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

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The 'Ulamā' of Iran in the 19th Century

Hagiographical Literature

by

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A Thesis submitted in fulfilment of
the requirements for the degree of
Master of Arts
in Persian Studies

Centre for Middle Eastern
& Islamic Studies
The University of Durham
1989

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Abstract

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

Chapter I: provides an overview of the relations between state and 'ulamā' in the Safavid period and traces the development of ʿusūlī doctrine as the dominant school of Shi'i 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 primarily 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 marja' al taqlīd, thus paving the way for the mujtahids to intervene in affairs of state.
Acknowledgements

I would like to express my gratitude to the staff of the Centre Middle Eastern & Islamic Studies particularly to the member of the Persian Department, its head Dr. J. P. Luft, without whose help, encouragement and invaluable expertise I could never have completed this study. Dr. A. R. Navapour, and my supervisor Dr. D. Mac Eoin for his tireless scholarly advice and guidance.

I would like also to express my thanks to B. M. Hartel and Dr. M. Green who read the entire dissertation and offered very valuable help for which I am extremely grateful.

I also am grateful to the Algerian authorities for the financial support, and particularly to my family: my mother, sister and brothers, who stood behind me in the years that I was involved in studying. To them, I would like to dedicate this work as a token of my love.
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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-
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-nabawīya. 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 Ishaq (d.151/768). The next stage in the evolution of this literary form was al- Ansāb of Muḥammad ibn al-Sā‘īb 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 ‘Abbāsīd 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 Ishaq, 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
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 ‘ulama’ dealt with fall into the category just mentioned. The present study concentrates on the biographies of the most influential ‘ulama’ of the late eighteenth-nineteenth centuries, with the main focus on the Qajar 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 ‘ulama’ was the result of two main factors originating from both internal and external impulses. The internal impulse was the development of the Shi‘i theory that the mujtahid could claim to be the vice gerent of the Hidden Imam. 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 ‘ulama’ 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 Usūlism became consolidated as the dominant Shi'i school after the period of the conflict with Akhbārism and other non-rationalist movements. The following three chapters provide mainly biographies of the 'ulamā' according to the generation they belonged to.

Chapter Two

The 'ulamā' of the first generation were:-

1 Āqā Muḥammad Bāqir Bihbihānī
d 2 Ākhund Mullā Muḥammad Mahdī Narāqī
d 3 Sayyid Muḥammad Mahdī Baḥr al-'Ulūm
d 4 Shaykh Ja'far Najafi
d 5 Sayyid ‘Alī Taḥātabā'ī
d 6 Mīrzā Abū 'l-Qāsim Qummī

All the 'ulamā' of this group were students of Bihbihānī. Their main achievement was to consolidate the Usūlī school and to restrict Shi'ism considerably in accordance with Bihbihānī's teaching.
Chapter. Three

The second generation is represented by:-

1 Sayyid Muḥammad Ṭabāṭabāʿī (mujāhid)
2 Ākhund Mullā Aḥmad Narāqī
3 Sayyid Muḥammad Bāqir Shaftī
4 Mullā Muḥammad Ibrāhīm Kalbāsī
5 Mullā Muḥammad Taqī Baraghānī
6 Mullā Muḥammad Jaʿfar Astarābādī

The members of this second group elaborated the Shiʿī 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 Murtuḍā al-Anṣārī
4 Mullā ‘Alī Kānī
5 Shaykh Muḥammad Ḥasan Shīrāzī
6 Shaykh Muḥammad Taqī (Āqā Najafī)
The most significant occurrences of this period were the emergence of the *Marj′ayyat al-taqlīd* and the direct interference by the ‘ulamāʾ 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 *Qīṣāṣ al-‘ulamāʾ* (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. *Qīṣāṣ al-‘ulamāʾ* is written in a literary style following the example of the earlier *Qīṣāṣ al-anbiyāʾ* of Qūṭb al-‘Dīn al-Rawandī (d.573/1177-78). Comparable are two other works also consulted here:- Muḥammad ‘Alī Kashmīrī’s *Nujūm al-samāʾ* (Lucknow, 1303/1885-86) and Muḥammad Mahdī Kāzimī’s *Ahsan 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 Ḥābībābādī, in his *Makārim al-athār fī aḥwāl-i rījāl-i dawrayi Qājār*, (Isfahan, 1377/1957-58).

In addition to the aforementioned biographies, the first volume of *Rawaḍāt al-jannāt fī aḥwāl al-‘ulamāʾ wa l-sadāt*, of Mīrzā Muḥammad Bāqir al-Isfahānī, edited by Sayyid Muḥammad ‘Alī Rawaḍātī, (Isfahan, 1382/1961), and the 4 vols of Muḥammad ‘Alī (Mudarres) Tabrīzī’s *Rayḥānat al-adab fī tarājum al ma’rūfin bi ‘l-kunya aw al-ilaqah*, (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 Sultan Ahmad Mīrzā, and Nāsīkh al-tawārīkh by Mirzā 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. Farsnāmā-i Nāṣiri 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 muḥāṣir yā ḥayāt-ī 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 Fath '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’.


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-Tawḥīd), (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 ōadr, an official responsible for the religious affairs and institutions, on behalf of the state. The ōadr 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 qādī, a religious judge. Both the shaykh al-islām and the qādī 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,
to enforce Shi'iism in Iran by spreading its teaching, because the majority of the inhabitants of Iran in general and of Tabriz in particular were originally Sunnis (6). It is stated that Shah Isma'il 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-'Allama al-Hillī (d.726/1325-26). In order to convert the Iranian population to Shi'ism, Shāh Ismā'īl and his successor Ṭahmāsp imported Shi'i 'ulamā' from the neighbouring countries, i.e. Iraq, Syria and Bahrayn (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 Shi'i ‘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 Shi'i doctrine, to protect the Shi'i community which had always been under attack by Sunni state: for example, the attack of Sulṭān Selīm in 1511-12 against the Shi'i Zaydi 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 Sultān 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 hareem. 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
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 Majlīsī (d.1110/1698-99) who had a strong influence over Shāh Sultān 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 Fath ʿAlī 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
easily demonstrated by examining the mujtahid and his practical functions. Therefore, it might be helpful to define the characteristics of the key terms ījtihād and mujtahid.

1.1.4 Definition of ījtihād and mujtahid

(a) ījtihād ījtihād 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 acquired 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 ījtihād 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. dhukurāt (being male). 4. imān (faith). 5. ‘adāla (justice). 6. tahārat al-mawlid (legitimate birth) (21).
(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'amalāt (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, wajib, (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 mandāb or mustaḥab, (recommended). The fourth one is jā'iz or mubāḥ, (permissible). The fifth and last one is makhruh, (disapproved) (24).

1.2.1 Definition of usūl al-fiqh

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

The main sources of usūl al-fiqh are the Qurʾān, traditions, consensus and reason. These 4 sources apply to the Usuli school which is the predominant one. For the Akhbarī school the sources are confined to the Qurʾān and to the traditions of the Prophet and the Imāms (26). (for these two schools see page 18).

1.2.3 The Emergence of usūl 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-Khadri, have referred its origin back to al-Shāfiʿī. al-Khadri states that the first book written on the sources of Islamic law is al-Risāla of al-Shāfiʿī (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 Qurʾān, Sunna and 'Ijmāʿ (probative value of the consensus) (27). However, others assign the origins of usūl al-fiqh to scholars such as Abū Yūsuf (d.182/798), the first jurist to have written a book on usūl al-fiqh. In the Shīʿī sect Sayyid Hasan al-Ṣadr ascribed the foundation of this science to the fifth Imām, Muḥammad al-Bāqir (d.57/676-77) and the sixth Imām Jaʿfar al-Ṣādiq (d.80-3/699-702) (28).

Although there are different opinions about the foundation of this important science, usūl al-fiqh certainly existed in its earliest form, ijtihād since the dawn of
Islam. We can cite one ḥadīth 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 raʾyi (opinion)” (29). From this ḥadīth 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 āḥkām (rules). Thus, it is obvious that the companions were acting according to the principal sources of usūl al-fiqh which were at that time, the qurʾān, sunna and ijtihād.

1.3 The Development of Shiʿī Jurisprudence

There are three distinct periods in the development of the Shiʿī 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 Shiʿī’s usūl al-fiqh was not yet established as distinct from that of the Sunnī. This was due to the belief of the Shiʿī community that the ‘ulamā’ who were companions of the Imāms used to say that there is no need for usūl 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
Shi'i '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 Shi'i 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 Shi'i fiqh. Therefore, the Shi'i 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 Shi'i religious centres (32).

Two reasons may be suggested to explain their dominance. An agent, the so-called al-Nā'im al-khāss, emerged and acted as the intermediary between the Hidden Imām and the Shi'i 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 hadith (34). Another collection was Man lā yahduruh al-faqīh, composed by Abū Ja'far Muḥammad ibn 'Alī ibn Bubawayh al-Qummi, 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
akhbār (traditions) of the Imāms amongst which *Man lā yaḥdūruhu al-faqīḥ* 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 Shi‘ī centres and suppressed the rationalist scholars there, the moderate 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 supporters 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 established by Shaykh al-Mufid (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 *usuliyya* (37).

1.3.3 (c) The third Period

In the second half of the fifth/eleventh century another religious scholar named Shaykh al-Ṭā‘īf Muḥammad ibn Ḥasan al-Ṭūsī (d.460/1067-68) established a moderate school. Shaykh al-Ṭā‘īf was a prolific writer. The most important among his works were two collections of traditions, *Tahdīḥ al-ahkām* and *al-Istībṣār* (38). Over
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-Muḥaqiq al-Hillī (d.676/1277-78) and al-ʿĀlīma al-Hillī (d.726/1326), the latter wrote many books on Shi‘i law which are regarded as the first major works on Shi‘i jurisprudence (39).

The Usuli school maintained its domination, particularly after the Safavids adopted Shi‘ism as the state religion of Iran. The most famous Usuli scholars of the Safavid period are al-Karaki Nur al-Dīn ʿAlī al-ʿĀmilī (d.940/1533-34), his student Shahīd al-Thānī Shaykh Zayn al-Dīn ibn ʿAlī (d.966/1558-59) and Shaykh Ḥasan, known as ʿKhaṭīb al-usūliyyīn (preacher of the Uṣūli) (d.1011/1602-03) (40).

However, in the last quarter of the sixteenth century the trend towards the Usuli school lost momentum because of an Akhbarī resurgence through the teaching of Mūsā Muḥammad ibn ʿAlī al-Astarābādī (d.1028/1619) who encouraged his student Mullā Mūḥammad Amin Astarābādī (d.1033/1623-24) to articulate the Akhbarī school’s views in his writing (41). In his book al-Fawāʾid al-madaniyya Muḥammad Amin tried to dislodge the mujtahid’s authority. He proposed a reestablishing of the early Akhbarī school which predominated until the time of al-Mufid (42). He rejected strongly the doctrine of the usuli ‘ulamā’, in particular that of his contemporaries. His teaching overshadowed the ‘ulamā’ of the following two centuries. The most famous ‘ulamā’ who espoused the Akhbarī school after Astarābādī were al-Ḥurr al-ʿĀmilī (d.1104/1692-93), author of the most extensive collection of Akhbar al-imāms, Taḥṣīl waṣāʾīt al-shi‘a ila āḥkām al-shari‘a (43); al-Muḥadith ʿAbd al-ʿĀlī ibn Aḥmad al-
Dirāzī al-Baḥrānī (d.1177/1763-64), the author of *Ihyā’ ma‘ālim al-shi‘a* (44), Sayyid Ni‘amat Allāh al-Jaza‘īrī (d.1112/1700-01) (45) and a Shaykh Yusuf al-Baḥrānī the author of *al-Ḥaddīq al-nddira* (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 Shi‘ī scholars and where the main disagreement which accompanied this period of reorientation, namely, the conflict between the Akhbarīs and the Uṣūlīs, 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 Shi‘ī clerics as a potential threat to his rule. It is almost certain that he himself originated from a Shi‘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 Shi‘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 šadr, curtailed jurisdiction of ‘urf courts and strangled the Mullā-bāshi, 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 Sunni origin of the majority of his army, who were Sunni 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 Sunni majority, and his conversion to Sunnism would have facilitated this objective.

Nadir Shah disapproved of the religion of Shah Isma’il, the first Safavid ruler, and considered it as his task to supersede his religion and thus to suppress the Shi‘i 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). Nadir Shah was able to confiscate the waqf because the attitude of the populace towards the ‘ulamā’ who were around Shah Sultan Husayn was hostile (52).

However, Nadir Shah’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 Shi‘i doctrine the only true transmission of the Islamic religion through the medium of the Imāms persisted without compromise (53). Nadir Shah intended the Ja‘fari school—named after its founder Ja’far al-Sādiq, the sixth Imām—to be recognised as a fifth column in Ka‘ba in Mecca and related to the four Sunni schools. It was also his intention that the authority of the sixth Imām should be equal to that of the founders of the Sunni schools. Nadir Shah 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 ‘ulama’s position, could find no support. Therefore Nādir Shāh’s plan to weaken the ‘ulama’ influence had no significant or lasting effect. Although the ‘ulama’ lost their importance and remained impoverished and in a weak condition, nevertheless, they survived as the leading religious 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 Muhammad Ḥasan Khān, exercised great influence and power over the central parts of Iran succeeded gradually in defeating all other pretenders.

Through his killing of Muhammad 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 ‘ulama’ 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
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 preeminence 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 Shi'i 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 'usuli' 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 Sunni Ottomans- were dominated by the traditionalists (60). With the decline of Shi'i rule in Iran and the anti-Shi'i 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, djeq. He was to exert great
influence on the forthcoming eighteenth century and exemplified the Usūlī 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 Majlisi’s students namely Bahā al-Dīn Muḥammad Isfahānī known as Fādil Hindi (d.1137/1724-25) author of Kashf al-liḥām dar sharḥ qawā'id al-ahkām (63), and Mullā Ismā‘īl Khwājū‘ī (d.1173/1759-60) were of considerable importance (64). When the hostile policies of Nādir Shāh towards Shi‘ī scholars led the ‘ulāma’ transferring the centre of Shi‘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 Ahmad al-Bahrānī (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 Akhbarism initially and attended Usūlī classes, but later he rejected his early learning and adopted Akhbari scholarship. He converted to Akhbarism but interpreted Akhbari theory in a more liberal and modified way. He constructed a neo-Akhbari (moderate) movement denying the strict uncompromising Akhbari position, which although rejecting Usūlī principles of using syllogistic methods and legitimizing the declaration of jiḥād, nevertheless continued some Usūlī elements (66).

During the interregnum period of the Afghans and the unstable time between the rule of Nādir Shāh and Karīm Khān Zand, the Akhbari scholars attempted to influence the Iranians who came to the ‘atabāt and particularly to Karbalā’ to adopt the Akhbari school. However, it was only when Aqā Muḥammad Bāqir ibn Muḥammad Akmal, known as Wahīd Bihbihānī (d. circa 1206/1791-92), consolidated the ‘atabāt as the domain of the Usūlī school and Karbalā’ as the foremost centre of contemporary
Shi'i scholarship (67).

From the middle of the Safavid epoch to the days of Wahid Bihbihani, Shi'i scholarship was dominated by the Akhbari school. This school of traditionalists was revived by Muhammed Amin Astarabadi (d.1036/1626-27) in the early eleventh/seventeenth century. The Akhbaris 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 Usuli school. Firstly, Akhbari scholars considered as the possible source of law exclusively the Qur'an the traditions of the Prophet and the Imams, and restricted themselves to these only. Secondly they approved of the muhaddith, who is a direct intermediary from the Imams, exercising jurisprudence though this was prohibited to almost all other Shi'i during the Imam's absence. Moreover, they disapproved of any splitting of the Shi'i community into laymen and mujtahid, arguing that every believer must imitate the Twelver Imams without any further intermediary (68).

By contrast with the Akhbaris, the rationalist Usulis emphasized that consensus among the mujtahids could also serve as a source of legal judgements just as well as could the independent reasoning of the jurists. The Usuli scholars divided the Shi'i 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 Imam, 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 zakat and khums, in the declaration of jihad and in leading the Friday prayers imam 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 Akhbāris and repulsed them from their strongholds in the 'atabāt. Only the south of Iraq, Βαχ्रαyn and very few cities in Iran remained under Akhbārī influence for sometimes longer (71).

After Bihbihānī had excommunicated the Akhbāris he carried on Majlīsī'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 Majlīsī had accepted an agreement to tolerate different opinions (72). Bihbihānī's strictness in his insistence on the principles of reasoning and ījtihād 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 acknowledged him as the mu‘assīs (founder) of the Uṣūlī, ustād al-kull, (universal teacher), as murawwīj, (propagator) 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-gḥazābs, 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-ʿUlūm, and Mullā Muḥammad Mahdī Naqī who
became famous ʿUsūlī clerics and consolidated the teaching of the ʿUsūlī school among
the Shiʿī community in Iraq and Iran .(75)

1.6 The Emergence of the Shaykhi 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-Aḥsāʿī the founder of this
school, whose philosophy was considered heterodox by some of the ʿUsūlī ʿulamāʿ.
Orthodox representatives of Shiʿīsm who had continued the restriction of the reli-
gious doctrine did not tolerate any theories apart from rationalism. They reacted as
Bihbihānī had responded to the revival of Akhbarism and declared the Shaykh an
unbeliever in 1822 (76).

The strong rejection of Shaykhism by the ʿUsūlī had its roots in fundamental dif-
ferences between both schools. Where as the Akhbarīs primarily did not concur with
the ʿUsūlī 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 īlāhī, the school of Isfahan,
and thus it may interpreted as a further development of Akhbarism. However, the
main differences provided too deep a contrast to the orthodox position of the ʿUsūlī
school (78).

Shaykh Aḥmad Aḥsāʿī was an advocate of Shiʿī gnosis. He was expelled by the
Shiʿī 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'i 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 Kāzīm 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 Shaykhīyya, headed by Ḥājjī Muḥammad Karaḥ Khān Kirmānī in Kirmān, and the Bābīyya in Shiraz under Sayyid ʿAlī 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'i world (82).

### 1.6.1 Shaykh Aḥmad Aḥsāʾī (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-Aḥsāʾ in Bahrayn (83). His family belonged to the clan of *maḥāṣir*. His ancestors were nomadic Sunnīs who had converted to Shi'īsm 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 before 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 hikmat, including works of Mullā Ṣadra, Shaykh Aḥmad received an ijāza from Shaykh Aḥmad ibn Ḥasan al-Bahrānī (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 Ṭabaṭabaī (d.1231/1815-16); Sayyid Muḥammad Mahdī Bahr al-'Ulūm (d.1212/1797-98); Shaykh Ja'far Najafī (d.1228/1813); and Muḥammad Mahdī Shahristānī (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-Bahrānī (91).
In 1221/1806-07 he went to Mashhad to visit the shrine of the eighth Imām ‘Alī Rida 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 execute 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 temporarily 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 Aḥsāʾī returned from Ḥijāz and Iraq, he stayed in Kirmanshah again until the death of Muḥammad ʿAlī 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 Aḥsāʾī 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 tumans to pay Aḥsāʾī’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 material body and of the material nature of the miʿrāj (the Prophet’s ascension) (101). The ‘ulamā’ who initiated and supported the takfīr against him were: Muḥammad Taqī Baraghānī; Āqā Sayyid Muḥammad Mahdī Ṭabāṭabāʾī (d.1260/1844-45); Mullā Muḥammad Jaʿfar Astarābādī (d.1263/1847); Sayyid Ibrāhīm Qazwīnī (d.1262-4/1846-48) (102).

This conflict between Aḥsāʾī and the Usūlī ‘ulamā’ arose because Aḥsāʾī 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 Aḥsāʾī’s personality inspired and stimulated the Shaykhi school strongly. The Shaykhi school was a renewal both of primitive Shiʿī 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 Aḥsāʾī’s takfīr contributed to the establishment of distinct school which led ultimately to the split with orthodoxy.

Aḥsāʾī 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-ziyāra al-jamiʿa al-Kabīra (1230/1815) which consists of 30,000 verses and is considered his magnum opus (104); Sharḥ al-fawāʾid was written in 1233/1817 and printed in 1272/1855 (105). During his stay in Kermanshah, he wrote al-Risāla al-sulṭāniyya as a response to the questions of Fath Ṭāhir (106). He also wrote a commentary on al-Mašāʾir of Mullā Ṣadra’s book in 1234/1818 entitled as Sharḥ al-mašāʾir (107). Moreover, Khwānsārī enumerates one hundred treatises were written by Aḥsāʾī (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-qaʿda 21, 1241/ June 27, 1826 and was buried in Medina (109)
Footnotes:


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


9. Muḥammad ‘Alī Ţabrizi, *Rayhānat al-adab fi 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-islām there were other ‘ulamā’ appointed to this post in other cities e.g. Mir ‘Abd al-Šamad Ḥusayn al-Āmilī (d. 984/1576-77) was shaykh al-islām of Harat then later of Khurasan. Mir Sayyid Ḥusayn, known as mujtahid al-zamān, was shaykh al-islām of Ardabil.


28. Sayyid Hasan al-Ṣadr, *Ta’sīs al-shī‘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 ʿusūl 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 preceding generation, until Muḥammad al-Bāqir became the Imām and taught them the science of ʿusūl.


31. A. J. Newman, *The Development and Political Significance of the Rationalist (usūlī) and Traditionalist (akhbarī) School in Imāmī Shī‘ī History from the Third/Ninth*


33. Modarressi, Introduction, p. 26


35. Newman, Development, pp. 136-46 ; "Aqa Buzurg, al-Dharī’ā, 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)


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


44. Ibid, Vol 1, p. 309.


46. Tunukābūnī, Qiṣaṣ, pp. 271-75.


50. Arjomand, Shadow, pp. 215-16. Nādir Shāh even had forbidden the muḥarram ceremonies and ordered that the names of the rightly guided Caliphs (Abū Bakr, ‘Umar and ‘Uthmān) be pronounced in the khutba.


55. Ibid, p. 262.


70. Tunukābūnī, *Qiṣaṣ*, p. 201.


73. Tunukābūnī, *Qiṣaṣ*, p. 199.


78. Ibid, p. 226.


100. Tunukābūnī, *Qiṣaṣ*, p. 47.

102. Khwānsārī, Rawḍāt, Vol 1, p. 223


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

107. Ibid, Vol 2, p.17

108. Khwānsārī, Rawḍāt, Vol 1, p.230

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 ījāza from his teacher Muḥammad Bāqir Majlisī and also from other ‘ulamā’ such as Āqā Jāmāl Khwānsārī (d.1121-25/1709-13), Mullā Mīrzā Shirwānī and Shaykh Ja’far Qādī (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-Bahrānī (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 Šadr al-Dīn al-Ridawī (d.1150-60/1737-47) (5). Bihbihānī obtained three ījāzat, the first two from his teachers; his father and Mullā Šadr al-Dīn. The third one was from Sayyid Muḥammad Būnijirdī (6). Through his ījāza 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 Majlisi and certain others in the twelfth century, there might have been a break in the chain of transmission of the Shi‘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 Shi‘ī scholarship (11). However, from the second half of the Safavid rule to the early Qājār period, the Shi‘ī centres both in Iran and in Iraq were dominated by the Akhbarī school. Habībābādī states that the Akhbarīs were so assured of their dominance that anyone carrying with him books of usūl 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 Akhbarī school. Gradually Bihbihānī was able almost totally to succeed in uprooting the Akhbarīs and in eliminating their influence from the ‘atabāt (13). He used various methods against the Akhbarīs. For instance, he pronounced takfīr against them, and he composed treatises in which Akhbarī 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-ghazābs (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 Najafi Kāshif al-ghātā (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 Shi’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 Najafi, 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 Ḥibrāhīm Kallāṣī (d.1262/1845-46). In addition to these ‘ulamā’ Bihbihānī also taught his sons, Āqā Muḥammad ‘Alī, known as the Šāfī-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: Sharh 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 Usul 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-ǰāhil, copied by Sayyid Mahdī al-Mūsāwī in 1225/1810 (23).
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 Qummi. 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 Khwāǰūr (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 Kashanī (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 mourning duty for his father he went to Iraq where he studied under Shaykh Yūsuf al-Bahrānī and, when Bihbihānī came to Karbalā’, Narāqī forsook the Akhbarī classe for the Uṣūlī school (31).
Having completed his studies in Karbala’, 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). Tunukabuni reports that before Naraqi 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 Naraqī, 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 usūl (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-muwahḥidin, on usūl, published in 1325/1916-17, written in Persian and translated into Arabic by Shaykh Abd al-Rasūl al-Jawāhiri (36); Ĵāmi‘ al-sa‘ādāt, concluded in 1196/1781-82, translated into Persian by his son Mullā Aḥmad Naraqī, and published in Tehran in 1320/1911-12 (37); Ĵāmi‘ al-afkār, described by Āqā Buzurg as the most important and famous book on the subject of Itbāt al-wājīb, concluded in Kashan in Rabī‘ II, 1193/1779 (38); and Mushkilat al-‘ulūm, which deals with different sciences and is comparable to the Kashkul of Shaykh Bahā’ī (39). Later on he composed many rasā’il on different subjects. Ḥabībābādī mentions the following: Risāla dar ‘ibādāt, Risāla dar manāsik and Risāla dar ‘ilm al-‘uqūd (40).

Apart from his first son, Mullā Aḥmad Naraqī, he had two other sons. One was Abū ’l-Qāsim, who also became a famous clergyman and succeeded his brother Aḥmad Naraqī 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 Ḍhaḥmahdī. He obtained his ijāza from both his brother Mullā Aḥmad Narāqī and Shaykh Jaʿfar Najafī ʿKāshīf al-ghīṭāʾ (42). He settled down in Kashan and succeeded his older brother Abū ʿl-Qāsim as a religious leader in Kashan. He died in 1268/1851-52 and was buried in Qum (43).

2.3 Bahr al-ʿUlūm, (b.1155/1742-d.1212/1797-98)

Āqā Sayyid Muḥammad Mahdī ibn Murtadā Ṭabāṭabāʾī Burūjirdī was born in Shawwāl, 1155/November/December, 1742 in Karbala’ (44). Tunakābūnī states that on the night of his birth his father Sayyid Murtadā saw in his dream the eighth Imām ‘Alī Riḍā giving a candle to Muḥammad ibn Ismāʿīl ibn Bāzī (d.220/835) who lit it in Sayyid Murtadā’s house (45). Sayyid Murtadā 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).

Bahr al-ʿUlūm’s early learning started under his father. Then he continued his studies under Shaykh Yūsuf al-Bahrānī (d.1186-87/1772-73), the author of al-Ḥadāʾiq al-nādīra. After having spent some time in Karbalā’ studying, Bahr al-ʿUlūm set off to Najaf in 1169/1755-56 where he was taught by many prominent ʿulamāʾ 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 ʿl-Qāsim Mudarris (d.1102/1787-80) for four years. However, Ḥabībābādī states that both of them, Bahr al-ʿUlūm and Mīrzā Abū ʿl-Qāsim, taught each other:- Bahr al-ʿUlūm taught him usūl and fiqh, and

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he studied ِهَكِمَةَ and ِكَلَامَ under ِأَبُو َٰلْقَاسِمَ (47).

Bahr al-'Ulum obtained many ijazat. Probably the first one was given to him by his teacher Shaykh Yusuf al-Bahrani (48). The other ijazas were from Shaykh 'Abd al-Nabi al-Qazwini (49), Muhammad Mahdi al-Fatuni (d.1183/1769-70), Aqa Muhammad Baqir Bihbihanî and from Muhammad Baqir Hazarjaribi (d.1205-1790-91). The last one was dated in Jumada II, 1195/ June, 1781 (50). Because of his acquisition of wide knowledge, Muhammad Mahdi became known as Bahr al-'Ulum (51).

Having completed his studies, he returned to Najaf where he established his own classes. After the death of Bihbihanî, Bahr al-'Ulum 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 'atabât. He taught many famous 'ulama' such as Shaykh Ja'far Najafi Kashif al-ghita who succeeded him, Mullâ Ahmad Narâqi (d.1245/1829-30), Shaykh Ahmad Ahsâ'î (d.1241/1825-26) (the latter had obtained an ijaza from him and was highly respected by Bahr al-'Ulum) and Hajji Muhammad Ibrahim Kalbasi (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 Shi'i 'ulama' and aristocrats used to transport their corpses to the shrine cities for reburial. The 'ulama' did their best to evacuate the inhabitants from the shrine cities and they themselves left the holy places. For example, Aqa Muhammad Baqir Bihbihanî strongly advised his son Muhammad Ali to leave Kazimayn for Iran (55). Bahr al-'Ulum 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 Bahr al-ʿUlūm passed through Isfahan where he obtained an *ijāza* from Āqā Mīr ʿAbd al-Bāqī (d.1207/1792) the *Imām jumʿa* of Isfahan. From Najaf Bahr al-ʿUlūm 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 *ʿulamāʾ* of the early Qājār period were predominantly pupils of Bihbīhānī and, like their contemporary, held Bahr al-ʿUlūm 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 *ʿulamāʾ* 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).

Bahr al-ʿUlūm wrote relatively few books. Tunukābūnī justifies this by stating that he devoted his time to reading and solving ambiguous problems (59). However, the author of *Makārim al-ʿāthār* listes twelve titles, amongst which are the following: *al-Durra al-maḥzūma*; 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 *ʿulamāʾ* such as Shaykh Muḥammad Ḥasan Najafī, the author of *Jawāḥir al-kalām*, based their ideas on its contents (61). *Fawāʿid usūliyya* was printed in 1271/1854-5 (62). *Maṣābih dar sharḥ maḥāṭīḥ*, supposedly edited by his student Shaykh Qāsim ibn Muḥammad al-Dallīzī and printed in Rabīʿ II 18, 1231/ March 18, 18160. His son in law Sayyid Muḥammad Ṭabarī (d.1242/1826), gave some of his book the same title (63).
Bahr al-‘Ulūm wrote another book, a collation of his debates and arguments with the Jews. According to the author of Rawdat this book was written by one of Bahr al-‘Ulūm’s students who was present at the debates (64). In addition to these books he composed many Rasū‘īl on different religious matters and an elegy on the Third Imām entitled al-‘Uqūd al-īthnā ‘ashariyya (65).

Bahr 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. Bahr al-‘Ulūm was succeeded by Shaykh Ja‘far Najafī - who composed an elegy on his death- as religious leader for the Shi‘ī of Iran and Iraq (66).

2.4 Shaykh Ja‘far Najafī, known as Kāshif al-ghitā', (b 1156/1743-44-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 Qināqiyya 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-Fahām (d.1205/1790-91), Shaykh Muhammad Mahdī al-Fatūnī and Āqā Muḥammad Bāqir Bihbihānī (70). Finally he was taught by Sayyid Muḥammad Mahdī Bahr al-‘Ulūm for at least half a year in order to gain blessings and holy guidance (71). Bahr 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-'Ulûm had consolidated Najaf as a centre where Shi'i 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 Shi'i, the most preferred and the most honoured 'âlim, 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 Wahhâbis attacked and surrounded Najaf in 1218/1803 and 1221/1806 (74). The Wahhâbis 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 Shamarât and Zakarât 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, 'Alî Pasha, the governor of the city, sent Shaykh Ja'far to negotiate with the commander of the Iranian troops, Muḥammad 'Alî Mîrzâ, Dawlatshâh, Governor of Kirmanshah, in order to bring about the release of Sulaymân 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 Sulaymân Pasha was set free (77).

When the first war against the Russians broke out the crown prince 'Abbâs Mîrzâ, governor of Azarbâyjân, asked his minister Mîrzâ Buzurg Farâhâni to write
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 suggests 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,
he was also chief fighter, whose decisions were considered and taken into account. According to Tunukābuni, Shaykh Ja'far permitted Fath '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 Fath '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 Fath 'Alī Shāh showed disrespect towards him and how, finally, his devotion caused him to regret having done so. According to Tunukābuni, Shaykh Ja'far undertook not only regular journeys to Iran to collect zakāt (the purifying tax) and khums (a fifth of any commercial 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 Fath '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 Fath '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
beg of you, contrive somehow that God allmighty may forgive our sins and resurrect us with Ḥaḍrāt ʿĀlīma′" (85).

From his widely read book, *Kashf al-ghitā' an al-shariʿat al-gharrā*, a popular legal work dealing with *shariʿa* and *jihād* Shaykh Jaʿfar and his family’s name derived as ʿal-ʿAllāh fi al-ʿālamān (sign of God in the universe) (88)

In his second book *Kashf al-ghitā' an maʿāyab Mīrza Muḥammad ʿadwāwu al-ʿulamā*, 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 ʿulamā’. Akhbārī’s sharp reaction influenced the ʿulamā’ against him and Shakh Jaʿfar pronounced him kāfīr (infidel) (89). Thereafter Muḥammad Akhbārī had to flee the atabāt and seek protection in Tehran. Shaykh Jaʿfar 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 Jaʿfar and withdrew to Baghdad (90). However, later on he was killed by the followers of Shaykh Jaʿfar 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‘faryya* (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-rashīd* 1343/1924-25) (98).

After Baḥr al-‘Ulūm had transferred the centre of Shi‘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 Ţabāṭabā’ī, Known as Ṣāḥib al-Riyād, (b. 1161/1748–d. 1231/1815-16)

He was the son of Sayyid Muḥammad ‘Alī Ţabāṭabā’ī, whose wife was the sister of Mullā Muḥammad Bāqir Bihbihānī (105). Sayyid ‘Alī was born on Rābī’ I 12, 1161/ March 1, 1748 in Kāzimayn (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 Qīṣas 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-Ḥadāʾiq al-nādira (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 'Ali had married the daughter of his uncle Bihbihānī, he gave one of his daughters in marriage to Āqā Muḥammad Ismāʿīl, the grandson of Bihbihānī (110). The strong links and relationships between the 'ulama' which derive from such intermarriages is obvious. As MacEoin points out: “Sayyid ‘Ali 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 ‘Ali 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 Najafi. 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 Aḥsāʾī (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 ‘Ali which was the longest ijāza of his students (114). Among Sayyid ‘Ali’s students were also Ḥājj Muḥammad Ibrāhīm Kalbāṣī 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 ‘Ali witnessed the attack on Karbalā’ by the Wahhābis 1216/1801-02. He states that after Sayyid ‘Ali 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‘īl. The most famous and influential is his book Riyāḍ al-masā‘īl fi bayān aḥkām al-sharī‘ bi ‘l-dalā‘īl, by which he became known as Saḥīb 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 Rawdašt, 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-liṭām of Fāḍil al-Hindī (d.1137/1724-25). Further on he states that even its title Riyāḍ al-masā‘īl is copied from the title of the book Riyāḍ al-dalā‘īl wa ḥujjat al-masā‘īl of Shaykh Aḥmad ibn Muḥammad Khaṭī al-Bahrānī (120). But Āqā Buzurg remarks that Riyāḍ al-masā‘īl is said to be a commentary on al-Mukhtāṣar al-nāfī‘ of al-Muḥaqiq 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 usūl. Its importance was comparable to the Qawānīn al-usūl of Mīrzā Qummi. Among his other books are: Sharḥ kitāb mabādi‘ al-usūl of al-ʿAllāma al-Hillī (d.726/1325-26) (122) as well some glosses on al-Ḥadā‘iq of Shaykh Yūsuf al-Bahrānī. In addition to these he composed many Rasā‘īl on var-
ious religious procedures (123). Sayyid 'Alī held many debates, particularly with Mīrza 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 Šahīb manāḥīl (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 Qummi, known also as Fādīl Qummi. (b.1151/1738-39- d.1231/1815-16)

He was the son of Muḥammad Ḥasan al-Gīlānī al-Shaftī al-Qummi, one of the pillars of religion and a famous scholar of the nineteenth century. Qummi’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. Qummi’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 Qummi 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 ṭṣūl and fiqh under Āqā Sayyid Ḥusayn Khwānsārī (d.1191/1771).
He obtained an \textit{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 \textit{ijāza} (129). Tunukābunī states that when Mīrzā Qummī was studying under Bihbihānī he lived a pious life in extreme poverty. Bihbihānī appointed him as \textit{imām} (prayer leader), so that he could earn enough money to support himself (130). In addition to the two mentioned \textit{ijāzāt}, Mīrzā Qummī obtained others, 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 \textit{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 \textit{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-Mufid, Qummī went back to Isfahan 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 \textit{fiqh} and \textit{usūl} (133). Finally Mīrzā Qummī was invited by the second Qājār ruler Fātih ‘Alī Shāh to settle down in Qum. There he taught first at the \textit{madrasa} in \textit{sutūh} (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 Muhammad Bāqir Shaftī (d.1260/1844), Ḥājj Muḥammad Ībrāhīm Kalbāsī, Mullā Muḥammad Taqī Baraghānī and Ḥājj Mīrzā Masīḥ (d.1263/1847-48) (135).

Mīrzā Qummi was among those ‘ulamā’ who could have succeeded Shaykh Ja’far Naṣafi, 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 usūl. His book Qawānīn al-usūl consisted of two volumes. It became the major source of jurisprudence and all the later studies on usūl al-fiqh were based on it (136).

The contemporaries of Mīrzā Qummi wrote many commentaries on his Qawānīn al-usūl such as that of Muḥammad Taqī Isfahānī (d.1248/1832-33) the grand father of Āqā Najafi - in his Ḥāshiyat al-ma’ālim, his brother Muḥammad Ḥusayn in his al-Fuṣūl, Muḥammad Ībrāhīm Kalbāsī in his Ishārāt, Ḥāmid Narāqī in his al-Manāḥij, Āqā Sayyid Ībrāhīm Qazwīnī (d.1262-64/1846-48) in his Dawābiṭ al-usūl, and Shaykh Murtadā al-Ansārī (d.1281/1864) in his Ishārāt al-usūl. Tunukabunī said that “because so many prominent ‘ulamā’ had commented on Qummi’s book, I also did the same under the title Muḥkamāt min fuḍalā‘i al-sab‘a”. Further on he said that Mullā Muḥammad Saḥīḥ Baraghānī (d.1283/1866-67) had told him that Mīrzā Qummi 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 Qummi had written another book on usūl called Sharḥ tahdhib al-usūl, Tunukabunī points out that although he had never seen this book, he had heard that Tahdhib al-usūl was of greater quality than Qawānīn al-usūl (138).
The influence of prominent 'ulamā', like Shaykh Ja'far Najafi and Mīrza Qummi, grew and extended throughout the reign of Fath '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 successful.

Before Fath '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 Mīrza Qummi, in whom he placed great trust (139). Because Fath '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 Abn '1-Hasan al-Jaza’iri in Shushtar and Mullā ‘Abd al-Aḥad Kazāzī in Kirmanshah (140).

When Fath 'Alī Shāh had almost completed the Masjid-i jum’a of Tehran, he consulted Mīrza Qummi 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 ).

Mīrza Qummi was highly respected and frequently consulted by the Shah and the 'ulamā’. For instance, when the Shah offered five thousand tūmān to Mīrza Shafi' to drink a cup of wine, the latter refused the proposal and took care to inform Qummi
of his refusal (142).

The real value of Qummi'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 reliability after Mīrzā Qummi's demise, although some of the madrasas were restored and rebuilt under Fatḥ ʿAlī Shāh (143). The latter had showed excellent sensitivity 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 Qummi and supported his revival of the madrasas after the long period of decay. It was 'ulamā' such as Mīrzā Qummi and Sayyid Ja'far Kashfi (d.1267/1850-51), who composed a fully developed Shi'i theory of politics, giving a basic justification for the Qājār dynasty (144). Because Fatḥ ʿAlī Shāh needed legitimation to secure his reign, he consulted the Shi'i hierocracy and many of the prominent mujtahids replied favourably, especially Mīrzā Qummi.

During the first decade of Fatḥ ʿAlī Shāh's reign Mīrzā Qummi 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 Qummi 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. Qummi 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 Shi‘i 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 Qummi’s *Qawānīn al-uṣūl*. In addition to this book Qummi wrote many important works such as *Ḥashiyat al-qawānīn*, concluded in 1277/1860-61 by Mullā Bāqir ibn Ghulām ‘Alī al-Tustarī (d.1327/1909) (147); *Jāmi‘ l-shiti‘at fī ajwībat 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‘īm* known as *Ghanā‘īm al-ayām*, printed in Tehran 1319/1901-02 (149); *Mu‘īn al-khawāṣṣ* (Na- jaf 1227/1812) (150); *Murshid al-‘awām* (151); *Sharḥ Tahdhib al-uṣūl*, an exegesis on the book of al-‘Allāma al-Hillī (152). In addition to these books Mīrzā Qummi wrote many *Rasā‘il* and a *diwān* consisting of five thousand verses (153).

Mīrzā Qummi had three daughters and one son. According to Tunukābunī, Fath ‘Alī Shāh wanted to make a family tie with Qummi’s family by marrying his daughter to Mīrzā Qummi’s son, but his son drowned in a lake (154). Mīrzā Qummi died in 1231/1815-16 and was buried in Qum. He was portrayed by many ‘ulamā’ in
their works, such as Hasan al-Ṣadr in his *al-Takmilah* (155).
Footnotes:

1. Tunukābūnī, *Qiṣaṣ*, p. 199, but 1117/1705 according to Algar, p. 34 without any source.
20. Ibid, Vol 1, p. 70.
22. Ibid, Vol 1, pp. 269-270.


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

32. Tunukābunī, *Qiṣaṣ*, p. 133.


49. Ibid, Vol 1, p. 207.


63. Ibid, Vol 21 p. 82.


75. Muḥsin Amīn, *A‘yān al-Shī‘a*, Vol 15, p. 424-432. Shamārāt 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 Najafi in this incident is provided in the above mentioned source.


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


82. Tunukabuni, *Qiṣaṣ*, p. 191.

83. Ibid, p. 191.

84. Ibid, p. 191.

85. Ibid, p. 191.

86. Ibid, p. 185.


92. Arjomand, *Shadow*, p.222


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


96. Ibid, Vol 16, p. 16.


137. Ibid, p. 182.


139. Algar, *Religion*, p. 46


141. Tunukābūnī, *Qīṣāš*, p. 143

142. Algar, *Religion*, p. 70


144. Momen, *Introduction*, p. 194

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

146. Aqa Buzurg, *al-Dhariʿa*, p. 174


148. Ibid, Vol 16, p. 63

149. Ibid, Vol 21, p. 284

150. Ibid, Vol 20, p. 307

151. Ibid, Vol 4, p. 512


153. Tunukābūnī, *Qīṣāš*, p. 11

154. Tunukābūnī, *Qīṣāš*, p. 11

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 Karbala’ (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 Tabāṭabā’ī, known as Sahīb 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 Tunukābūnī, Sayyid Muḥammad’s mother supported her husband Sayyid ‘Alī when he was writing his book Riyāḍ al-masā’il on the subject of ḥaḍ (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 Bahr 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 Bahr al-‘Ulūm and Shaykh Ja‘afar Najafi (4). He started to teach with his father in Karbalā’ but after the shrine city was sacked by the Wahhābis in 1216/1801-02, many inhabitants had been killed and the Wahhābis 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 *Mafāṭīḥ al-auważ* on *-utils al-fiqh*, which consisted of forty thousand verses (6).

The Uṣūlī school had extended and reinstated the juridical authority of the Shiī hierarchy. This topic is most emphatically and carefully discussed, albeit with an anti-Akhbāri attitude, in Sayyid Muḥammad’s *Mafāṭīḥ al-utils*. 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 *Mafāṭīḥ al-utils* was intended to legitimize a professional monopoly in jurisprudence, overcoming the protests of the traditional Akhbāri 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 *mafāṭīḥ al-utils* 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 necessity 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 taqlid 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 Murtadā 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 Kāzimayn 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 Fath 'Ali 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 Rižā 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 'ulamā', 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 whole population of the capital, particularly by the 'ulamā' 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). Fath 'Ali Shāh desired him to come as he was considered the most distinguished mujtahid of his time. He obeyed him in all matters and was entirely devoted to him. Fath 'Ali appointed 'Abd Allāh Khān Amin 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 tumān. Nevertheless, Sayyid Muḥammad could not be convinced by mere gestures. He informed the 'ulamā' of the provinces and urged them to agitate for jihād and to meet him in Tehran. On Shawwāl 26, 1241/June 5, 1826 Fath 'Ali Shāh left Tehran for Sulṭāniyya, [his summer residence], but Āqā Sayyid Muḥammad, accompanied by some mujtahīds, 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 necessary 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 Naṣīr Allāh Astarābādī (16).

On Dhu al-qa’dā 17, 1241/June 23, 1826 Āqā Sayyid Muḥammad arrived at Sultaniyya. 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). Fath ‘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 Karbalā’ 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 Muhammad Saliḥ Baraghānī, both of whom studied under him. There was also Shaykh Murtaḍā al-Anṣārī.

In addition to his book Mafatiḥ al-usūl 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 Muhammad had done (23). The author of Rayḥānat al-adab listes thirteen titles, among these al-İslāḥ (1224/1809), dealing with fiqh, muʿāmalāt and iʿbāḍāt. He wrote this book for al-muqallidūn (imitators) (24); Miṣṣāḥ al-ahkām, concluded in 1228/1813; (25) Mafatiḥ al-usūl, 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-Ağhāṭ al-mashhūra and Jāmi‘ al-ʿabā‘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 Karbala both of them attended the classes of Muhammad Baqir Bihbihani. 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 Muhammad Mahdī Bahr al-‘Ulûm, who was considered as the most learned mujtahid at the atabāt after Bihbihānī. Then Narāqī studied under Shaykh Ja‘far Najafi (31). From Najaf he set off to Karbala where he was taught by Mīrzā Mahdī Shāhrastānī (d.1216/1801-02) and Sayyid ‘Alī Ṭabarabā’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 ulama’ contradicted each other. Fatḥ ‘Alī Shāh summoned Ahmad 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 usūl 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 Imam jum'a of Kashan (36).

Fath '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’dā from Arabic into Persian (37).

On the death of Shaykh Ja‘far Najafi (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 Aḥṣā‘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.
Fath 'Ali Shah, who was unwilling to start another war against Russia, set off to his summer residence but the 'ulamā' followed him in two groups. Naraqi 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, Fath 'Ali Shah was finally forced to consent (39) From this event we can deduce that the 'ulamā' had already emerged as a powerful and controlling force. The 'ulamā' 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 Imam 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 Naraqī emphasised in his book 'Awā'īd al-aqīm the incumbency of following taqlīd upon the common man 'ammi (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 Imam during the occultation. Naraqī repeatedly pointed out that the mujtahid is authorised and endowed with all the power to act as the successor of the Imam. Basically, his arguments were built upon akhbār (tradition), ijma' (consensus) and 'aql (reason).

Before Naraqī the representation of the Imam was not specifically defined. The claims which the 'ulamā' made were not based on any one principle but were split into several categories of fiqh: qadā' (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).
Naraqi 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 Shi‘ī faithful) by describing their duties and their legitimation. He dealt firstly with the wilāyat-i faqih (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 khāssa (42).

To affirm the authority of the religious jurist, as Naraqi 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 Naraqi’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 Naraqi’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 Naraqi) 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 Naraqi and Khumaynī did later. Naraqi’s exposition on jurisprudence marked and inaugurated the chapter of wilāyat-i faqih. It is of relevance that Naraqi in respect of wilāyat-i faqih “had an image of an ideal governance by the faqih” (46). He started the doctrine of wilāyat-i faqih 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 Nārāqī refuted Henry Martyn in a tract called Sayf al-umma. Nārāqī 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: Āṣrār 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 Nārāqī published many times; 1308/1890-91 (50); Miftāḥ al-āhkām, completed on Rabi‘ 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- shi‘a fi aḥkām al-shari‘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-Ansārī, and Sayyid Muḥammad Bāqir Shaftī (55). Nārāqī spent all his life in Iran teaching and publishing until he died on Sunday Rabi‘ 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 Rawdāt 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 Bāhār al-‘Ulūm and Shaykh Ja’fār Najafī Kāshīf al-ghīṭā. Then he went to Kāẓimayn, where he was taught certain aspects of Islamic law by Muḥsin al-A‘raji Kāzimī (d.1240/1824-25). In 1200/1785-86 Shaftī travelled to Qum, met Mīrāẓ Abū ‘l-Qāsim Qummī, (d.1231/1816) the author of the celebrated book Qawānīn al-usūl, and became his student. Finally he moved to Kashan where he studied under Mullah
Ahmad Naraqi. 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 Shi'a Imāmiyya and one of the richest men in the history of Iran" (60). The author of Qīṣāṣ al-ʿulamāʾ 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 Khan 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 Isfahan gave him money on the day of ʿīd al-ghadîr, which he distributed amongst the poor (66). Moreover, from various other parts of
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 Bihbīhānī, 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'ā 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'ā 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 Fatḥ ‘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 Malāyīr and the governor Shaykh ‘Alī Mīrzā and those between the tribes of Persian Iraq (73). When Fatḥ ‘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 Fatḥ ‘Alī Shāh died, Shaftī was one of the leading figures who supported the revolt of Ḩusayn ‘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’, in contrast to the new ruler Muḥammad Shāh and his minister who had an inclination to Sufism. At that time Shaftī’s relations with the lūtis (brigandage) started. The lūtis were sometimes actively concerned with lawlessness and were an executive force of the authority of the clergy. When Fatḥ ‘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 Muḥammad Mahdī ibn Ḥājj Muḥammad Ibrāhīm Kalbāsī; Sayyid Fadl Allāh Astarābādī, whose
ijāza was dated on Dhū al-Ḥijja 3, 1252/ March 12, 1837 (77); and Mīrza Muḥammad ibn Sulaymān Tunukābūnī, who points out in his book Qiṣṣa 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 Matāki‘ 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); Tuhfat al-‘abrār (82) and Adab ṣalāt al-layl (83). In addition to these books Shaftī wrote many rasā‘īl on various religious subjects such as Risālat iqāmat al-ḥudūd and Risālat ḥukm al-tawwuj ‘alā al-mutallaga (84).

Shaftī’s popularity reached such a level that when he died in Rabi‘ 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 Rabi‘ 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 ‘Ali Ṭabarabānī and moved then to Najaf to pursue his study under Muḥammad Mahdī Baḥr al-‘Ulūm and Shaykh Ja‘far Najafī
During this period of studies he obtained many *ijāzat* from his teachers and other 'ulama'. Tunukābunī reports that he had heard from Kalbāsī directly that he had been studying for a long time under Bibbihānī and Bahr 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 Najafi (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 Nāraqī (92). When he returned to Isfahan 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 *Qisas 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 Najafābād, 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 *Rayḥānāt 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 Mîrzâ Qummî strongly insisted on him to do so (96).

When Baraghânî pronounced the *takfir* against Shaykh Aḥmad Aḥsâ'rî, Kalbâsî refused to support the *takfir* probably due to his religious piety and his respect to his teacher who rewarded him by an *ijdâza* (97).

Fath 'Alî Shâh 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, Kalbâsî sent him a letter which concluded with the following distich by Sa'dî: "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, Ḥâjj Mîrzâ Masîh mujtahid, the head of the 'ulamâ' in Tehran, was punished by the Tsar. Kalbâsî tried to convince Mîrzâ Masîh to leave Tehran for the 'atabât in order not to become the cause of another war with Russia. However Mîrzâ Masîh refused to leave Tehran immediately. He was brought by force to Masjid-i Shâh and the riots increased. When Fath 'Alî Shâh no longer hesitated to agree with the 'ulamâ' and threatened a massacre, it was again only through the intervention of Kalbâsî that Mîrzâ Masîh was able to leave Tehran in peace where he lived, for eighteen years until his death (100).

During the conflict which arose between the 'ulamâ' and the British missionary Henry Martyn, Kalbâsî 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 *Ishârât al-usûl*. Tunukâbûnî in his biography supplies a
comment of Sayyid İbrāhīm Qazwīnī (d.1262-4/1846-8) on Kalbāšī’s book. After he had read half a page he said that the book had no value. Because of the ambiguity of this statement, Tunukabunī elucidated the meaning of Sayyid İbrāhīm’s comment as follows: Because of the importance of this book and its value Sayyid İbrāhīm 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: Manāhib in six volumes, dealing with usūl (103); Shawāri’ al-hidāya ilā Sharḥ al-kifāya on fiqh (104); al-Irshād, printed 1244/1828-29 (105); al-Nuḥḥa fi ‘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 Kalbāšī’s grandsons, dates his death of Jumāda I 8, 1261/ May 15, 1845 (108). Kalbāšī 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 Muḥammad (d.1292/1875). Shaykh Muḥammad Riżā Shaykh al-islām, Shaykh Nur Allāh and Shaykh Abū ‘l-Ma‘ālī (109).
3.5. Mullā Muḥammad Taqi Baraghānī, known as Shāhid al-thālith, (b.1173/1760-d.1263/1847)

Muḥammad Taqi 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 Mulla Ṣadra. Later he went to the ‘atabāt where he was taught by Āqā Sayyid ‘Alī Ṭabāṭabā’ī, and his son Sayyid Muḥammad, Ṣāhib manāhil and Shaykh Ja’far Najafī. After Baraghānī had obtained ījāzat 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 Fath ‘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 īmām jumʿa of Qazwīn, who spread his fame all over the city (113).

Baraghānī established there his own teaching circle, and became īmām jumʿa and preacher. He attracted a large number of worshippers as well as a group of ‘ulamā’ to his mosque (114).

According to Kashmirī 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 *fatwa*, some of which were of doubtful nature and provoked disapproval from some *ulamā’, such as Mīrzā Qummi, Āqā Sayyid Muḥammad Bāqir Shaftī and Sayyid Muḥammad *mujahid* (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 Najafi. (see page 28) During this time ‘Alī Naqqī Mīrzā Rukn al-Dawla the governor of Qazwīn, tried to negotiate between Baraghānī and Aḥsā’ī because he wanted to avoid disturbing Fath ‘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, Fath ‘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, Fath ‘Alī Shāh disliked him and enmity even arose against him. Nevertheless Fath ‘Alī Shāh changed his attitude towards him because of Baraghānī’s response. He showed him great respect and
rewarded him with a small village. Tunukābūnī 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 sharʿ. 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. Āqāsī tried to take away his land and to exile him from Iran (119). This inevitably provoked a strong reaction of the ‘ulamā’ against Āqāsī.

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-usūl, written in 2 volumes 1238/1842. According to Āqā Buzurg, Baraghānī wrote ‘Uyūn al-usūl as an objection to the book of Mīrzā Qummī, Qawānīn al-usūl (122). Many rasāʾīl were written by Baraghānī such as Risālat ṣalāt al-jumʿa, Risāla ṭahārat wa namāz wa ṣawm (123). Through his writing on the suffering of the third Imam 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 Shaykhīsm 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,
his murderers were apparently Bābis whose deed was motivated by the persistence of Baraghānī's condemnation of them. By killing Baraghānī the Bābis 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 thālīth (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 Shariʿatmadār was born in Nukandah, a village near Astarābad, in 1198/1783-84 (126). His father was a pious man who devoted all his money to the education of his son. When Shariʿatmadār 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-Mutawal in 1217/1802 (128). Having concluded his primary education, Shariʿatmadār set off to the ‘atabāt in search of higher education. In Karbalāʾ 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 Shariʿatmadār returned to his country. At that time the leader of the ‘ulamāʾ in the province of Astarābād was Mullā Muḥammad Riḍā Astarābādī, one of the students of Bihbihānī (131). Shariʿatmadār 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 ʿAbd al-Wahhāb Qazwīnī was the leader of the ‘ulamā’ there. When Fath ʿAlī Shāh visited Qazwīn, he met Shariʿatmadār there and, in order to spread the prestige of his capital, Fath ʿAlī Shāh tried to persuade him to live in Tehran. Once Shariʿatmadār 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 Fath ʿAlī Shāh used to visit him at least once each month (133). Shariʿatmadār became widely known and achieved a high position among the inhabitants of Tehran.

Shariʿatmadār was well received by the Shah, although he was among the ‘ulamā’ who followed Fath ʿAlī 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 Shariʿatmadār went to Mecca to perform his pilgrimage. When he returned from the holy places, he settled down in Karbalāʾ (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 Muhammad ʿAlī 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 ʿAlī Mad Aḥsāʾī, and declared *takfīr* against Aḥsāʾī, he had to take refuge in the shrine of ʿAlī Rīḍā, fearing that some of the disciples of Shaykh ʿAlī Mad Aḥsāʾī might try to kill him (137). In fact, they inflicted some injuries on him, but his injuries were not severe (138).
When in 1824 Karbalá’ was besieged by the army of ‘Ali Pasha, Shari‘atmadar 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 Mullá ‘Abd al-Kháliq, one of Shaykh Ahsá‘í’s students. However, when Muḥammad Sháh, the successor of Fath ‘Ali Sháh, returned from the Harat war, he urged Shari‘atmadar 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).

Shari‘atmadar left many important works on different religious sciences, such as fiqh, usúl, interpretation of the Holy Qur’an and also mathematics, astronomy and astrology (143). The most important and influential of them are the following:
- Shawári‘ al-anám, concluded in 1228/1812 (144);
- Malad al-awtād, consisting of eight thousand verses and concluded in 1228/1812 (145);
- Ḥayat al-arwāh, written as a rejection of Ahsá‘í’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 seventeen thousand or forty thousand verses, copied by Muḥammad Ḥasan al- Hazrajírbi in 1243/1827 (148);
- Anīs al-zāhidin wa jāfīs al-‘ābidin, concluded in 1238/1822 (149);
- Zīnat al-ṣalāt. According to Aqá Buzurg was summarized from his book Anīs al-zāhidin (150). He wrote also many Rasā‘il and commentaries, among them Silk al-bayān fi mushkilāt al-Qur’an published in Bombay (151). Ḥabībábádī enumerated...
ates sixty nine works altogether. In addition, Shari‘atmadār established a teaching circle, to which he attracted a large number of students, most of whom became famous ‘ulamā’, such as Tunukābūnī, the author of *Qiṣṣa al-‘ulamā’*, Sayyid Nāṣir Allāh Astarābādī and Mīrzā Muḥammad Andrumānī (152).
Footnotes


8. Ibid, p. 236.


21. Āqa Buzurg, *al-Dhari‘a*, Vol 21, p. 300. It is clear that the date given by Āqa Buzurg concerning Sayyid Muḥammad’s death is not reliable. Because Āqa Sayyid Muḥammad departure from Tabriz was after the returning of Fath Ṭāhir ‘Ali Shāh which was in Rabi‘ II 22, 1242/ November 23, 1826.


28. Tunukābūnī, Qīṣāṣ, P.126.
29. Āqā Buzurg, Ṭabaqāt, Vol 2, p.116; Tunukābūnī, Qīṣāṣ, p.129.
34. Tunukābūnī, Qīṣāṣ, p. 130.
37. Tunukābūnī, Qīṣāṣ, p. 129.
38. See chapt 1, Shaykh Ahmad Aḥsā‘ī, in this thesis .pp. 32-33
42. Ibid, p. 41.
44. Ibid, p. 196; Arjomand, Shadow, p. 265.
47. Tunukābūnī, Qīṣāṣ, pp. 129-130.
64. Ibid, p. 141.
68. Tunukābūnī, *Qiṣṣaṣ*, p. 145.
70. Tunukābūnī, *Qiṣṣaṣ*, p. 143.
74. Tunukābūnī, *Qiṣṣaṣ*, p. 149.
75. For the revolts see Busse, *History*, pp. 233-240.
of Isfahan. It is reported that after they had got a bast sanctuary from Sayyid Muhammad Bāqir Shaftī as a reward for their serviceses.

77. Āqā Buzurg, al-Dhariʾa, Vol 1, pp. 156-158.
78. Tunukābunī, Qīṣaṣ, p.136.
83. Ibid, Vol 1, p. 22; Bamdad, Rijāl-i Iran, Vol 5, p. 212.
86. Khwānsārī, Rawdāt, Vol 1, p. 84.
87. Tunukābunī, Qīṣaṣ, p. 117; Khwānsārī, Rawdāt, Vol 1, pp. 85-86.
88. Tunukābunī, Qīṣaṣ, p.116.
89. Ibid, p. 120.
90. Ibid, p. 121; Tabrīzī, Rayḥānat, Vol 1, p. 40.
91. Āqā Buzurg, al-Dhariʾa, Vol 1, p. 138; Khwānsārī, Rawdāt, p. 86.
95. Tunukābunī, Qīṣaṣ, p. 119
98. Tunukābunī, Qīṣaṣ, 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; Bamdad, rījāl-i Iran, Vol 4, pp.i00-01.

99


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


108. Khwānsārī, Rawḍāt, Vol 1, p. 84.


110. Mac Eoin, Shaykhism, p. 76.

111. Kashmirī, Nujūm, p. 407; Tunukābūnī, Qīṣaṣ, p. 22.

112. Āqā Buzurg, Tābaqāt, Vol 2, p. 226; Tunukābūnī, Qīṣaṣ, p. 22.

113. Tunukābūnī, Qīṣaṣ, p. 22.


115. Kashmirī, Nujūm, p. 410; Tunukābūnī, Qīṣaṣ, p. 23.


117. Ibid, p. 36.


119. Ibid, pp. 27-29.

120. Āqā Buzurg, al-Dharīʿa, Vol 23, p. 182.


123. Āqā Buzurg, Tābaqāt, Vol 2, p. 228.


125. Mac Eoin, Shaykhism, p. 76.


127. Ḥabibābādī, Makārim, Vol 1, p. 84.
130. Ḥabībābādī, *Makārim*, Vol 1, p. 84.
132. Ibid, Vol 2, p. 254
137. Tunukābunī, *Qiṣṣa*, p. 44.
139. Ḥabībābādī, it Makārim, Vol 1, p. 86.
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 Najafi (b.1202/1787-88, d.1266/1849-50)

Muḥammad Ḥasan was the son of Muḥammad Bāqir ibn ʿAbd al-Ḥaḥīm, 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 ʿAbd al-Ḥaḥīm 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 sutūḥ (medium level) he was taught by Shaykh Qāsim al-Muḥiṭ al-Dīn (d.1237/1821-22) and Sayyid Ḥusayn al-Shaqrātī (d.1230/1814-15). After that he attended the classes of Jawād al-ʿĀmilī (d.1226/1811), the author of Miftāḥ al-karāma, then the lectures of Shaykh Jaʿfar Najafī Kāshīf al-ghitāʾ and his son Shaykh Muḥammad Aḥmad Aḥsātī (3). He obtained the ijāza of al-riwāya from Shaykh Jaʿfar Najafī and Shaykh Muḥammad Aḥmad Aḥsātī (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 Shiʿī mujtahīd, and most of ‘ulamā’ of the following generation such as Shaykh Muṭṭada al-
Ansārī (d.1281/1864), Shaykh Muḥammad Ḥasan Shīrāzī (d.1312/1894/95), Sayyid Ismāʿīl Bihbīhānī (d.1295/1878), Sayyid Asad Allāh Isfahānī and Mullā ‘Alī 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 usūl, or formulated such precise conclusions. Khwānsārī adds that the overall guidance of the Shiʿī in both Iran and Iraq was allocated to him (7).

After Mullā Aḥmad Naraqī had established his idea of wilāyat al-faqāh in the first half of the nineteenth century, twelve 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 Shiʿī 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 Murtadā al-Anṣārī or Mīrzā Muḥammad Ḥasan Shīrāzī were the first to become sole marjaʿ al-taqlīd for the Shiʿī 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 Najafi and his immediate successor Shaykh Murtaḍā al-Anṣārī. Some biographers, namely Āqā Buzurg, consider Shaykh Muḥammad Ḥasan to be the first marja‘ al-taqlīd (10). It was Muḥammad Ḥasan who made progress with establishing the position of marja‘ al-taqlīd within one individual. Due to this he is called ra‘īs al-‘ulamā‘ (head of the Ulama) or even nā‘ib al-imām (vicegerent of the Hidden Imām) in several sources (11).

Mujtahids such as Sayyid Muḥammad Bāqir Shaftī and Sayyid Ja‘far 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 Ḥasan Najafi, who favoured the incumbent administration of hudūd during the occultation by accentuating the general vicegerency, showed his scepticism about mundane interference and accused some of the ‘ulamā‘ 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 worldly involvement totally. Shaykh Muḥammad Ḥasan 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 Ḥasan 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 Ḥasan discusses precisely the concept of wilāyat al-‘āmma, and adduces the traditions and ordinances transmitted by the Hidden Imām
to strengthen and consolidate the authority of the Shi'i jurist on behalf of the Hidden Imam. 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-ʿamaliya (Vade Mecum) (15); Najāt al-ʿibād, upon which many comments have been written by his students (16); Risālat al-dimāʾ al-thalātha, Risālat ʾāhkām al-amwāt (17); and Hidāyat al-nāsikīn, dealing with the pilgrimage rituals (18). His last work was al-Risāla dealing with inheritance, written in 1264/1848 (19).

The legal writing of Muḥammad Ḥasan, as that of Shafiʿī 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 ʿAlī Shīrāzī, after declaring himself Bāb in 1260/1844, informed Shaykh Muḥammad Ḥasan Najafi about the foundation of his sect (21). Moreover it is uncertain whether or not Muḥammad Ḥasan confirmed Baragānī's takfīr against Shaykh Aḥmad Ahsāʾī, from whom he obtained an ʿijāza. However, he opposed Shaykhism later (22).

Interruption between the mujtahids became an increasingly important part of their socio-political network. Tunukābūnī 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 Muhammad Hasan married the daughter of Sayyid Riḍā, the son of Bahr 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 Mūsawi 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 Ťabāṭabā‘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 Najafi (d.1254/1838-39) for seventy
months (28), the author of *Tabaqāt* 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 *Qiṣṣas 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 succeeded 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 Maḥdī Kajūrī; Ḥajjī Muhammad Karīm mujtahid; Mullā ‘Alī Kanī (d.1306/1888-89); Mīrzā Muḥammad Tunukābunī; his
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 Shi‘īte community of India too. Tunukābunī states that every year the Shi‘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 Shi‘ī community in Karbala’ split into two groups, namely Shaykhi and Usūlī, whose leaders were Sayyid Ibrāhīm Qazwīnī, an usūlī mujtahid and Sayyid Kāẓim Rashtī, a Shaykhi and Aḥmad Aḥsā‘ī’s successor. The gangs which controlled Karbala’ 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 Fath Ṭāḥ ‘Alī Shāh was hoping to establish blood relations. He wanted to marry one of his daughters, Diyā‘ 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 Shi‘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 beginning 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: Dawābīt al-uṣūl, written, according to Tunukābunī, during two months while he was in Mecca (40). [He wrote also a summary of Dawābīt entitled Natā‘īj al-aḥkār. However, Khwānsārī states that he composed Natā‘īj al-aḥkār based on the comments of his teacher Sharīf al-‘Ulama’] (41); and Dalā‘īl al-aḥkām fī sharḥ sharā‘i’i’ al-islām on Islamic law, was completed by some of his students and printed in 1271/1854 (42). He also wrote some Rasā‘īl (treatises), such as Risālat Manāsik al-ḥajj (43); and Risālat šalāt 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 Nadhir ibn Jābir al-Anṣārī. According to Ḥabībābādī, Nadhir came to Iran and settled in Shushtar after Iran (Persia) was conquered by the Islamic army (48).
Nadhir'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 Ṭāḇāṭābāği, al-Anṣārī participated in debates and, through his argumentation, showed deep knowledge and thoroughness and thus attracted 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 Kazimyan with his teacher, Āqā Sayyid Muḥammad (54). Then he travelled to Dizful
After staying there for almost two years, al-Anşârî returned to the 'atabat and continued his studies for two years under Sharîf al-‘Ulamâ‘ in Karbalâ‘ and Shaykh Mûsâ Kâshif al-ghîtâ‘ in Najaf (56). In 1240/1824-25 al-Anşârî once again returned to Dizful and decided to visit Mashhad, intending to study under other ‘ulamâ‘ of Iran, but his mother opposed his desire. However, after having performed an istikhâra, (the consultation of the Qur’ân in order to decide whether or not to undertake a certain action) she was convinced by one verse of the Qur’ân and allowed him set off. Anşârî, accompanied by his brother, travelled first to Burujird where he met Hajj Mulla Asad Allâh Burujîrdî (d.1271/1854/55), the leading ‘âlim of Burujirdî (57). It is uncertain whether or not Anşârî attended his classes.

Eventually he set off to Kashan via Isfahan, where he spent a few days and met Sayyid Muḥammad Bâqir Shaftî who respected him highly (58). In Kashan al-Anşârî attended the teaching circle of Mullâ Aḥmad Narâqî for four years. He obtained an ijâza from him, dated Shawwâl 1244/1828-29. Mullâ Aḥmad Narâqî once declared that, although he had travelled a lot and met fifty ‘âlim, he had never seen someone like Anşârî (59). Having spent four years in Kashan, al-Anşârî went to Mashhad to perform his pilgrimage, and finally he went to Tehran. After his long journey on which he spent six years, al-Anşârî 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 ‘Alî Kâshif al-ghîtâ‘ (d.1254/1838-39), but only for a few months. After the demise of Shaykh ‘Alî, al-Anşârî founded his own teaching circle in Najaf (61). According to Ḥâbibbâbâdî Anşârî trained 267 students, including the following prominent figures: Sayyid Muḥammad Ḥasan Ibn Maḥmud
Shirāzī (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 Uṣūlī school, had completed Shīʿī 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 unambiguous judgements can be referred back to the Qurʾān or reliable traditions. Although reasoning is not necessary, this method could be used.

2. Zann (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 Rasāʾīl, these four principles are referred to as emanations of reason and consist of analogous modifications of the first two groups, namely barāʾ (freedom for action), takhyīr (freedom of choosing), ʿistifḥāb and ʿiḥtiyāṭ (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 ijtihād. 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 Najafi 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 Shi‘ī world (68). He was referred to by the Shi‘īte 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 Imam. 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 Amin 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 *ahkām* (judgements) and *ijāzas* when he was very certain that the possibility of making errors was reduced to a minimum (72). In dārs al-khārij, (graduation classes), the most common style of teaching is *mas‘ala sāzi* (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
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‘īd al-‘usūl*, Tabriz 1372/1952-53, known as *al-Rasā‘īl*, and was summarized under the title of *al-Rasā‘īl al-jadida* Qum 1390/1970 (76). It is one of the books which is to be read in the madrasas in Sutūḥ level on *usūl al-fiqh* (77). al-Anṣārī also wrote many shorter treatises which were devoted entirely to *Usūl ‘amaliya* and many comments on the works of other ‘ulamā’, such as his *Sharḥ* on the book *‘Awā‘īd al-‘ayyām* of Mulla ʿAlīmad 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-tasāmuh*, known as *al-Tasāmuh 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-taqlid (84).

4.4. Mulla 'Ali Kanî (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 'Ali was a religious scholar. Mulla 'Ali Kanî studied literature and Arabic language. He probably continued his studies in Isfahan (86). However, after having acquired a certain level of knowledge Kanî desired to complete his religious studies in the shrine cities of Iraq. But, as he was too poor to afford the journey, Kanî 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, Mulla 'Ali Kanî got the opportunity to transport the body of Ḥājj Muḥṣin to Karbalā' (87), and thus the possibility to travel to the 'atabat. After he had arrived in Karbalā', he started to study aşūl under Aqa Sayyid Ibrāhīm Qazwīnī and Sharīf al-ʿUlama'. He also set off to Najaf and attended the classes on fiqh of Shaykh Muṭṭadā al-Anṣārī and Shaykh Muḥammad Ḥasan Najafī (88), from whom he obtained an ijāza in 1262/1846. However, Kanî 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'ā court which became the most influential
in Tehran. According to Ḥabībābādī his religious knowledge and his piety earned him the title of Raʾīs al-mujtahidīn (the head of the mujtahids), and thereby his fame spread over Iran (92). Mullā ‘Alī Kānī 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 Kānī 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 Kānī’s secular counterpart (94). Kānī had close relationships with some of the Qājār princes, such as ‘Abbās Mīrzā Mulk Ārā and Farḥād Mīrzā Muʿtāmad al-Dawla. Kānī’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). Kānī convinced a number of ‘ulamā’ to protest collectively against the concession and even wrote to Naṣīr 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 Kānī issued a fatwa in which he argued that Mīrzā
Husayn Khan's dismissal was mandatory on religious grounds (97). In September 1873 Kanî succeeded in both his attempts. Mîrzâ Husayn Khân was dismissed and shortly afterwards the Reuter Concession was abandoned.

Kanî'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, Kanî clashed harshly with Mîrzâ Husayn Khân who, in a letter to the Shah, alleged that Kanî had hoarded grain, and refused to sell it, hoping that the price of corn would continue to increase, although people were dying. Mîrzâ Husayn Khân accused Kanî and his associates of being responsible for the artificial shortage of corn and for its high price (98). However, Mîrzâ Husayn Khân 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 Mulla 'Alî Kanî, his powerful opponent in Tehran.

In Mulla 'Alî Kanî the secular political apparatus, represented by Mîrzâ Husayn Khân, had found one of its severest critics. Kanî 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 Kanî and other 'ulamâ' opposed everything which was likely to undermine Iranian interests. The 'ulamâ' 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 'ulamâ' because it threatened the whole structure of Islamic society. Mulla 'Alî Kanî restated the dualistic theory of Kashfi, 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: *Tahqīq al-dalā'il*, known also as *al-Qaḍā' wa ʾl-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 fi ʾilm al-dirāya wa ʾl-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 and1352/1933-34 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, Tabrizī lists other works such as *al-Iṣtiṣāḥ; 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 ʿAlī Kanī died and was buried at Shāh ʿAbd al-ʿAzīm (103). A day of national mourning was declared and he was considered by many Shiʿīs 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 tāmān (104).
4.5. Ḥājī 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 Kīfī (d.1248/1832-33), the author of Ḥāshiyat al-maʿālim, and Mīrzā Muḥammad Ḥusayn, the Imām jumʿa of Isfahan (106). After the death of Shaykh Muḥammad Taqī Iwān Kīfī, Shīrāzī attended the classes of Ḥājī 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 ‘atābat, where he studied under Shaykh Muḥammad Ḥasan Kāshīf al-ghitāʾ and Shaykh Muḥammad Ḥasan Najaḥī Šāhīb Jawāḥir al-kalām in Najaf (107). After the death of Shaykh Muḥammad Ḥasan Najaḥī 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 Marjaʿ 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 ‘atābat who were suffer-
ing from the dearth of 1288/1871-72, Shīrāzī returned to Najaf (109). In 1291/1874 he visited the shrines of Karbalāʾ 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 that 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 Khurašānī who later became famous as the main ʿālim to support the Constitutional Movement (111). Other students of his were Sayyid Muḥammad Ṭabāṭabāʾī (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-taqlid and succeeded Shaykh Murtadaḏ al-Anšārī. Therefore for a short period Samarra became the centre of Shiʿī 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 ʿawlat and community mīllat 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 Shi‘ī community was based on religious faith, and consequently no secular community existed beside the Shi‘ī community. Mundane interests had necessarily 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 Shi‘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 Shi‘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 ‘ulama’ 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 ‘ulama’ 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 Naṣir 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
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 Najafi, 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 Nāṣir 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 Shi'i 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 Shirāzī agitated against the Tobacco Concession he used to quote the following *ḥadīth*. “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 *ḥadīth* not only shows Shirāzī’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 *ḥadīth* 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 Shirāzī. However, disagreement about the origin of this *fatwa* arose. Amin al-Sultān, 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
agree to the demands of the ‘ulamā’ within forty-eight hours (128). Thus Shirāzī succeeded in breaking the tobacco monopoly and demonstrated the power of the ‘ulamā’.

After the repeal of the Tobacco Concession on January 26, 1892, Shirāzī, 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). Shirāzī 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).

Shirāzī’s bibliography is uncertain. Tabrīzī reports that he did not leave any works (131), whereas Ḩabībābādī mentions seven works. The most important according to Ḩabībābādī is his summary on the book Ifāḍāt 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-mushtaq. 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 Ḩāqā Buzurg’s al-Dhari‘a.

Ḥabībābādī points out that Shirāzī 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
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 Shi‘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 Bahr al-‘Ulmūm and Shaykh Ja’far Kāshif al-ghīṭā’ 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 Bāqīr (d.1301/1883-84) had studied under such prominent ‘ulamā’ of the 19th century as Shaykh Ḥasan Kāshif al-ghīṭā’ 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 Najafi probably the oldest son, was born on Rabī' II 22, 1262/ April 20, 1846 in Isfahan (141).

Āqā Najafi'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 Āl-Kāshīf al-ghitā'. He returned to Isfahan and carried out some religious duties in cooperation with his father (142).

Both Āqā Najafi 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 Najafi 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 Najafi'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 Ja'far, who had attacked Najafī's wheat hoarding and demonstrated his engagement for the poor, of being a Bābī and later had Muḥammad Ja'far executed publicly (146).

After his father's death Āqā Najafī succeeded him as the leading 'ālim of Isfahan and authoritative judge. He replaced his father as the imām jum'ā 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 Naʻīnī (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 Žill al-Sultān, 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 Žill al-Sultān. He is sometimes described as an opportunist who, in order to pursue his profitable speculations, occasionally collaborated with Žill al-Sultān (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 Żill 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 Amin 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 Fāzil Sharāḥyānī, 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. Sharāḥyānī, 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-
itical influence increased and, after the Shah returned from Europe, the opposition against his government consolidated and finally led to the fall of Amīn al-Sultān (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 Iqbal 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 Najafi as the writer of a considerable number of books on different subjects. Particularly his nephew Abū al-Majd Shaykh Muḥammad Ridā credited him with more than one-hundred books. However, many well-informed people such as Murtaḍā Mudarrisi raised objections and considered them as the works of others which were published under his name. For example, Mudarrisi, who regarded Dalā‘īl al-fiqh as Āqā Najafi’s best work, was convinced that this book consisted of Āqā Najafi’s grandfather’s personal remarks. Other books ascribed to him are the following: Adab al-ṣalāt, (Isfahan, 1297/1880) (159); Adab al-ʿārifīn, a translation from Arabic into Persian of Mīṣbāḥ al-sharīʿa, (Tehran, 1295/1878) (160); Al-Ijtihād wa ʿl-taqlīd, (Iran, 1296/1879) (161); Fadā‘īl al-aʿīma, (1305/1887-88) (162); Jamāʿ 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 Jāmiʿ al-anwār in 1276/1859-60 but it was published not before 1297/1880 (164). Anīs al-zāʿirīn, mentioned at the back of his book Jāmiʿ al-anwār (1297/1880) (165) and Asrār al-ziyāra an explanation of Ziyārat al-jami‘ in Persian, printed in (1296/1879) (166).

Āqā Najafi died on Shaʿbān 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 Ruʿya-i ẓādiqa towards the end of the nineteenth century, predicted a terrifying destiny in the hereafter for both Āqā Najafi, the chief mujtahid of Isfahan, and Zill al-Sultān, the governor of the same city (168).
Footnotes

5. Tunukābūnī, Qīṣāṣ, p. 103.
17. Tunukābūnī, Qīṣāṣ, p. 103.
23. Tunukābūnī, Qīṣāṣ, p. 104.


27. Tunukābūnī, Qiṣas, p. 5.


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


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

33. Tunukābūnī, Qiṣas, p. 10.

34. Ibid, p. 4.


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 Mīrza Sāliḥ and the head of the Arab faction was Ibrāhīm Za‘farānī.


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


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


44. Tunukābūnī, Qiṣas, p. 6.

45. Ibid, p. 17.

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

47. Āqā Buzurg, al-Dhari‘a, Vol 19, p. 119.

49. Tabrizi, Rayhānat, Vol 1, p. 114.


52. Tabrizi, Rayhānat, Vol 1, pp. 113-117.


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


58. Ḥābibbādī, Makārim, Vol 2, p. 495.


60. Ibid, Vol 2, p. 495.

61. "al-Anṣāri" Encyclopaedia of Islam, p. 76.


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


65. Ibid, p. 188.

66. Ibid, p. 188.


68. Mac Eoin, Shaykhism, p. 132.

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


74. Fischer, *Iran*, p. 64.
82. “al-Anṣārī”, *Encyclopaedia of Islam*, p. 75.
95. Ibid, p. 93.


111. Ibid, Vol 1, p27.


163. Ibid, Vol 5, p. 35.

164. Ibid, Vol 5, p. 43.


Chart showing intermarriage and relationships between the

Chart No. 11

Key:

- \( O \) : Female
- \( \downarrow \) : Male
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’ acknowledged 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 mulla-bāshi in late Safavid times, the ‘ulamā’ had made a further step towards independent authority as distinct from that of the government. Under Muḥammad Bāqir Majlisi's leadership the ‘ulamā’ moved towards an intolerant orthodoxy which contributed ultimately to the decline of the Safavids. Some of the ‘ulama’ 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 Shi'i 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 Nadir 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
of the Shi'i leadership in the 'atabāt, 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, Akhbarism dominated the Shi'i scholarly centres. However, the more aggressive Usūlī, school revitalised by Āqā Muḥammad Bāqir Bihbihānī, gained supremacy over the Akhbarī school and emerged as the more powerful wing. The Usūlīs 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 Shi'i community into mujtahid and muqallid (laymen) the 'ulamā' were able to establish a distinctive role as leaders of the community which brought them often outright veneration of most of the Shi'i 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 'ulamā' to legitimate their rule on a popular basis. The 'ulamā' 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 'ulamā' 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 'ulamā' 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
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 Muḥammād 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, Fath 'Alī Shāh. The most eminent mujtahid of that time was Shaykh Ja'far Najafi who took positive steps to propagate the concept of nā'ib al-'āmm of the Imām.

Firstly, he legitimised Fath 'Alī Shāh's accession to the throne and secondly, he authorized him to lead the jihad against the Russians. After Shaykh Ja'far Najafi's death Fath 'Alī Shāh sought guidance from other leading mujtahids such as Mīrzā Qummi. It is stated that because of Qummi'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 Fath 'Alī Shāh's reign were the grandson of Bihbīhānī, 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 Qajār ruler, Muḥammad Shāh, and his minister, Mīrzā Āqāsi, to Sufism brought about the hostility of Shafiī towards the state and led him to support the revolt of Ḥusayn ‘Āli Mīrzā Farmānfarmā, who proclaimed himself shah in Shiraz.

During the reign of the last Qajār Shahs, particularly the long reign of Nāṣir al-Dīn Shāh, the ‘ulamā’, 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 ‘ulamā’ 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 ‘ulamā’ demonstrated their powerful authority, most significantly in the successful rejection of the Reuter Concession and the prevention of the Tobacco Monopoly.

In fact, the ‘ulamā’, 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 Usūlī. 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. usūl 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 Shi'i doctrine during the following century. The first new Shi'i dogma introduced during early nineteenth century was the principle of the wilāyat al-faqīh by Mullā Ahmad Narāqī who partially elaborated and emphasized the right of the faqīh to rule. The second one was the establishment of the post of marja' al-taqlīd, which became widely recognized among the Shi'i 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 Shi'i clerical circles ever since.
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