. Sipihr, *Nsikh*, pp. 214-15.

17. Algar, *Religion*, p. 89.

18. Busse, *History*, p. 179.

19. Kashmīrī, *Nujūm*, p. 365.

20. Ḥabībābādī, *Makārim*, Vol 4, p. 1160.

21. Āqā Buzurg, *al-Dharī'a*, Vol 21, p. 300. It is clear that the date given by Āqā Buzurg concerning Sayyid Muḥammad's death is not reliable. Because Āqā Sayyid Muḥammad departur from Tabriz was after the returning of Fatḥ 'Alī Shāh which was in Rabī' II 22, 1242/ November 23, 1826.

22. Ḥabībābādī, *Makārim*, Vol 4, p. 1161.

23. Tunukābunī, *Qiṣaṣ*, p. 127.

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24. Tabrīzī, *Rayḥānat*, Vol 2, p. 447; Āqā Buzurg, *al-Dharī'a*, Vol 2, pp. 170-71.

25. Āqā Buzurg, *al-Dharī'a*, Vol 21, p. 315.

26. Ibid, Vol 21, p. 300.

27. Ibid, Vol 22, p. 352.

28. Tunukābunī, *Qiṣaṣ*, P.126.

29. Āqā Buzurg, *Ṭabaqāt*, Vol 2, p.116;- Tunukābunī, *Qiṣaṣ*, p.129.

30. Ḥabībābādī, *Makārim*, Vol 4, p.1236; Āqā Buzurg, *Ṭabaqāt*, Vol 2, p.116.

31. Khwānsārī, *Rawḍāt*, p. 237; Ḥabībābādī, *Makārim*, Vol 4, p. 1236.

32. Āqā Buzurg, *Ṭabaqāt*, Vol 2, p.116.

33. Tabrīzī, *Rayḥānat*, Vol 4, p. 184.

34. Tunukābunī, *Qiṣaṣ*, p. 130.

35. Khwānsārī, *Rawḍāt*, Vol 1, pp. 232-237; Āqā Buzurg, *al-Dharī'a*, Vol 15, p. 134.

36. Algar, *Religion*, Foot Notes, p. 57.

37. Tunukābunī, *Qiṣaṣ*, p. 129.

38. See chapt 1, *Shaykh Aḥmad Aḥsā'ī*, in this thesis .pp. 32-33

39. See Chapt 3, *Āqā Sayyid Muḥammad*, in this thesis, pp. 70-74.

40. Arjomand, *Shadow*, p. 232.

41. Ahmad Kazemi Moussavi, *The Establishment of the Position of Marja' yt-i Taqlid in the Twelver- Shi'ī Community*, Iranian Studies, (Boston 1985), Vol,18 p.40

42. Ibid, p. 41.

43. Momen, *Introduction*, p. 195-96.

44. Ibid, p. 196; Arjomand, *Shadow*, p. 265.

45. Khumaynī, *al Ḥukūma*, pp. 49-91.

46. Kazemi, *Establishment*, p. 43 ; Khumaynī, *al-Ḥukūma*, pp. 49-91.

47. Tunukābunī, *Qiṣaṣ*, pp. 129-130.

48. Āqā Buzurg, *al-Dharī'a*, Vol 2, p. 43.

49. Ibid, Vol, 15 p. 354.

50. Ibid, Vol 7, p. 152.

51. Ibid, Vol 21, p. 315.

52. Ibid, Vol 21, p. 230.

53. Ibid, Vol 21, p. 14-15.

54. Ibid, Vol 12, p. 286.

55. Kashmīrī, *Nujūm*, p. 344; Khwānsārī, *Rawḍāt*, p. 244.

56. Khwānsārī, *Rawḍāt*, Vol 1, p. 240; Āqā Buzurg, *al-Dharī'a*, Vol 1, p. 315.

57. Khwānsārī, *Rawḍāt*, Vol 1, p. 238.

58. Bāmdād, *Sharḥ-i ḥāl-i rijāl-i Iran dar qarn-i 12, 13, 14*, Vol 3, p. 285; Āqā Buzurg, *Ṭabaqāt*, Vol 2, pp. 192-193.

59. Ibid, Vol 2, pp. 193-194. conserning the date of his stellment in Isfahan Algar mentioned 1216/1801-02 *Religion*, p.60.

60. Fischer, *Iran*, p. 30.

61. Algar, *Religion*, p. 60.

62. Tunukābunī, *Qiṣaṣ*, p. 141; Algar, *Religion*, p.60.

63. Ibid, p. 141; Algar, *Religion*, p. 60.

64. Ibid, p. 141.

65. Ibid, p. 141-42.

66. Ibid, p. 142.

67. See chapt 2, in this Thesis, pp. 40-43.

68. Tunukābunī, *Qiṣaṣ*, p. 145.

69. Algar, *Religion*, p, 61.

70. Tunukābunī, *Qiṣaṣ*, p. 143.

71. Algar, *Religion*, p. 62.

72. Tunukābunī, *Qiṣaṣ*, p. 143.

73. Algar, *Religion*, p. 62.

74. Tunukābunī, *Qiṣaṣ*, p. 149.

75. For the revolts see Busse, *History*, pp. 233-240.

76. Algar, *Religion*, pp. 107-113. The *lūṭī* had created a big priblem for the security of citizens

of Isfahan. It is reported that after they had got a *bast* sanctuary from Sayyid Muḥammad Bāqir Shaftī as a reward for their serviceses.

77. Āqā Buzurg, *al-Dharī'a*, Vol 1, pp. 156-158.

78. Tunukābunī, *Qiṣaṣ*, p.136 .

79. Āqā Buzurg, *al-Dharī'a*, Vol 21, pp. 142-3.

80. Ibid, Vol 22, p. 257.

81. Ibid, Vol 12, p. 243.

82. Ibid, Vol 3, pp. 403-4.

83. Ibid, Vol 1, p. 22; Bamdād, *Rijāl-i Iran*, Vol 5, p. 212.

84. Āqā Buzurg, *Ṭabaqāt*, Vol 2, p.195.

85. Ibid, Vol 2, p. 196.

86. Khwānsārī, *Rawḍāt*, Vol 1, p. 84.

87. Tunukābunī, *Qiṣaṣ*, p. 117; Khwānsārī, *Rawḍāt*, Vol 1, pp. 85-86.

88. Tunukābunī, *Qiṣāṣ*, p.116.

89. Ibid, p. 120.

90. Ibid, p. 121; Tabrīzī, *Rayḥānat*, Vol 1, p. 40.

91. Āqā Buzurg, *al-Dharī'a*, Vol 1, p. 138; Khwānsārī, *Rawḍāt*, p. 86.

92. Āqā Buzurg, *Tabaqāt*, Vol 2, p. 14; Khwānsārī, *Rawḍāt*, p. 86.

93. Āqā Buzurg, *Ṭabaqāt*, Vol 2, p14.

94. Ibid, Vol 2, p. 14 ; Khwānsārī, *Rawḍāt*, Vol 1, p.87.

95. Tunukābunī, *Qiṣāṣ*, p. 119

96. Tabrīzī, *Rayḥānat*, Vol 3, p354; Khwānsārī, *Rawḍāt*, Vol 1, p.86.

97. Momen, *Introduction*, p.136.

98. Tunukābunī, *Qiṣaṣ*, p. 119.

99. Ibid, p. 119; the translation of the two verses quoted from H. Algar, *religion and state*, p. 60 .

100. Algar, *Religion*, pp. 85-88; Bamdād, *rijāl-i Iran*, Vol 4, pp.i00-01.

101. Ibid, pp. 97-98.

102. Tunukābunī, *Qiṣaṣ*, p. 118; Āqā Buzurg, *al-Dharī'a*, Vol 2, pp. 97-98; Khwānsārī, *Rawḍāt*, Vol 1, p. 88 .

103. Tunukābunī, *Qiṣaṣ*, p. 118; Āqā Buzurg, *Ṭabaqāt*, Vol 2, p. 14 .

104. Āqā Buzurg, *al-Dharī'a*, Vol 14, p. 237 .

105. Ibid, Vol 24, pp. 90-91

106. Tabrīzī, *Rayḥānat*, Vol 3, p. 354; Khwānsārī, *Rawḍāt*, Vol 1, p. 88.

107. Tabrīzī, *Rayḥānat*, Vol 3, p. 354 .

108. Khwānsārī, *Rawḍāt*, vol 1, p. 84 .

109. Ibid, Vol 1, p. 83; Āqā Buzurg, *Ṭabaqāt*, Vol 2, p. 15. -

110. Mac Eoin, *Shaykhism*, p. 76.

111. Kashmīrī, *Nujūm*, p. 407; Tunukābunī, *Qiṣaṣ*, p. 22 .

112. Āqā Buzurg, *Ṭabaqāt*, Vol 2, p. 226; Tunukābunī, *Qiṣaṣ*, p. 22 .

113. Tunukābunī, *Qiṣaṣ* p. 22 .

114. Ibid, p. 20; Āqā Buzurg, *Ṭabaqāt*, Vol, 2 p. 227.

115. Kashmīrī, *Nujūm*, p. 410; Tunukābunī, *Qiṣaṣ*, p. 23.

116. Tunukābunī, *Qiṣaṣ*, pp. 22-24.

117. Ibid, p. 36.

118. Ibid, pp. 26-27.

119. Ibid, pp. 27-29.

120. Āqā Buzurg, *al-Dharī'a*, Vol 23, p. 182.

121. Ibid, Vol 19, p. 364; C.A. Storey, *Persian literature*, a bibliographical survey. (London, 1953), Vol 1, part 2, p. 1264.

122. Ibid, Vol 19, p. 377.

123. Āqā Buzurg, *Ṭabaqāt*, Vol 2, p. 228.

124. Ibid, Vol 2, p. 227, *al-Dharī'a*, Vol 5, p. 377.

125. Mac Eoin, *Shaykhism*, p. 76.

126. Āqā Buzurg, *Ṭabaqāt*, Vol 2, p. 253.

127. Ḥabībābādī, *Makārim*, Vol 1, p. 84.

128. Āqā Buzurg, *Ṭabaqāt*, Vol 2, p. 253.

129. Kashmīrī, *Nujūm* p. 414; Tunukābunī, *Qiṣaṣ*, p. 100.

130. Ḥabībābādī, *Makārim*, Vol 1, p. 84.

131. Āqā Buzurg, *Ṭabaqāt*, Vol 2, p. 253

132. Ibid, Vol 2, p. 254

133. Ḥabībābādī, *Makārim*, Vol 1, p. 85.

134. Busse, *History* p. 175.

135. Āqā Buzurg, *Ṭabaqāt*, Vol 2, p. 254.

136. Ḥabībābādī, *Makārim*, Vol 1, p. 85.

137. Tunukābunī, *Qiṣaṣ*, p. 44.

138. Āqā Buzurg, *Ṭabaqāt*, Vol 2, p. 254.

139. Ḥabībābādī, it Makārim, Vol 1, p. 86.

140. Āqā Buzurg, *Ṭabaqāt*, Vol 2, p. 254.

141. Ḥabībābādī, *Makārim*, Vol 1, pp. 86.

142. Muḥsin Amīn, *A'yān al- shī'a*, Vol 15, p. 357.

143. Tabrīzī, *Rayḥānat*, Vol 2, p. 318.

144. Āqā Buzurg, *al-Dharī'a*, Vol 14, pp. 23.

145. Ibid, Vol 22, p. 192.

146. Ibid, Vol 7, p. 116.

147. Ibid, Vol 22, p. 259.

148. Ibid, Vol 23, pp. 214-15.

149. Ibid, Vol 2, p. 455.

150. Ibid, Vol 12, p. 93.

151. Ḥabībābādī, *Makārim*, Vol 1, p. 91 eak

CHAPTER FOUR

BIOGRAPHIES OF THE THIRD GENERATION.

4.1. Shaykh Muḥammad Ḥasan Najafī (b.1202/1787-88,d.1266/1849-50)

Muḥammad Ḥasan was the son of Muḥammad Bāqir ibn 'Abd al-Raḥīm, descended from a family of *'ulamā'*. His ancestors are considered the first scholars to have migrated to Najaf from Iran. His grandfather's grandfather Āqā 'Abd al-Raḥīm al-Sharīf, known as *al-Kabīr*, migrated to Najaf and studied under the *'ulamā'* there until his death at the beginning of the twelfth/seventeenth century. The grandfather of Muḥammad Ḥasan's father was an *'ālim* and wrote a famous book entitled *al-Iqtibās wa al-taḍmīn* on one hundred Qur'ānic verses (1).

Shaykh Muḥammad Ḥasan was born in 1202/1787-88 in Najaf, where he spent all his life (2). His early learning was supervised by some of the *'ulamā'*. In *suṭūḥ* (medium level) he was taught by Shaykh Qāsim āl-Muḥyī al-Dīn (d.1237/1821-22) and Sayyid Ḥusayn al-Shaqrā'ī (d.1230/1814-15). After that he attended the classes of Jawād al-'Āmilī(d.1226/1811), the author of *Miftāḥ al-karāma*, then the lectures of Shaykh Ja'far Najafī *Kāshif al-ghiṭā'* and his son Shaykh Mūsā (3). He obtained the *ijāza* of *al-riwāya* from Shaykh Ja'far Najafī and Shaykh Aḥmad Aḥsā'ī (4).

Shaykh Muḥammad Ḥasan established his own circle of teaching in Najaf. His fame spread in Iraq and Iran particularly after the death of Sayyid Muḥammad Bāqir Shaftī and Sayyid Ibrāhīm Qazwīnī, he attracted the attention of both students and *'ulamā'* to his classes (5). He became one of the most outstanding Shī'ī *mujtahid*, and most of *'ulamā'* of the following generation such as Shaykh Murtaḍā al-

Anṣārī (d.1281/1864), Shaykh Muḥammad Ḥasan Shīrāzī (d.1312/1894/95), Sayyid Ismāʿīl Bihbihānī (d.1295/1878), Sayyid Asad Allāh Isfahānī and Mullā ʿAlī Kanī (d.1306/1888-89) studied under him (6).

Shaykh Muḥammad Ḥasan was a pioneer in religious studies, particularly in *fiqh*, so that his honourable place was apparent to all and incontestably he won the leadership. The author of *Rawḍāt al-jannāt* describes him as being a unique *ʿālim* of his time in the skilful development of legal questions. None before him had classified the elements of law according to various proofs, nor had anyone dealt so systematically with the principles of *uṣūl*, or formulated such precise conclusions. Khwānsārī adds that the overall guidance of the Shīʿī in both Iran and Iraq was allocated to him (7).

After Mullā Aḥmad Narāqī had established his idea of *wilāyat al-faqīh* in the first half of the nineteenth century, twelver Shīʿī jurisprudence was renewed fundamentally and the position of *marjaʿ al-taqlīd* was introduced (8). When during the nineteenth century communication in general improved, in cases of controversies on important questions, prominent *mujtahids* in Najaf were consulted by ordinary members of the Shīʿī community or local *mujtahids*. Only a small number of prominent *mujtahids* in Najaf, however, were regarded as *marjaʿ al-taqlīd*. Shaykh Muḥammad Ḥasan almost succeeded in consolidating the function of *marjaʿ al-taqlīd* within himself, although some evidence is given that either Murtaḍā al-Anṣārī or Mīrzā Muḥammad Ḥasan Shīrāzī were the first to become sole *marjaʿ al-taqlīd* for the Shīʿī community (9).

When the controversy arose about who was the first incumbent of the office *marjaʿ al-taqlīd*, however, the main arguments were centred on Shaykh Muḥammad

Hasan Najafī and his immediate successor Shaykh Murtaḍā al-Anṣārī. Some biographers, namely Āqā Buzurg, consider Shaykh Muḥammad Hasan to be the first marjaʿ al-taqlīd (10). It was Muḥammad Hasan who made progress with establishing the position of marjaʿ al-taqlīd within one individual. Due to this he is called raʾīs al-ʿulamāʾ (head of the Ulama) or even nāʾib al-imām (vicegerent of the Hidden Imām) in several sources (11).

Mujtahids such as Sayyid Muḥammad Bāqir Shaftī and Sayyid Jaʿfar Kashfī (d.1267/1850-51) had surmounted self-imposed limitations and participated actively in the administration of justice. But even a mujtahid like Shaykh Muḥammad Hasan Najafī, who favoured the incumbent administration of ḥudūd during the occultation by accentuating the general vicegerency, showed his scepticism about mundane interference and accused some of the ʿulamāʾ of being interested merely in abusing their influence and prestige for the sake of being regarded as leader and extending their secular power. Other mujtahids rejected wordly involvement totally. Shaykh Muḥammad Hasan did not approve any legitimation of the general vicegerency of jurists when merely deduced on the basis of their official right of incumbency which, according to Shaykh Murtaḍā al-Anṣārī, could not be proved completely by the sources of the sacred law (12).

Shaykh Muḥammad Hasan has left a precious bibliography. His masterpiece was Jawāhir al-kalām on fiqh. According to Āqā Buzurg, he started writing al-Jawāhir when he was twenty-five years old and concluded it in 1257/1842 (13). Although his book consists of twenty-five volumes, it was published many times. In this book Shaykh Muḥammad Hasan discusses precisely the concept of wilāyat al-ʿāmma, and adduces the traditions and ordinances transmitted by the Hidden Imām

to strengthen and consolidate the authority of the Shī'ī jurist on behalf of the Hidden Imām. Their authority reaches every sphere, except those which the Imāms do not have the competence to authorize, for example in the case of *jihād*, where armed forces are necessitated, or at the time of the return of the Hidden Imām (14). In addition to this he wrote many *Rasā'il* such as his *Risāla al-'amaliya* (Vade Mecum) (15); *Najāt al-'ibād*, upon which many comments have been written by his students (16); *Risālat al-dimā' al-thalātha, Risālat aḥkām al-amwāt* (17); and *Hidāyat al-nāsikīn*, dealing with the pilgrimage rituals (18). His last work was *al-Risāla* dealing with inheritence, written in 1264/1848 (19).

The legal writing of Muḥammad Ḥasan, as that of Shaftī one generation before, indicated the positivist attitude of the *mujtahids* towards the administration of law (20). How influential Muḥammad Ḥasan had been is indicated by the fact that Sayyid 'Alī Shīrāzī, after declaring himself Bāb in 1260/1844, informed Shaykh Muḥammad Ḥasan Najafī about the foundation of his sect (21). Moreover it is uncertain whether or not Muḥammad Ḥasan confirmed Baraghānī's *takfīr* against Shaykh Aḥmad Aḥsā'ī, from whom he obtained an *ijāza*. However, he opposed Shaykhism later (22).

Intermarriage between the *mujtahids* became an increasingly important part of their socio-political network. Tunukābunī mentions an example of great importance in the relationships of the *mujtahids*. Shaykh Muḥammad Ḥasan had a dream in which the Prophet appeared before him. He wanted to consult him but he was not allowed to enter his house because his daughter Fāṭima was with him. However, after a short time a Kurdish man entered the house without asking for permission. Muḥammad Ḥasan was wondering about that and was informed that this man was one of the relatives of Fāṭima. Therefore, he had access to the Prophet's

house at any time. On the next day Shaykh Muḥammad Ḥasan married the daughter of Sayyid Riḍā, the son of Baḥr al-'Ulūm, in order to be related to Fāṭima through his wife (23).

Shaykh Muḥammad Ḥasan was not only a famous scholar; he also became widely known through his generosity and support of the poor. Most notable was his diversion of the river *Asif al-dawla* to supply water for Najaf. He spent a lot of money on it but died before the completion of the project (24).

He died on Sha'bān 1, 1266/ June 28, 1850 in Najaf and buried there. His descendants are called -*Āl al-jawāhir* on account of his book *Jawāhir al-kalām* and have included many prominent *'ulamā'* (25).

4.2. Āqā Sayyid Ibrāhīm Qazwīnī (b.1214/1799-1800–d.1262-64/1846-48)

Āqā Sayyid Ibrāhīm ibn Sayyid Muḥammad Bāqir Mūsawī Qazwīnī was a unique teacher of his time. He was born in Khā'īn in Dhu al-Ḥijja, 1214/ May 1800 (26). When his father moved to Kirmanshah he accompanied him. At Kirmanshah Ibrāhīm's father exercised the function of a teacher in the court of the prince governor Muḥammad 'Alī Mīrzā. Āqā Sayyid Ibrāhīm started his early education under his father in Kirmanshah, then travelled to Karbalā', where he was taught by Āqā Sayyid 'Alī Ṭabāṭabā'ī and his son Āqā Sayyid Muḥammad. After the death of Sayyid 'Alī he attended the classes of Mullā Muḥammad Sharīf Mazandarānī, known as *Sharīf al-'Ulamā'* (d.1245/1829-30). At this period, however, Sharīf al-'Ulamā' did not teach Islamic jurisprudence and in order to study it Āqā Sayyid Ibrāhīm moved to Najaf (27). There is uncertainty concerning his teacher in Najaf. Whereas Tunukābunī states that he was taught there by Shaykh 'Alī Najafī (d.1254/1838-39) for seventy

months (28), the author of *Ṭabaqāt* states that he was taught there by Shaykh Mūsā Najafī (d.1241/1825-26) (29). However, it appears that Tunukābunī, being Sayyid Ibrāhīm's student, is more reliable. Or it could be that he had studied under both of them.

Tunukābunī points out that while studying in Najaf, Sayyid Ibrāhīm had the following dream for three successive nights: The first Imām 'Alī appeared before him advising him to return to Karbalā'. After the third appearance of the Imām, Sayyid Ibrāhīm followed his advice and returned to Karbalā' (30). In Karbalā' he established his teaching circle in the mosque belonging to the *Sardar madrasa* adjoining the shrine of Imām Ḥusayn. According to *Qiṣaṣ al-'ulamā'* at first the number of his students was around three hundred but, after Sharīf al-'Ulamā' died in 1245/1829-30 , his teaching circle attracted a larger number of students and allegedly their number ranged from seven hundred to one thousand (31).

Āqā Sayyid Ibrāhīm earned a high reputation and succeded Sharīf al-'Ulamā' as the leading *'ālim* in Karbalā'. Within a short time he became the sole *mujtahid* there (32). During the time he was a teacher he had the opportunity of cooperating with Shaykh Muḥammad Ḥasan Najafī, the author of *Jawāhir al-kalām*, whose *ijāzat* had the highest reputation of the time. Sayyid Ibrāhīm used to send his students to Shaykh Muḥammad Ḥasan in order to be examined by him as *mujtahid* (33).

The outstanding *'ulamā'* who studied under him are the following: Āqā Sayyid Asad Allāh Isfahānī (d.1290/1873); Shaykh Mahdī Kajūrī; Ḥajjī Muḥammad Karīm *mujtahid*; Mullā 'Alī Kanī (d.1306/1888-89); Mīrzā Muḥammad Tunukābunī; his

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maternal uncle Āqā Sayyid Abu al-Ḥasan Tunukābunī and Mīrzā Salīḥ 'Arab (34). Sayyid Ibrāhīm became widely known in the shrine cities of Iraq and his fame even reached the Shī'ite community of India too. Tunukābunī states that every year the Shī'ī ruler of Oudh would entrust to him a large sum of money, amounting to over twenty thousand *tumān* (35).

At the beginning of the nineteenth century the Shī'ī community in Karbalā' split into two groups, namely Shaykhī and Uṣūlī, whose leaders were Sayyid Ibrāhīm Qazwīnī, an *uṣūli mujtahid* and Sayyid Kāẓim Rashtī, a *Shaykhī* and Aḥmad Aḥsā'ī's successor. The gangs which controlled Karbalā' at that time took advantage of this division. Moreover it had become common for religious scholars to establish links with such groups. When Sayyid Ibrāhīm was robbed [of four thousand qirān] by Ibrāhīm Za'farānī, the head of one of the gangs, he tried to find protection under Mīrzā Salīḥ, who was the opponent of Za'farānī. As a countermove to this Za'farānī declared himself as one of Rashtī's disciples. However, it appears that Mīrzā Salīḥ was listed among Sayyid Ibrāhīm's students (36).

According to Tunukābunī, Āqā Sayyid Ibrāhīm was among the *'ulamā'* with whom Fatḥ 'Alī Shāh was hoping to establish blood relations. He wanted to marry one of his daughters, Ḍiyā' al-Sulṭana, to Sayyid Ibrāhīm. However, the latter rejected this offer, as he did not want to be dependent on the Shah (37).

Āqā Sayyid Ibrāhīm was highly respected not only by the ruler of Iran but also by the Sunnī governor of Baghdad, Najīb Pasha. When it happened that one person from the Shī'ī community cursed the second rightly Caliph 'Umar, and was imprisoned afterwards, it was only through the intervention of Sayyid Ibrāhīm that his life be saved and the prisoner set free (38).

In late 1842, while Sayyid Ibrāhīm was in Baghdad, Karbalā' was besieged by Turkish troops, and dozens of buildings including the shrines had been damaged. At the begining of 1843 Āqā Sayyid Ibrāhīm and the consul of Iran started to negotiate with the Turkish governor of Baghdad Najīb Pasha. But the occupation of Karbalā' could not be prevented (39).

Āqā Sayyid Ibrāhīm was the author of some important books and treatises, the most important of which were: *Ḍawābit al-uṣūl*, written, according to Tunukābunī, during two months while he was in Mecca (40). [He wrote also a summary of *Ḍawābit* entitled *Natā'ij al-afkār*. However, Khwānsārī states that he composed *Natā'ij al-afkār* based on the comments of his teacher Sharīf al-'Ulamā'] (41); and *Dalā'il al-aḥkām fī sharḥ sharā'i' al-islām* on Islamic law, was completed by some of his students and printed in 1271/1854 (42). He also wrote some *Rasā'il* (treatises), such as *Risālat Manāsik al-ḥajj* (43); and *Risālat ṣalāt al-jum'a* (44).

The date of his death remains uncertain. All the sources differ in the year given for Sayyid Ibrāhīm's death. Tunukābunī gives 1264/1847-48 (45), Āqā Buzurg Tihrānī mentions on Shawwāl 17, 1262/ September 8, 1846 (46) as his date of death whereas Ḥabībābādī refers to both dates (47).

4.3. Shaykh Murtaḍā Shushtarī al-Anṣārī (b.1214/1799-1800, d.1281/1864)

He is the son of Muḥammad Amīn Anṣārī Tustārī, whose ancestors are related to Nadhīr ibn Jābir al-Anṣārī. According to Ḥabībābādī, Nadhīr came to Iran and settled in Shushtar after Iran (Persia) was conquered by the Islamic army (48).

Nadhīr's father, Shaykh Jābir (d.78/697-98), was one of the Prophet's companions (49).

Shaykh Murtaḍā al-Anṣārī was born on Dhu al-Ḥijja 18, 1214/ May 14, 1800 in Dizful and was descended from a family of *ulamā'* (50). al-Anṣārī's grandfather Shaykh Murtaḍā was a famous scholar who wrote many books on theology. He had three sons, namely al-Anṣārī's father Shaykh Muḥammad Amīn, Shaykh Maḥmūd and Shaykh Aḥmad. However, Ḥabībābādī's contributions concerning al-Anṣārī's family relationships are inconsistent. After mentioning two paternal uncles and one paternal cousin, the latter being Shaykh Ḥusayn under whom al-Anṣārī had allegedly studied, he reports that al-Anṣārī's first teacher was Shaykh Ḥusayn, his paternal uncle (51). The contradiction which emerges from both statements is unresolvable. However, there is more evidence that al-Anṣārī had studied under his paternal uncle, Shaykh Ḥusayn, because other sources refer to him as his uncle (52). After al-Anṣārī concluded his early learning at his birthplace, he went to Karbalā' with his father in 1232/1816-17. Having visited Āqā Sayyid Muḥammad Ṭabāṭabā'ī, al-Anṣārī participated in debates and, through his argumentation, showed deep knowledge and thoroughness and thus attracked the attention of Sayyid Muḥammad. Āqā Sayyid Muḥammad recommended that Anṣārī's father leave him in Karbalā' in order to continue his studies under him. al-Anṣārī spent there four years studying under Āqā Sayyid Muḥammad and Sharīf al-'Ulamā' (53).

In 1236/1820-21 Karbalā' was surrounded by Dāwwūd Pasha, the governor of Baghdad, due to the increase of the Perso-Ottoman hostility at that time. The inhabitants of the shrine city escaped to other places. al-Anṣārī probably went to Kāẓimyan with his teacher, Āqā Sayyid Muḥammad (54). Then he travelled to Dizful

(55). After staying there for almost two years, al-Anṣārī returned to the *'atabat* and continued his studies for two years under Sharīf al-'Ulamā' in Karbalā' and Shaykh Mūsā *Kāshif al-ghiṭā'* in Najaf (56). In 1240/1824-25 al-Anṣārī once again returned to Dizful and decided to visit Mashhad, intending to study under other *'ulamā'* of Iran, but his mother opposed his desire. However, after having performed an *istikhāra*, (the consultation of the *Qur'ān* in order to decide whether or not to undertake a certain action) she was convinced by one verse of the *Qur'ān* and allowed him set off. Anṣārī, accompanied by his brother, travelled first to Burujird where he met Ḥājj Mullā Asad Allāh Burūjirdī (d.1271/1854/55), the leading *'ālim* of Burūjird (57). It is uncertain whether or not Anṣārī attended his classes.

Eventually he set off to Kashan via Isfahan, where he spent a few days and met Sayyid Muḥammad Bāqir Shaftī who respected him highly (58). In Kashan al-Anṣārī attended the teaching circle of Mullā Aḥmad Narāqī for four years. He obtained an *ijāza* from him, dated Shawwāl 1244/1828-29. Mullā Aḥmad Narāqī once declared that, although he had travelled a lot and met fifty *'ālim*, he had never seen someone like Anṣārī (59). Having spent four years in Kashan, al-Anṣārī went to Mashhad to perform his pilgrimage, and finally he went to Tehran. After his long journey on which he spent six years, al-Anṣārī returned to Dizful and presided over the teaching circle there (60). He remained in Dizful until 1249/1832-33. Then he decided to go back to Najaf. Although the inhabitants of Dizful insisted that he extend his stay, he set off to Najaf where he attended the classes of Shaykh 'Alī *Kāshif al-ghiṭā'* (d.1254/1838-39), but only for a few months. After the demise of Shaykh 'Alī, al-Anṣārī founded his own teaching circle in Najaf (61). According to Ḥabībābādī Anṣārī trained 267 students, including the following prominent figures: Sayyid Muḥammad Ḥasan Ibn Maḥmud

Shīrāzī (d.1312/1894-95); Shaykh Muḥammad Ḥasan Mamaqānī (d.1323/1905); and Sayyid Jamāl al-Dīn Asadābādī, known as Jamāl al-Dīn al-Afghānī (d.1314/1896-97) (62).

After Bihbihānī, who could be regarded as the founder of the Uṣūli school, had completed Shī'ī jurisprudence, al-Anṣārī developed the next major principle in jurisprudence, which maintains its impact on the *mujtahids* until now (63). His most important contribution was to derive principles from cases where legal decisions were in doubt. al-Anṣārī and his followers categorized legal decisions into the following four groups:

1. *Qat'* (certainty). These are cases where unambigious judgements can be referred back to the Qur'ān or reliable traditions. Although reasoning is not necessary, this method could be used.

2. *Ẓann* (valid conjecture). These are cases where the possibility of correctness can be established by using certain rational principles.

3. *Shakk* (doubt). These are cases where no guidance results from any sources to prove the probability of truth. al-Anṣārī formulated four principles, which he describes as *Uṣūl 'amaliyya*, to give practical advice. In his book *al Rasā'il*, these four principles are referred to as emanations of reason and consist of analogous modifications of the first two groups, namely *barā'* (freedom for action), *takhyīr* (freedom of choosing) *istiṣḥāb* and *iḥtiyāṭ* (prudence in the ambiguous cases)

4. *Wahm* (erroneous conjecture). These are cases where the possibility of error is given. The decisions derived from those cases are of no legal value (64).

al-Anṣārī's contribution influenced immensely jurisprudence and gave new impulse to it. The *mujtahids* in previous times were forced to restrict themselves and were dealing only with cases where no uncertainty concerning decisions was to be found, according to the guidance of the Imāms. By contrast al-Anṣārī's rules now allowed the *mujtahids* to extend their jurisdiction into spheres where, even if the mere probability of being in accordance with the Imām's guidance was present, this allowed them to make a decision. Nevertheless, al-Anṣārī exercised *ijtihād* very strictly, whereas other *'ulamā'* interpreted it more freely (65).

Even though the fundamental source of law is God, the *mujtahids* exercise their legal function according to reason, which is given by God. Reason determines consistently the process of *ijtihad*. When the *mujtahid* has reached the point of passing judgements, he had to act according to his own conviction, because it was not permissible for one *mujtahid* to imitate another *mujtahid*. However, during the second half of the nineteenth century it became more and more common to accept the decisions of the leading *mujtahids*, and thus the idea of the *marja' al-taqlīd* emerged (66).

Shortly before Muḥammad Ḥasan Najafī died, he wanted to determine his successor and appointed al-Anṣārī as *marja' al-taqlīd* (67). However, the attempt to institutionalize the post was not to be continued by other *marja' taqlīd* after al-Anṣārī's death.

al-Anṣārī emerged as the sole *marja' al-taqlīd* in the mid 1850's and became the first to be universally recognized as *marja' al-taqlīd* throughout the whole Shīʿī world (68). He was referred to by the Shīʿite community as the deputy of the Imām and was responsible for the development of jurisprudence (69). However, he rejected any political involvement.

Through the development of the position of *marja' al-taqlīd* an enormous power and wealth was concentrated on one individual. The *zakāt and khums*, allegedly 200,000 *tūmāns* annually, were paid to him on behalf of the Imām. As mentioned before, one of the financial sources of the *'ulamā'* in the *'atabat* was the money of the *Oudh Bequest*. The British minister of Tehran wrote that " it was a powerful lever which helped to promote good relations between the Persian ecclesiastics and myself and ... offered opportunities for influencing the leading Persian *'ulamā'*" (70). However, Muḥsin Amīn points out that the British authorities did not succeed in influencing al-Anṣārī through the *Oudh Bequest* (71).

His biographers portrayed him as being very pious and austere, almost obsessed with the fear of displeasing God. He only issued *aḥkām* (judgements) and *ijāzas* when he was very certain that the possibility of making errors was reduced to a minimum (72). In dars al-kharīj, (graduation classes), the most common style of teaching is *mas'ala sāzī* (constructing hypothetical examples). Shaykh al-Anṣārī is said to have employed this method for constructing hypothetical examples. It begins by confronting the students with a hypothetical legal problem with all its possible branchings and conclusions. It gives the students the possibility to improve their ability to argue in an abstract, dialectic way (73). The following story, concerning *waswās* (doubt), is referred to al-Anṣārī and one of his students. "When al-Anṣārī went one day to the bath, his attention was drawn to one student who was repeating the same sound again and again. He asked him about the reason for his behaviour. The student responded that he wanted to say *niyya* (intention) for a *ghusl* (ritual ablution). al-Anṣārī inquired of him about his teacher and the youth replied that al-Anṣārī himself had expounded the importance of a proper *niyya* but that he was

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frequently in doubt as to whether he had the proper intention or not and so he had to repeat the *niyya* until no doubts remained before he could proceed with his ablution. al-Anṣārī advised the student brusquely to go on with *niyya*, which he did not consider obligatory"(74).

al-Anṣārī composed many important works, written in a readable style which is in marked contrast to the dry and stilted language of most authors in the field. The most noteworthy are the following: *al-Makāsib*, considered to be the most important book on *fiqh* during the Qājār period. It is a book on trade, dealing with the rules for exchange in the bazars. It was published in Tehran in 1288/1851-52 and 1280/1863-64 (75); *Farā'iḍ al-uṣūl*, Tabriz 1372/1952-53, known as *al-Rasā'il*, and was summarized under the title of *al-Rasā'il al-jadida* Qum 1390/1970 (76). It is one of the books which is to be read in the *madrasas* in *Sutūḥ* level on *uṣūl al-fiqh* (77). al-Anṣārī also wrote many shorter treatises which were devoted entirely to *Uṣūl 'amaliya* and many comments on the works of other *'ulamā'*, such as his *Sharḥ* on the book *'Awā'id al-ayyām* of Mullā Aḥmad Narāqī (78); and *Uṣūl al-fiqh* (79); *Manāsik al-ḥajj*, published twice in 1301/1883-84, 1321/1901-04 and translated into Arabic in 1301/1883-84 (80); *Ithbāt al-tasāmuḥ*, known as *al-Tasāmuḥ fī adilat al-sunan*, published many times (81). Because of the value and importance of al-Anṣārī's works many *'ulamā'* wrote glosses upon them.

al-Anṣārī's life was that of a true ascetic. In spite of his tremendous prestige as the undisputed *Marja' al-taqlīd*, he never obviously used his religious post to enrich himself. When he died his entire property amounted to only seventeen *tūmān* (82). He died on Jumāda II 18, 1281/ November 18, 1864 in Najaf and was buried there (83). He was succeeded by his student Ḥājjī Mīrzā Muḥammad Ḥasan Shīrāzī as the

sole *marja' al-taqlīd* (84).

4.4. Mullā 'Alī Kanī (b.1220/1805-06-d.1306/1888)

He was born in Kan, a village about twelve kilometers north-west of Tehran (85). His father Qurbān 'Alī was a religious scholar. Mullā 'Alī Kanī studied literature and Arabic language. He probably continued his studies in Isfahan (86). However, after having acquired a certain level of knowledge Kanī desired to complete his religious studies in the shrine cities of Iraq. But, as he was too poor to afford the journey, Kanī had to wait for a possibility to travel to the *'atabat*. As it was customary at that time to transport the corpses of prominent citizens to shrine cities of Iraq for burial, Mullā 'Alī Kanī got the opportunity to transport the body of Ḥājj Muḥsin to Karbalā' (87), and thus the possibility to travel to the *'atabat*. After he had arrived in Karbalā', he started to study *uṣūl* under Āqā Sayyid Ibrāhīm Qazwīnī and Sharīf al-'Ulamā'. He also set off to Najaf and attended the classes on *fiqh* of Shaykh Murtaḍā al-Anṣārī and Shaykh Muḥammad Ḥasan Najafī (88), from whom he obtained an *ijāza* in 1262/1846. However, Kanī had to interrupt his studies at the *'atabat* due to the outbreak of the plague in 1244/1828-29 which lasted for two years and forced him to postpone his further studies (89).

Having visited Mashhad in 1262/1845-46 he returned to Tehran (90), where he had once again to suffer from penury. Only after a disused irrigation canal was given to him, which he then restored, did his financial situation improve. This was the beginning of increasing prosperity for him because with the money he received by selling the water he started to purchase other canals and land (91). Simultaneously he established the institution of his *shari'a* court which became the most influential

in Tehran. According to Ḥabībābādī his religious knowledge and his piety earned him the title of *Ra'īs al-mujtahidīn* (the head of the mujtahids), and thereby his fame spread over Iran (92). Mullā 'Alī Kanī soon emerged as the most powerful *'ālim* of Tehran. A foreigner observer, an American Minister in Tehran, gives the following account: " When he goes abroad he is mounted on a white mule and followed by a single attendant; but the crowd parts before him as though he were a supernatural being. A word from him would hurl the Shah from his throne or be the fiat of doom to every Christian and foreigner in the land. The Shah stands in his presence; the soldiers deputed to guard the United States legation told me that, although sent there for my protection, they would not hesitate to slaughter us all if so ordered by Hajj Mullā Alee." (93).

The main opponent of Mullā Alī Kanī was Mīrzā Ḥusayn Khān Sipahsālār who, after first being appointed to the Ministry of Pensions and Endowments, was also appointed to the Ministry of Justice which made him Kanī's secular counterpart (94). Kanī had close relationships with some of the Qājār princes, such as 'Abbās Mīrzā Mulk Ārā and Farhād Mīrzā Mu'tamad al-Dawla. Kanī's main political interference occurred on the important issue of the Reuter Concession (95). This concession of 1289/1872 granted the monopoly of the exploitation of Iran's mines and the construction of the railways as well as for the establishment of an Iranian Bank to the British subject Julius de Reuter (96). Kanī convinced a number of *'ulamā'* to protest collectively against the concession and even wrote to Naṣir al-Dīn Shāh, arguing that the concession was against the Islamic principles and demanding the dismissal of the Prime Minister Mīrzā Ḥusayn Khān Sipahsālār and his adviser Mīrzā Malkum Khān. Additionally, Mullā 'Alī Kanī issued a *fatwa* in which he argued that Mīrzā

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Ḥusayn Khān's dismissal was mandatory on religious grounds (97). In September 1873 Kanī succeeded in both his attempts. Mīrzā Ḥusayn Khān was dismissed and shortly afterwards the Reuter Concession was abandoned.

Kanī's reputation, however, is not completely unimpeachable. In particular, it remains unclear in detail how he gained his enormous wealth. In the famine of 1288/1871-72, for example, Kanī clashed harshly with Mīrzā Ḥusayn Khān who, in a letter to the Shah, alleged that Kanī had hoarded grain, and refused to sell it, hoping that the price of corn would continue to increase, although people were dying. Mīrzā Ḥusayn Khān accused Kanī and his associates of being responsible for the artificial shortage of corn and for its high price (98). However, Mīrzā Ḥusayn Khān was himself accused of having taken advantage of the famine, and it is open to speculation whether the accusations derived merely from his attitude towards Mullā 'Alī Kanī, his powerful opponent in Tehran.

In Mullā 'Alī Kanī the secular political apparatus, represented by Mīrzā Ḥusayn Khān, had found one of its severest critics. Kanī agitated fiercely against the increasing penetration of European enterprises into Iran which, out of pecuniary interests, were highly encouraged by the government and which increasingly brought the threat that the nation would come under the direct influence of non- Iranian sources. Therefore Kanī and other 'ulamā' opposed everything which was likely to undermine Iranian interests. The 'ulamā' had to fear that European interference could lead to the decline of their power and so their hostility to foreigners was based not merely on irrational fears. The increase of Western European ideas in Iran was intolerable to the 'ulamā' because it threatened the whole structure of Islamic society. Mullā 'Alī Kanī restated the dualistic theory of Kashfī, i. e. the legitimation of the separation

of political and religious authority during the occultation (99). This may explain his good relationship with the Shah, but also his insistence on the independent power of the *'ulamā'*.

Kanī was a prolific writer. His most important books are the following: *Taḥqīq al-dalā'il*, known also as *al-Qaḍā' wa 'l- Shahāda*, a book dealing with the duties and qualities of a judge, concluded in 1259/1843 and printed in 1304/1886-87 (100); and *Tawḍīḥ al-maqāl fī 'ilm al-dirāya wa 'l-rijāl*, completed in 1262/1845-46, printed twice, the last time was in 1302/1884-85. It consists of biographies of fifty nine *'ālim,* and was reprinted in 1300/1882-83 and 1352/1933-34 under the title of *al-Isnād al-muṣafā ilā al-muṣṭafā* with the addition of the biographies of another sixty *'ālim* (101). In addition to these two books, Tabrīzī listes other works such as *al-Istiṣḥāb*; *al-Awāmir*; *al-Bay'a*; *al-Ṣalāt*; and *al-Ṭahāra* (102). Although Kanī greatly influenced contemporary religious and political issues he does not seem to have had students of outstanding significance.

On al-Muḥarram 27, 1306/ October 3, 1888 Mullā 'Alī Kanī died and was buried at Shāh 'Abd al-'Aẓīm (103). A day of national mourning was declared and he was considered by many Shī'ī's as the deceased vicegerent of the Prophet. He left three sons and two daughters . His fortune after his death was estimated at 1.5 million *tūmān* (104).

4.5. Ḥājjī Mīrzā Muḥammad Ḥasan Shīrāzī (b. 1230/1815, d. 1312/1895)

Mīrzā Muḥammad Ḥasan was born on Jumāda I 15, 1230/ April 26, 1815 in Shiraz (105). When Mīrzā Shīrāzī was still in his early childhood his father Mīrzā Maḥmūd died and his maternal uncle Mīrzā Ḥusayn Mūsāwī took the place of his father and supported him. At the age of four his uncle appointed a teacher for him, who taught Shīrāzī the Persian language at home. In Shawwāl, 1236/ January, 1821 Shīrāzī started to learn Arabic and also read the *Qur'ān*. On Ṣafar 16, 1248/ July 15, 1832 Shīrāzī, who was by now eighteen years old and had studied the *Qur'ān* deeply, set off to Isfahan where he attended the classes of Shaykh Muḥammad Taqī Iwān Kifī (d.1248/1832-33), the author of *Ḥāshiyat al-ma'ālim*, and Mīrzā Muḥammad Ḥusayn, the *Imām jum'a* of Isfahan (106). After the death of Shaykh Muḥammad Taqī Iwān Kifī, Shīrāzī attended the classes of Ḥajj Muḥammad Ibrāhīm Kalbāsī (d.1262/1846) and Āqā Mīrzā Sayyid Ḥasan Mudarris, from whom he probably obtained an *ijāza*. When Shīrāzī reached the age of twenty, he started to teach in Isfahan.

In 1259/1843 he went to the *'atabāt*, where he studied under Shaykh Muḥammad Ḥasan *Kāshif al-ghitā'* and Shaykh Muḥammad Ḥasan Najafī *Ṣāḥib Jawāhir al-kalām* in Najaf (107). After the death of Shaykh Muḥammad Ḥasan Najafī in 1266/1849-50, Shīrāzī studied under Shaykh Murtaḍā al-Anṣārī, who favoured him among his pupils and referred to him as *mujtahid* and as his successor. After al-Anṣārī's death in 1281/1864-65, Shīrāzī appeared to have been the only contender as sole *Marja' al-taqlīd* (108).

Having performed his pilgrimage to Mecca in 1287/1870/71 Shīrāzī remained for a few months in Medina where he was highly esteemed by Sharīf 'Abd Allāh al-Ḥusaynī. However, in order to help the people of the *'atabāt* who were suffer-

ing from the dearth of 1288/1871-72, Shīrāzī returned to Najaf (109). In 1291/1874 he visited the shrines of Karbalā' and Kāẓimayn. And in 1292/1875 Shīrāzī transferred his residence from Najaf to Samarra, the city of the shrines of the Tenth and Eleventh Imām and where the Twelfth Imām had allegedly gone into occultation (110). According to Ḥabībābādī, Shīrāzī moved to Samarra to fulfil his wife's wish who recommended dhat he settle down there. Samarra was a town where the majority of the population were Sunnī and was therefore destined to become a new source of clerical influence for Shīrāzī. Some of his pupils from Najaf had followed him to Samarra, most noteworthy among them being Mullā Kāẓim Khurasānī who later became famous as the main ʿālim to support the Constitutional Movement (111). Other students of his were Sayyid Muḥammad Ṭabāṭabā'ī (d.1338/1919-20); Āqā Sayyid Ḥasan al-Ṣadr; Mīrzā Muḥammad Ḥasan Naʿīnī (d.1355/1936-37), who became towards the end of his studies Shīrāzī's secretary; and Shaykh ʿAbd al-Karīm Ḥā'irī who became in 1923 a leading ʿālim in Qum. The total number of his students is said to have been 360 (112). Eventually Shīrāzī's fame spread and he emerged as sole marjaʿ al-taqlīd and succeeded Shaykh Murtaḍā al-Anṣārī. Therefore for a short period Samarra became the centre of Shīʿī scholarship and enjoyed great attention because Shīrāzī resided there (113).

In his later life Shīrāzī reaffirmed the theory of dual power which had been so fundamental during the Qājār period to legitimate the authority of the Shah during the occultation of the Imām. To justify his position, Shīrāzī elucidated this theory and proved that both executive and religious authority were based on it. When government dawlat and community millat were centred on one person, as it was at the time of the Prophet and the Imāms, political responsibility in respect of general affairs

was focussed on this individual. Compared with that time subsequent governments required for divine wisdom distinct areas of competence, namely the temporal power of the Shah and the vicegerency of the Imām. Both powers must complement one another in terms of protecting the religion and fulfilling secular obligations (114).

The concept of Shī'ī community was based on religious faith, and consequently no secular community existed beside the Shī'ī community. Mundane interests had neccessarily to be compatible with the religion and, when the ruler failed in executing his primary duty, which was to safeguard Islam, and which implied protecting the whole Shī'ī nation and community, it devolved upon the hierocracy to fulfil this obligation on the assumption that the leadership of the nation could be conceived only in terms of the Shī'ī community (115).

Shīrāzī became known as the *al-mujaddid* of the thirteenth/ nineteenth century and because of his vigorous defence of the faith, played a leading role in the struggle against the Persian government particularly in the crisis over the Tobacco Regie in 1891-2 who wanted to grant the monopoly of tobacco to an English company (116). His contact with the *'ulamā'* of Iran appears to have been of great importance. Although initially Shīrāzī did not want to use his potential personal authority politically, like his teacher al-Ansārī who refused almost totally to get involved in politics, Shīrāzī, encouraged by the *'ulamā'* of Iran, put into practice the political principles which were already implicit in al-Ansārī's achievements.

The main thrust of the movement against the Tobacco Concession started in April 1891 in Shiraz and was headed by Mullā Sayyid 'Alī Akbar who was banished from Iran to Karbalā' by Nāsir al-Dīn Shāh (117). When Sayyid 'Alī Akbar met Jamāl al-Dīn al-Afghānī (d.1314/1897),- who had been also exiled- in Basra, they discussed

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which attitude of the *'ulamā'* could best lead to a successful countering of the Shah's intention which would damage the nation's interests (118). Afghānī considered it the *'ulamā's* responsibility to build up a movement for reform. In a leaflet written in Arabic he declared that Shīrāzī should lead the Iranians to depose their wicked ruler Nāṣir al-Dīn Shāh (119). From Basra Afghānī wrote a letter to Shīrāzī urging him to use his authority as the leader of the *'ulamā'* to protect the national interests of Iran. And likewise, Sayyid 'Alī Akbar, Shīrāzī's son-in-law, visited him in Samarra to encourage him to use his religious influence (120). The protest against the Tobacco Concession spread over the main cities of Iran, where leading *'ulamā'* played an important role: Shaykh Muḥammad Taqī, called Āqā Najafī, sent Āqā Munīr al-Dīn to Samarra to get advice in the question of the Tobacco Concession (121).

Shīrāzī started his interference by sending a letter to Naṣir al-Dīn Shāh in which he protested not only against the ill-treatment of Sayyid 'Alī Akbar but also against the granting of the tobacco monopoly to a British company (122). The Shah in response despatched one of his close aides, Maḥmūd Khān *Mushīr al-wizāra* to Samarra with instructions to convince Shīrāzī of the benefits Iran would gain from the concession. However, he was unable to change Shīrāzī's opinion. As the Shah did not reply personally to his first letter, Shīrāzī wrote to him again in September 1891, explaining in detail his objections to the concession (123). In the first days of December of the same year, a *fatwa* was distributed which declared the consumption of tobacco to be *ḥarām*. This *fatwa* was issued in Isfahan and attributed to Shīrāzī. It stated, " In the name of God the Merciful, the Forgiving. Today the use of tobacco *tanbaku va tutun* in whatever fashion is tantamount to war against the Imām of the Age. May God hasten his glad Advent." (124).

Originally smoking was regarded by the majority of the Shī'ī jurists as permissible under certain conditions according to the rule of *ibāḥa* (permited), unless it proved to be harmful (125). Nevertheless, the effect which the *fatwa* had was immediate and enormous. The use of tobacco throughout the country was abandoned. The totality of the boycott surprised both Iranians and foreigners alike. "Eyewitnesses told of even the Shah's wives and servants refusing to smoke, and nobody dared be seen on the street selling or using tobacco. Even Christians and Jews were said to observe the religious ban." (126). When Shīrāzī agitated against the Tobacco Concession he used to quote the following *hadīth*. " If you see the ulamā at the gates of the kings, say they are bad ulamā and bad kings. If you see the kings at the gates of the ulamā, say they are good kings." (127).

This *hadīth* not only shows Shīrāzī's disapproval of those *'ulamā'* who, instead of relying solely on their faith, seek for the patronage of the earthly governors, it also emphasizes clearly and unambiguously the priority of their religious duties. Because this *hadīth* introduces moral categories like good and bad, it gives practical instructions to both scholar and ruler that they should act exclusively according to God.

A unity both among the *'ulamā'* and the people was established due to the *fatwa* prohibiting the use of tobacco which was ascribed to Shīrāzī. However, disagreement about the origin of this *fatwa* arose. Amīn al-Sulṭān, for example, spread the rumour that the *fatwa* was forged by the leader of the tradesmen's guild of Tehran, in order to conceal the fact that the *'ulamā'* disapproved of his policy. Finally the Shah was forced to withdraw the Tobacco Concession because of another *fatwa* declaring *jihād* against those Europeans who were present in Iran at that time, if the Shah did not

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agree to the demands of the *'ulamā'* within forty-eight hours (128). Thus Shīrāzī succeeded in breaking the tobacco monopoly and demonstrated the power of the *'ulamā'*.

After the repeal of the Tobacco Concession on January 26, 1892, Shīrāzī, in a letter, granted permission to use tobacco and thus finally stopped the boycott. His prestige and authority rose and even the Czar and the Ottoman governor of Baghdad were highly impressed by him (129). Shīrāzī and Afghānī, who had both studied under Shaykh Murtaḍā al-Anṣārī, established a good relationship between themselves. After the Tobacco Movement successfully came to an end their close relationship continued and they corresponded with one another (130).

Shīrāzī's bibliography is uncertain. Tabrīzī reports that he did not leave any works (131), whereas Ḥabībābādī mentions seven works. The most important according to Ḥabībābādī is his summary on the book *Ifādāt* of his teacher Murtaḍā al-Anṣārī (132). He also wrote three glosses on the following works: *Najāt al-'ibād*, by Shaykh Muḥammad Ḥasan Najafī; *al-Nukhba* by Muḥammad Ibrāhīm Kalbāsī; and *al-Rasā'il* by al-Anṣārī. Additionally the following two treatises are attributed to him: *Risāla al-riḍā'* and *Risāla al-mushtāq*. And finally two other books are ascribed to him, one on *fiqh* and another on *ṭahāra* (133). However none of these books is listed in the collection of Āqā Buzurg's *al-Dharī'a*.

Ḥabībābādī points out that Shīrāzī married twice. His first wife was the daughter of his uncle Sayyid Riḍā. She died in 1303/1885-86, having borne him a son. His second wife gave birth to another son, Mīrzā Muḥammad, who was born in

1270/1853-54 and died in 1309/1891-92 (134).

Shīrāzī died on Sha'bān 24, 1312/ March 2, 1895 in Samarra as a result of tuberculosis and was buried in Najaf (135). Because of his religious authority and fame Shīrāzī was honoured by many who wrote epitaphs on him and the mourning lasted for one year (136). After his death Najaf regained its importance as a shrine centre and as a famous city for theology. The leadership of the *'ulamā'* passed to a group of *mujtahids* in Najaf. However, Shīrāzī remained the foremost Shī'ī *mujtahid* of the late nineteenth century.

4.6. Ḥājjī Shaykh Muḥammad Taqī known as *Āqā Najafī Isfahānī* (b.1262/1846-47-d.1332/1913-14)

Āqā Najafī belonged to a high-ranking family of *'ulamā'* in Isfahan. His paternal grandfather Shaykh Muḥammad Taqī Isfahānī (d.1248/1832-33) studied under Bihbihānī and Sayyid 'Alī in Karbalā', and under Baḥr al-'Ulūm and Shaykh Ja'far *Kāshif al-ghiṭā'* in Najaf. Having acquired a high degree of religious knowledge Shaykh Muḥammad Taqī returned to Isfahan and established his own teaching circle. It is reported that almost four hundred students attended his classes (137). Āqā Najafī's paternal grandmother was the daughter of Shaykh Ja'far Najafī who according to Ḥabībābādī was also an *'ālima.* His father Ḥājjī Shaykh Muḥammad Bāqir (d.1301/1883-84) had studied under such prominent *'ulamā'* of the 19th century as Shaykh Ḥasan *Kāshif al-ghiṭā'* who was also his maternal uncle, Shaykh Muḥammad Ḥasan Najafī and Shaykh Murtaḍā al-Anṣārī. His efforts in studying theology were rewarded with *ijāzat* from his teachers (138).

Shaykh Muḥammad Bāqir Isfahānī was the most influential *mujtahid* of Isfahan at his time . He carried out the Islamic penal law and led the congregational prayers in the Shāh Mosque (139). Due to his personal power and his distinguished family status, he could act with considerable independence from the government. Shaykh Muḥammad Bāqir was married with three women and had six sons and three daughters (140). Āqā Najafī probably the oldest son, was born on Rabī' II 22, 1262/ April 20, 1846 in Isfahan (141).

Āqā Najafī's early learning was supervised by his father. Having acquired a sufficient background in religious studies, he moved to Najaf where he attended the teaching circle of Mīrzā Shīrāzī and Shaykh Mahdī *Al-Kāshif al-ghiṭā'.* He returned to Isfahan and carried out some religious duties in cooperation with his father (142).

Both Āqā Najafī and his father were among the *'ulamā'* who gained extreme wealth during the second half of the nineteenth century. Besides receiving donations and pious contributions they did not recoil from such methods as withholding wheat in periods of dearth and famine, and then offering them to the needy population at highly inflated prices purely in order to increase their personal wealth (143). For these reasons Āqā Najafī is regarded as a tyrannical and avaricious *mujtahid* and is also criticized for his arrogant disobedience behaviour towards the government. Another instance is recorded of Āqā Najafī's avarice which also indicates his religious unreliability. Although in the Qur'an it is explicitly forbidden to practice usury he intended to establish a bank to charge 18% on loans and to pay a dividend of 12% per year (144).

Besides his greed for power and wealth he acted unscrupulously against the Bābīs and is accused of having murdered some of them. In fact, because the Bābīs had established themselves as a distinct religious group, they had to fear persecutions from Shaykh Muḥammad Bāqir and his son Āqā Najafī in Isfahan. Both initiated sporadic outbreaks of persecutions against the Bābīs. Between 1864 and 1914 thirteen violent persecutions took place in Isfahan (145). It is also reported that Āqā Najafī accused the mayor of Isfahan, Ḥājjī Muḥammad Jaʿfar, who had attacked Najafī's wheat hoarding and demonstrated his engagement for the poor, of being a Bābī and later had Muḥammad Jaʿfar executed publicly (146).

After his father's death Āqā Najafī succeeded him as the leading ʿālim of Isfahan and authoritative judge. He replaced his father as the imām jumʿa in the Shāh Mosque. However it is reported that he used to preach in his house (147). Āqā Najafī taught philosophy and theology in Isfahan. Among his and his father's students who lived with his family during seven years in Isfahan was Mīrzā Ḥusayn Naʿīnī (d.1355/1936) who later participated in the Constitutional Revolution (148).

Āqā Najafī's powerful position in Isfahan was, however, limited by the presence of Mīrzā Ẓill al-Sulṭān, the eldest son of Nāṣir al-Dīn Shāh, who proved to be a resolute opponent to him. In his involvement in political affairs, and above all in his struggle to exercise a controlling function in Isfahan, Āqā Najafī occasionally had to come to an arrangement with Ẓill al-Sulṭān. He is sometimes described as an opportunist who, in order to pursue his profitable speculations, occasionally collaborated with Ẓill al-Sulṭān (149). The British consul of Isfahan, Reece, stated on October 13, 1893, "As far as my information goes, the Zill al-Sultan and Agha Nedjefy (sic) have

formed a sort of partnership and have affected a corner in wheat ... the discontent has shown itself in the placing of placards on the walls of the bazar and caravanserai doors, abusing Agha Nedjefy and calling him a wheat merchant. Amongst the people he is spoken of in most unmeasured terms, especially by those who a few weeks ago held him in the highest respect. It is a matter of common talk that he has now entirely become the servant of the prince." (150). When after two weeks riots broke out because of the artificial wheat shortage caused by Āqā Najafī's hoarding policy, in order to protect himself he tried to channel some of the popular anger towards Ẓill al-Sulṭān (151).

In the reign of Muẓaffar al-Dīn Shāh (1896-1907) Āqā Najafī was deeply involved in political activities. For instance, when Muẓaffar al-Dīn Shāh and his minister Amīn al-Sulṭān set off for their journey to Europe, the 'ulamā' led the protest against this journey, as the Shah had to borrow money from Russia to them, this was equivalent to losing national sovereignty. Āqā Najafī, the head of the 'ulamā' in Isfahan and leader of the opposition against the Shah's trip, went to Tehran where the protest was centred and continued his political activities there (152). At the same time he established contacts with the pan-Islamic movement and supported their proposal for the recognition of Sulṭān 'Abd al-Ḥamīd as Caliph of the Muslims. Moreover he was in contact with Mullā Muḥammad Fāẓil Sharābyānī, who also favoured Afghānī's ideas to unify all Muslim countries under one Caliph. These two men had also allied over another issue: the suppression of the Bābīs. Sharābyānī, who lived in Najaf, and Āqā Najafī probably coordinated the persecutions of the Bābīs, whom they accused of being Russian agents (153).

Although the 'ulamā' had finally failed to prevent the Russian loan, their po-

litical influence increased and, after the Shah returned from Europe, the opposition against his government consolidated and finally led to the fall of Amīn al-Sulṭān (154). During the reign of Muẓaffar al-Dīn Shāh (1896-1907), the Constitutional Revolution started. However, the movement for control of the state's affairs had started during the tobacco revolt and was its inevitable consequence (155). Although Āqā Najafī was among the Constitutionalists who backed the revolution, he was accused of being corrupt and unreliable by the *Anjumān-i makhfī* in one of their gatherings in 1905 (156). Shortly after the Constitutional Revolution had culminated in the installation of the Constitution, Muẓaffar al-Dīn Shāh died and was succeeded by his son Muḥammad 'Alī Shāh (1907-1909). Kasrawī described Āqā Najafī in an even more negative light. According to him Āqā Najafī had continually altered his attitude towards the Constitutional Movement and only opposed the despotism of the Shah because Iqbāl al-Dawla, a good friend of Muḥammad 'Alī Shāh , was appointed governor of Isfahan and discredited Āqā Najafī and his brother. Thus his support for the Constitutional Revolution was not caused by any political conviction, but was merely his personal revenge against the Shah. Therefore he refused for as long as possible to issue a *fatwa.* in which the Shah's tyranny would be openly accused, because he feared that "Muhammed 'Alī Shāh might eventually defeat the liberals, and that he might take Āqā Najafī to task." (157).

The impact the West had on Iran increased immensely towards the end of the nineteenth century, mainly due to the government. The *'ulamā'* were aware of this general, external influence and tried to take countermeasures. In connection with those various interests it is stated that Āqā Najafī clashed with Christian missionaries

in Isfahan (158).

Various biographers regard Āqā Najafī as the writer of a considerable number of books on different subjects. Particularly his nephew Abū al-Majd Shaykh Muḥammad Riḍā credited him with more than one-hundred books. However, many well-informed people such as Murtaḍā Mudarrisī raised objections and considered them as the works of others which were published under his name. For example, Mudarrisī, who regarded *Dalā'il al-fiqh* as Āqā Najafī's best work, was convinced that this book consisted of Āqā Najafī's grandfather's personal remarks. Other books ascribed to him are the following: *Adāb al-ṣalāt*, (Isfahan, 1297/1880) (159); *Adāb al-'ārifīn*, a translation from Arabic into Persian of *Miṣbāḥ al-sharī'a*, (Tehran, 1295/1878 (160); *al-Ijtihād wa 'l-taqlīd*, (Iran, 1296/1879) (161); *Faḍā'il al-a'ima*, (1305/1887-88) (162); *Jāmi' al-asrār*, on wisdom and theology. According to Āqā Buzurg it was his first book, published in Iran. He wrote it when he was studying under his father (163). He wrote *Jāmi' al-anwār* in 1276/1859-60 but it was published not before 1297/1880 (164). *Anīs al-zā'irīn*, mentioned at the back of his book *Jāmi' al-anwār* (1297/1880) (165) and *Asrār al-ziyāra* an explanation of *Ziyārat al-jami'* in Persian, printed in (1296/1879) (166).

Āqā Najafī died on Sha'bān 11, 1331/ July 17, 1913 in Isfahan where he was buried (167). Sayyid Jamāl al-Dīn Isfahānī, the composer of a small work which he called *Ru'ya-i ṣādiqa* towards the end of the nineteenth century, predicted a terrifying destiny in the hereafter for both Āqā Najafī, the chief *mujtahid* of Isfahan, and Ẓill al-Sulṭān, the governor of the same city (168).

Footnotes

1. Āqā Buzurg, *Ṭabaqāt*, Vol 2, p. 310.

2. Tabrīzī, *Rayḥānat*, Vol 2, p. 419.

3. Āqā Buzurg, *Ṭabaqāt*, Vol 2, p. 311.

4. Ibid, Vol 2, p. 311.

5. Tunukābunī, *Qiṣaṣ*, p. 103.

6. Āqā Buzurg, *Ṭabaqāt*, Vol 2, p. 311.

7. Tabrīzī, *Rayḥānat*, Vol 2, p. 171.

8. Kazemi, *The Establishment*, pp. 43-45.

9. Abdul-Hadi Hairi, *Shī'ism and Constitutionalism in Iran*, (Leiden 1977), p. 62-64.

10. Āqā Buzurg, *Ṭabaqāt*, Vol 2, p. 311.

11. Momen, *Introduction*, p. 135.

12. Arjomand, *Shadow*, pp. 232-237.

13. Āqā Buzurg, *al-Dharī'a*, Vol 5, p. 275.

14. Arjomand, *Shadow*, p. 232.

15. Āqā Buzurg, *Ṭabaqāt*, Vol 2, p. 313.

16. Āqā Buzurg, *al-Dharī'a*, Vol 14, pp. 100-102.

17. Tunukābunī, *Qiṣaṣ*, p. 103.

18. Āqā Buzurg, *al-Dharī'a*, Vol 25, p. 198.

19. Āqā Buzurg, *Ṭabaqāt*, Vol 2, p. 314.

20. Arjomand, *Shadow*, p. 232.

21. Mac Eoin, *Shaykhism*, p. 32.

22. Momen, *Introduction*, p. 331.

23. Tunukābunī, *Qiṣaṣ*, p. 104.

24. Āqā Buzurg, *Ṭabaqāt*, Vol 2, p.10. confirmed in *al-Dhari'a*, Vol 5, p. 277.

25. Momen, *Introduction*, p. 318.

26. Ḥabībābādī, *Makārim*, Vol 2, p. 518.

27. Tunukābunī, *Qiṣaṣ*, p. 5.

28. Ibid, p. 5.

29. Āqā Buzurg, *Ṭabaqāt*, Vol, 2 p. 10.

30. Tunukābunī, *Qiṣaṣ*, pp. 12-13.

31. Ibid, p. 4.

32. Āqā Buzurg, *Ṭabaqāt*, Vol 2, p. 10.

33. Tunukābunī, *Qiṣaṣ*, p. 10.

34. Ibid, p. 4.

35. Ibid, p. 12.

36. Cole, Momen, " *Mafia, Mob and Shi'ism in Iraq* ", (Past and Present 112) (1986), pp. 112-143. The gang of the Iranian group was headed by Mīrzā Saliḥ and the head of the Arab faction was Ibrāhīm Za'farānī.

37. Tunukābunī, *Qiṣaṣ*, pp. 12-13.

38. Ibid, p. 12. Āqā Sayyid Ibrāhīm was informed by Ẓill al-Sulṭān, one of the the Qājār family about the extent of the devastation wrought on the town by the Turks.

39. Cole, Momen, *Mafia Mob* , pp. 112-143.

40. Tunukābunī, *Qiṣaṣ*, p. 12-13.

41. Khwānsārī, *Rawḍāt*, Vol 1, p. 92.

42. Āqā Buzurg, *al-Dhari'a*, Vol 8, pp. 239-240.

43. Ibid, Vol,22 p. 253.

44. Tunukābunī, *Qiṣaṣ*, p. 6.

45. Ibid, p. 17.

46. Āqā Buzurg, *Ṭabaqāt*, Vol 2, p. 10.

47. Āqā Buzurg, *al-Dhari'a*, Vol 19, p. 119.
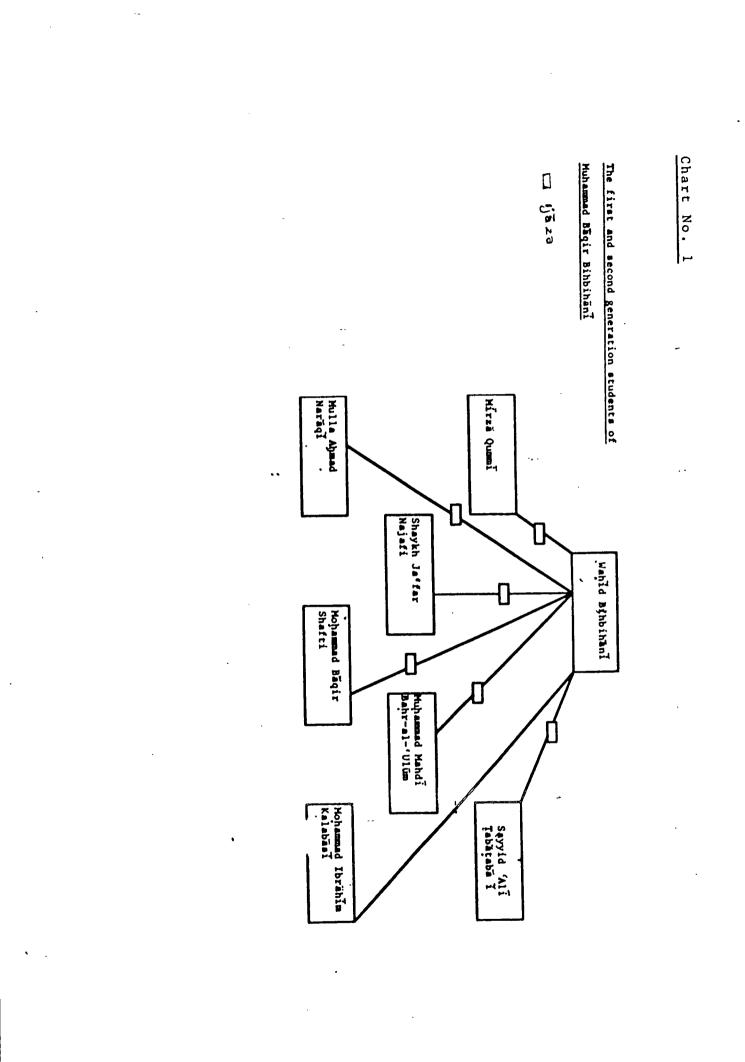
48. Ḥabībābādī, *Makārim*, Vol 2, p. 490.

49. Tabrīzī, *Rayḥānat*, Vol 1, p. 114.

50. Khwānsārī, *Rawḍāt*, Vol 1, p. 241; Algar, *Religion*, p.162. gives 1216/1801-02 as his birth year.

51. Ḥabībābādī, *Makārim*, Vol 2, p. 493.

52. Tabrīzī, *Rayḥānat*, Vol 1, pp. 113-117.

53. Ḥabībābādī, *Makārim*, Vol 2, p. 494.

54. See chapt 3, in this Thesis, pp. 70-74. However, there is a discrepancy concerning the date of the surrounding of Karbalā'. Whereas Ḥabībābādī gives 1236/1820-21, Algar, Momen and Cole give 1239/1823-24. as the date of this event.

55. Tabrīzī, *Rayḥānat*, Vol 1, pp. 115-116.

56. Ḥabībābādī, *Makārim*, Vol 2, p. 494.

57. Keddie, *Religion & politics in Iran*, (Yale, University Press, 1983), p. 40.

58. Ḥabībābādī, *Makārim*, Vol 2, p. 495.

59. Ibid, Vol 2, p. 496.

60. Ibid, Vol 2, p. 495.

61. "al-Anṣārī" *Encyclopaedia of Islam*, p. 76.

62. Momen, *Introduction*, p. 186.

63. Arjomand, *Shadow*, p. 237; Momen, *Introduction*, pp.186-188. .

64. Momen, *Introduction*, p. 187.

65. Ibid, p. 188.

66. Ibid, p. 188.

67. Keddie, *Religion and Politics*, p. 41.

68. Mac Eoin, *Shaykhism*, p. 132.

69. Keddie, *Religion and Politics*, p. 46.

70. Sir. A. Hardinge, *A Diplomatist in the East*, (London, 1928), pp. 323-324.

71. Muḥsin Amīn, *A'yān al Shī'a*, Vol 11, pp. 43-46.

72. " al-Anṣārī", *Encyclopaedia of Islam*, p. 76.

73. Momen, *Introduction*, pp. 201-202.

74. Fischer, *Iran* , p. 64.

75. Āqā Buzurg, *al-Dharī'a*, Vol 22, p. 151.

76. Ibid, Vol,16 p. 132.

77. Momen, *Introduction* p. 201.

78. Āqā Buzurg, *al-Dharī'a*, Vol 15, p. 354.

79. Ibid, Vol 2, p. 210.

80. Ibid, Vol 22, p. 273.

81. Ibid, Vol 4, p. 174, Vol 1, p. 87; Tabrīzī, *Rayḥānat*, Vol 1, p. 116.

82. " al-Anṣārī", *Encyclopaedia of Islam*, p. 75.

83. Khwānsārī, *Rawḍāt*, p. 241; Kāẓimī, *Aḥsan al-Wadi'a*, Vol 1, p. 147.

84. Tabrīzī, *Rayḥānat*, Vol 4, p. 124.

85. Ibid, Vol 3, p. 392.

86. Ḥabībābādī, *Makārim*, Vol 3, p. 697.

87. " 'Alī Kanī" , *Encyclopedia Iranica*, Vol 1, p. 865.

88. Ḥabībābādī, *Makārim*, Vol, 3 p. 697.

89. Ibid, Vol, 3 p. 698.

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92. Ḥabībābādī, *Makārim*, Vol 3, p. 69.

93. S. G. W. Benjamin, *Persia and Persians*, (Boston, 1887), pp. 440- 41.

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95. Ibid, p. 93.

96. C. Issawi, *The Economic History of Iran 1800-1914*, (University of Chicago, 1971), p. 177; Lambton, *Qajar Persia*, p. 223.

97. Algar, *Mīrzā Mulkum Khan, A study in the History of Iranian Modernism*, (Los Angeles, 1973), p. 122.

98. Algar, *Religion*, p. 173.

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99. Arjomand, *Shadow*, p. 228.

100. Āqā Buzurg, *al-Dhariʻa*, Vol 3, pp. 482-483.

101. Ibid, Vol 4, pp. 498-499.

102. Tabrīzī, *Rayḥānat*, Vol 3, p. 392.

103. Āqā Buzurg, *al-Dharīʻa*, Vol 3, p. 482.

104. Ḥasan Khān Muḥammad, *Rūznāma-i Khāṭirāt-i iʻtimād al-sulṭana,*(Tehran, 1345/1966), P. 680-81.

105. Ḥabībābādī, *Makārim*, Vol 3, pp. 884-885.

106. Ibid, Vol 3, p. 885.

107. Tabrīzī, *Rayḥānat*, Vol 4, p. 124.

108. Momen, *Introduction*, p. 76.

109. Ḥabībābādī, *Makārim*, Vol 3, p. 886.

110. Dawlatābādī, *Tārikh-i Muʻāṣir yā Ḥayāt-i Yahyā*, (Tehran, 1336), Vol 1, pp. 26-27.

111. Ibid, Vol 1, p27.

112. Ḥabībābādī, *Makārim*, Vol 3, p. 888.

113. Dawlatābādī, *Tārikh*, Vol 1, p. 28.

114. Arjomand, *Shadow*, p. 228.

115. Ibid, pp. 250-252.

116. Andisheh, Lida, *ʻAbbas Iqbal Ashtiyani: 1897-1956*, Ph.d, thesis, (University of Utah, 1982), p. 23; E. G. Brown, *Persian Revolution of 1905 1909*, (Cambridge University Press 1970), p. 31.

117. Lambton, *Qajar Persia*, p. 231.

118. Sasani Khān Mālik, *Syāsat garān-i dawra-i Qājār*, (Tehran 1346/1968), Vol 2, p. 211; Avery, *Modern Iran*, p.104.

119. Hairi, *Shīʻism*, p. 80.

120. Keddie, *Religion and Rebellion in Iran*, (Frank cass, 1966), pp. 68-69.

121. Lambton, *Qajar Persia*, pp. 246-247.

122. Dawlatābādī, *Tārikhi*, p. 109.

123. Algar, *Religion*, p. 211.

124. Lambton, *Qajar Persia*, p. 247.

125. Ezzati, *An Introduction to Shī'a Islam*, p. 83.

126. Keddie, *Religion and Rebellion*, p. 96.

127. Algar, *Religion*, p. 22.

128. Keddie, *Religion and Rebellion*, pp. 97-107.

129. Algar, *Religion*, p. 217.

130. Dawlatabādī, *Tārikh* , Vol 1, p. 131.

131. Tabrīzī, *Rayḥānat*, Vol 4, p. 124.

132. Ḥabībābādī, *Makārim*, Vol 3, p. 887.

133. Ibid, Vol 3, p. 887.

134. Ibid, Vol 3, pp. 889-890.

135. Ibid, Vol 3, p. 889.

136. Tabrīzī, *Rayḥānat*, Vol 4, p. 124.

137. Ibid, Vol, 2 p. 449 ; Kashmīrī, *Nujūm*, pp. 380-382

138. Ḥabībābādī, *Makārim*, Vol 3, p. 1007.

139. Shahīd rāh āzādeh, *Sayyid Jamāl wā'iz Isfahānī*, (Tehran, 1291/1875), p. 83; Dawlatābādī, *Tārikhi*, Vol 1, p. 37 .

140. Ḥabībābādī, *Makārim*, Vol 3, p. 1009.

141. Āqā Buzurg, *al-Dharī'a*, Vol 5, p. 38.

142. " Āqā Najafi" , *Encyclopedia Iranica*, Vol 1, p. 178.

143. Momen, *Introduction*, p. 140.

144. Bamdād, *Rijāl-i Iran*, Vol 3, p.326; Algar, *Religion*, p. 16.

145. Ḥasan Khān, *Rūznāmāyi*, p. 783.

146. Hairi, *Shī'ism*, p. 110.

147. "Aḳa Nadjafi", *Encyclopaedia of Islam*, p. 54.

148. Hairi, *Shī'ism*, p. 109.

149. Shaul Bakhash, *Iran Monarchy Bureaucracy Reform under the Qajar 1858-1896*, (London, 1978), p. 287.

150. Algar, *Religion*, p. 220.

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152. E.G.Brown, *Persian Revolution of 1905-1909*, (Cambridge, 1970), pp. 104-105.

153. Ibid, pp. 107-108; Bamdād, *Rijāl-i Iran*, Vol 5, p. 200-01.

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155. Fischer, *Iran*, p. 6.

156. " Āqā Najafī", *Encyclopedia Iranica*, Vol 1, p. 179.

157. Ibid, p. 179.

158. Algar, *Religion*, p. 102.

159. Āqā Buzurg, *al-Dharī'a*, Vol 1, p. 21.

160. Ibid, Vol 1, p. 24.

161. Ibid, Vol 1, p. 270.

162. Ibid, Vol 16, pp. 251-252.

163. Ibid, Vol 5, p. 35.

164. Ibid, Vol 5, p. 43.

165. Ibid, Vol 2, p. 456.

166. Ibid, Vol 2, p. 45.

167. Tabrīzī, *Rayḥānat*, Vol 1, p. 26; Bamdād, *Rijāl-i Iran*, Vol 3, p. 326.

168. Algar, *Mīrzā Malkum Khan*, p. 276.

Chart No. 1

The first and second generation students of
Mohammad Bāqir Bihbihānī

☐ Ijāza

Mīrzā Qummī

Mullā Ahmad
Narāqī

Shaykh Ja'far
Najafī

Mohammad Bāqir
Shaftī

Wahīd Bihbihānī

Muhammad Mahdī
Bahr-al-'Ulūm

Mohammad Ibrāhīm
Kalabāsī

Sayyid 'Alī
Tabātabā'ī

Chart No. II

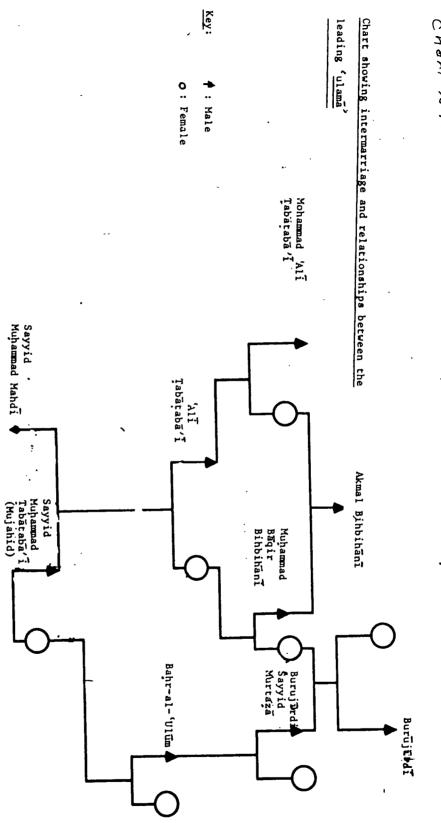Chart showing intermarriage and relationships between the leading 'ulamā'

CONCLUSION

With the establishment of the religiously based Safavid state, the political impact of Twelver Shi'ism 'ulamā' started in Iran. In theory the power base of the 'ulamā' derives from their doctrine of the illegitimacy of any state pending the return of the Hidden Imām. Therefore, the 'ulamā' acknowleged and to some extent legitimised the rulership of the Safavids, who claimed to be the deputies of the Twelfth Imām. With the spread of Shi'ism in Iran the 'ulamā' gained and gradually extended their power, although the exact manner in which this took place remains to some extent unclear. In order to extend its popular foundation during the Safavid era, Shi'ism was transformed from a universal to a national institution.

With the creation of the post of mullā-bāshī in late Safavid times, the 'ulamā' had made a further step towards independent authority as distinct from that of the government. Under Muḥammad Bāqir Majlisī's leadership the 'ulamā' moved towards an intolerant orthodoxy which contributed ultimately to the decline of the Safavids. Some of the 'ulamā' denied the religious legitimacy of the Shah's rule and claimed that the mujtahids had a better right to govern. Through this they had already moved closer to the above mentioned Shī'ī theory which asserted that the only legitimate guidance is to be found in the mujtahids who act as the vice-gerent of the Hidden Imām. At that period the hierocracy became more independent from the state, particularly because their incomes derived from their control of the waqf (religious endowments) and the control of the law courts and the educational establishments.

After Nādir Shāh failed to reintroduce Sunnism as the state-protected religion in the form of the fifth legal school, the 'ulamā gradually regained their religious influence and reestablished Shi'ism in the 'atabāt. The independent position

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of the Shīʿī leadership in the ʿatabāt, beyond the reach of the Iranian ruler, has to be considered as one of the bases of their power.

During the period of the interregnum, Akhbārism dominated the Shīʿī scholarly centres. However, the more aggressive Uṣūlī, school revitalised by Āqā Muḥammad Bāqir Bihbihānī, gained supremacy over the Akhbārī school and emerged as the more powerful wing. The Uṣūlīs claimed that the key role of the *mujtahids* is in the interpretation of law and doctrine, emphasizing that every individual has to follow a living *mujtahid*. By dividing the Shīʿī community into *mujtahid* and *muqalid* (laymen) the *ʿulamāʾ* were able to establish a distinctive role as leaders of the community which brought them often outright veneration of most of the Shīʿī community, and even of the shahs families.

Bihbihānī's students became the leading *mujtahids* of the Qājār period. Unlike the Safavids the Qājār rulers could not claim that their rule had been passed on to them through the Imāms, but could point only to the Mongols as their ancestors. Therefore the Qājār needed the *ʿulamāʾ* to legitimate their rule on a popular basis. The *ʿulamāʾ* in turn realized the opportunity to consolidate their position and developed the duality theory i.e. the division between religious and political authority which on the one hand legitimised the rule of the shah and on the other hand allowed the *ʿulamāʾ* to affirm their power in religious terms while still remaining independent from political interference. As result of the division between political and hierocratic domination the *ʿulamāʾ* in general withdrew piously from worldly affairs, which emphasized their intervention and guaranteed success in times when they criticized the government. Significantly, the *mujtahids* mostly interfered in politics either when the

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government clashed with or collaborated with foreign states. National and international interests in Iran tended to oppose each other. As the *'ulamā'* were concerned only with national interests, they always acted as the protectors of the whole nation.

During the reign of the first Qājār Shāh there was no clear interference of the hierocracy in the state, probably due mainly to the unsettled condition of Iran. However, the shah treated the *'ulamā'* with great respect and sought to secure their support.

In contrast to the period of Muḥammad Ḥasan Shāh the *'ulamā'* gained a position of popular power and were able to involve themselves in the state affairs during the entire reign of the second ruler, Fatḥ 'Alī Shāh. The most eminent *mujtahid* of that time was Shaykh Ja'far Najafī who took positive steps to propagate the concept of *nā'ib al-'āmm* of the Imām.

Firstly, he legitimised Fatḥ 'Alī Shāh's accession to the throne and secondly, he authorized him to lead the *jihād* against the Russians. After Shaykh Ja'far Najafī's death Fatḥ 'Alī Shāh sought guidance from other leading *mujtahids* such as Mīrzā Qummī. It is stated that because of Qummī's residence in Qum the shah took special care of Qum; In consequence, mosques were built and shrines embellished. Moreover, the inhabitants of Qum were exempted from tax. The other leading *mujtahids* who played important roles during Fatḥ 'Alī Shāh's reign were the grandson of Bihbihānī, Sayyid Muḥammad Ṭabāṭabā'ī, who led the agitation for the Second Perso-Russian War and Sayyid Muḥammad Bāqir Shaftī, the *shaykh al-islām* of Isfahan. The latter had assumed the duty of executing the penalties imposed in his religious court where e.g he condemned to death between seventy and one hundred persons. Furthermore, his position was also strengthened by his enormous wealth which made him the richest

The attachment of the third Qājār ruler, Muḥammad Shāh, and his minister, Mīrzā Āqāsi, to Sufism brought about the hostility of Shaftī towards the state and led him to support the revolt of Ḥusayn ʿAlī Mīrzā Farmānfarmā, who proclaimed himself shah in Shiraz.

During the reign of the last Qājār Shahs, particularly the long reign of Nāṣir al-Dīn Shāh, the ʿulamāʾ, under the leadership of Mīrzā Ḥasan Shīrāzī, developed their political claims. The religious establishment was increasingly separating apart from the state and no longer considered itself wholly incorporated into it.

Although their powerful position allowed them to oppose the government's activities and plans, the reactions and political measures of the ʿulamāʾ were still influenced to a certain degree by the religious attitude of the ruler. However, the development of revolutionary tendencies amongst the hierocracy forced the government to comply with their interests. For the whole of the period the ʿulamā demonstrated their powerful authority, most significantly in the successful rejection of the Reuter Concession and the prevention of the Tobacco Monopoly.

In fact, the ʿulamāʾ, lacking any feasible alternative political concept failed ultimately in their attempt to propose (policies) and act for the benefit of Iran. When the revolutionary movement culminated in the Constitutional Revolution of 1905-1909, only a small group of influential, liberal orientated *mujtahids* participated in it. However, the major and more conservative part of the clergy stood aside or withdrew increasingly from political life after the Constitutional Revolution.

Finally the most significant development in the religious sphere since the

beginning of the nineteenth century was the dominant position of the Uṣūlī. After they had expelled the Akhbārī they led a similar attack against the Shaykhī school which emerged during the second quarter of the nineteenth century, and the Bābī movement, which emerged later on.

The Qājār era witnessed the development of the religious legal sciences i.e. *uṣūl* and *fiqh*, which reached its peak particularly after the overthrow of the Akhbārī school. Many works on juridical topics were written and new theories were established and developed which influenced and changed decisively the direction of Shīʿī doctrine during the following century. The first new Shīʿī dogma introduced during early nineteenth century was the principle of the *wilāyat al-faqīh* by Mullā Aḥmad Narāqī who partially elaborated and emphasized the right of the *faqīh* to rule. The second one was the establishment of the post of *marjaʿ al-taqlīd*, which became widely recognized among the Shīʿī community, particularly at the time of Shaykh Muḥammad Ḥasan Najafī and his successor Shaykh Murtaḍā al-Anṣārī. The latter had established a new school of thought which has dominated the Shīʿī clerical circles ever since.

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