

## MESSAGE OF THAQALAYN

In the Name of God,  
the Most Gracious, the Most Merciful

# **MESSAGE OF THAQALAYN**

**A Quarterly Journal of Islamic Studies**



**The Ahlul Bayt World Assembly**

# *MESSAGE OF THAQALAYN*

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## **Editorial**

Unfortunately there has been a long interval in the publication of the *Message of Thaqaalayn*. The last issue was Vol. 9, Nos. 3 & 4 for Autumn and Winter 1425-1426/2004-2005. Now that publication of a new series of the *Message of Thaqaalayn* is starting with this issue through the collaboration of the Ahlul Bayt World Assembly and the Islamic Centre of England, I take this opportunity to thank the previous teams for their work and efforts over the years. I want to also thank the respected readers of the journal for their continuing interest and support. I should also request our dear readers to join me in praying to God, the Almighty, to guide and inspire the new team to carry out their responsibility of presenting the teachings of Islam in general and the School of the Ahul Bayt (A) in particular as far as this medium i.e. the *Message of Thaqaalayn* can accommodate. I trust that our readers will help us in this mission by sending their valuable comments and by introducing this journal to others who may be interested.

It is hoped and planned that a new issue of the *Message of Thaqaalayn* will be published in the beginning of each season. Each issue will address different aspects of Islamic thought, such as the Doctrines, the Qur'anic and Hadith Studies, Spirituality and History. However, due to the occasions and needs of time, in some volumes there may

be themes that will receive more attention and therefore more than one paper may be published about them.

Publication of this issue has coincided the birth anniversary of the Prophet Muhammad (Peace be with him and his household) and the Week of Unity. This also comes after unfair and unprecedented attacks against the character and the teachings of the Prophet Muhammad (S) in the last few years in some media in certain western countries. It seems clear that such attempts originate more than anything else from the fear that some fundamentally secular and materialist parties and individuals have deep in their hearts when they see that overall religiosity and faith in God in general, and Islam in particular, are growing in the world. In the past they have tried different so called, “logical”, “philosophical”, “sociological” and even “scientific” arguments to disprove, disarm and dismantle faith-based communities. However, to their surprise none of these measures has been able to stop what they consider to be the *threat* and they are left without choice except either to admit their defeat or to resort to emotional and psychological means such as mocking and ridiculing or frightening and terrifying by things like films, cartoons and novels so that they can at least keep other people away from religious communities and make their own allies alarmed and mobilised.

This reminds us of similar policies adopted by the pagan leaders of Mecca. When they could not find anything wrong in the teachings and conduct of the Prophet and saw how people were impressed by

him they started charging him with “madness.” This raised a burning question against them: How is possible that a mad person could present something like the Qur’an and then challenge all the Arabs who were at the peak of eloquence at that time and their allies to bring something similar to the Qur’an or at least to ten chapters of the Qur’an or even to one chapter of the Qur’an and in the end they all proved incompetent? Maybe this is why they shifted to another accusation: that he was a magician. They even asked people to put some cotton in their ears when they went around Ka’bah so that the voice of the Prophet who used to recite the Qur’an next to the House of God would not reach them. They also banned people from going near the house of the Prophet in the night and listen to his recitation of the Qur’an. None of these measures worked. If he were a magician then naturally many questions would arise: Who was his teacher? Why could not the top magicians of the world at that time defeat him or at least compete with him? Why throughout his life before he started proclaiming divine message, that is about 40 years, he was never known to be engaged in anything like magic? And in principle is it possible at all that a text which is available to everyone and remains over centuries be mixed with magic? Why no one, whether those who have believed in the Qur’an or those who have decided not to believe, feels the force of magic.

In any case, history shows that divine religions, and in particular Islam, have proved quite capable of facing such challenges and in the end coming out with success and more opportunities for progress. By

no standards, can Nimrod, Pharaoh, Roman pagans, Abu Sufyan and their like be considered as winners. How can they be winners when no one is happy to be ever associated with them! On the other hand, no one can consider Abraham, Moses, Jesus and Muhammad as losers. How can they be losers when billions of people feel honoured to be associated with them!

This is history which serves as a great reassurance for the followers of divine prophets. However, there is a greater reassurance to be found in the Word of God Himself: “They desire to put out the light of God with their mouths, but God is intent on completing His light though the faithless should be averse” (9:32); “They desire to put out the light of God with their mouths, but God shall complete His light though the faithless should be averse.” (61:8) Interestingly, both verses are followed by God’s confirmation that “He is the one who has sent His Apostle with the guidance and the religion of truth in order to make the religion of truth prevail over all religions [of falsity], though the polytheists should be averse.” (9:33 & 61:9) Progress of truth, justice and other divine values should be welcomed by all truly religious communities and the only people who may be worried are the faithless and modern pagans.

The Qur’an warns us that the real challenge and serious threat for the faith and faithful comes usually, if not always, from within and not without. The Qur’an tells us: “Today the faithless have despaired of your religion. So do not fear them, but fear Me. Today I have

perfected your religion for you, and I have completed My blessing upon you, and I have approved Islam as your religion.” (5:3) Islam is made so strong by God that no external threat can put it at risk and, therefore, there is no need to fear the faithless. The only one to fear is God. Why? Is it possible or even conceivable that God may harm His own religion? Is it likely that instead of supporting those who truly believe in Him and sincerely follow his Apostles, God may hurt them? Rather, the Qur’an tells the faithful: “O you who have faith! If you help God, He will help you and make your feet steady” (47:7); “God will surely help those who help Him. Indeed God is All-strong, All-mighty. Those who, if We granted them power in the land, maintain the prayer, give the zakat, and bid what is right and forbid what is wrong. And with God rests the outcome of all matters (22:40 & 41); “Certainly Our decree has gone beforehand in favour of Our servants, the Apostles, that they will indeed receive [God’s] help, and indeed Our hosts will be the victors” (37:171-173) and so on.

To fear God means to fear bad outcomes and destructive consequences of our own misconduct which would deprive us from receiving certain types of the mercy of God and expose us to divine punishment and administration of justice. The Qur’an confirms that unless people change, God will not take away from people what He has given them: “That is because God never changes a blessing that He has bestowed on a people unless they change what is in their own souls, and God is All-hearing, All-knowing” (8:53); “...Indeed God does not change a people’s lot, unless they change what is in their

souls. And when God wishes to visit ill on a people, there is nothing that can avert it, and they have no protector besides Him” (13:11).

Thus, it becomes clear that “do not fear them (the faithless), but fear Me” implies in a very clear and understandable way that you must be most concerned with your own attitudes and deeds than the external attacks. To take this instruction seriously, two tasks must be accomplished. Firstly, every single faithful must purify himself, that is, his heart and mind, his actions and intentions, and make sure that he is not serving his own selfish interests and lowers desires in the Name of God. Secondly, all the faith communities must safeguard themselves against disunity and divisions amongst themselves and make sure that they do not weaken and endanger the whole faith in God and common divine values in the name of promoting their own *party*. Of course, this is more true about adherents to the same religion, such as Muslims. There is no way to justify any attempt, planned or unplanned, which may lead to separation, partitioning and division, let alone to fight or conflict.

The Qur’an tells us that God calls for unity (3:103; 8:46) and actually brings about unity and saves from divisions (8:63). On the other hand, it is people like Pharaoh who divide people (28:4). It is striking that when the Children of Israel started worshipping the calf in the absence of Moses, Aaron tried to keep calm and avoid anything that may divide the people and waited for Moses himself to come and decide. The Qur’an tells us that on his return, Moses said, ‘O Aaron!

What kept you, when you saw them going astray, from following me? Did you disobey my command?’ He said, ‘O son of my mother! Do not hold my beard or my head! I feared lest you should say, “You have caused a rift among the Children of Israel, and did not heed my word [of advice].” ’ (20:92-94) If Aaron who himself was a prophet and was appointed by Moses as his successor when he left the people to receive Divine Commands witnesses such an obvious case of mischief and deviation and yet does not feel it right for him to do anything that may divide the community and decides to wait for Moses to return, then how come some Sunni or Shi’a Muslims fail to observe requirements of unity and brotherhood or, God forbid, call for disunity and conflict.

The *Message of Thaqaalayn* feels responsible to present the teachings of Islam in general and the School of the Ahulu Bayt in particular with complete honesty and accuracy and at the same time to stress on the common grounds that bind all Muslims together. Strengthening ties of brotherhood among all Muslims, whatever school of Islam they may adhere to, and establishing genuine, enduring and intimate friendship between all those who believe in God are two of the main aims and tasks of the *Message of Thaqaalayn* and indeed, any responsible media.

This issue includes six papers. The first paper is entitled: “Life of the Prophet Mohammad before Starting the Mission”. In this paper Hujjatu’l-Islam Dr. Sayyed Ahmad Rahnamaei studies some major

events related to the first forty years of Prophet Mohammad's life, that is, from the time of his birth until he was appointed by God as His Apostle. Issues such as the date of his birth, his nursing and childhood, the story of the splitting of his chest, his participation in the Sacrilegious War and his trip to Sham are discussed. Hujjatu'l-Islam Dr Rahnamaei is an assistant professor in the Dept. of Education at the Imam Khomeini Education & Research Institute, Qum. This paper is a revised version of the second chapter of his M.A. dissertation submitted to the faculty of Graduate Studies and Research, McGill University, Montreal, Canada, in 1995. The author has revised this paper especially for this issue of the *Message of Thaqalayn*. God-willing, other aspects and periods of the Life of the Prophet Mohammad (S) will be studied by him in the next two issues of the *Message of Thaqalayn*.

The second paper is entitled: "The Significance of Self-control and Self-purification". In this paper Hujjatu'l-Islam Dr. Mohammad Ali Shomali studies the necessity and significance of self-control and self-purification in Islamic Spirituality. He argues that we cannot develop ourselves by simply doing what we wish. By exercising some kind of control, we are able to transform our soul from one which has an interest in lower desires into a soul which has a yearning for good things. By training and purifying, our soul itself becomes a helper and an assistant to us in our spiritual journey. A major task of the Prophets and in particular the Prophet Mohammad (S) was to help people to purify themselves. One major way of purification is to give

out one's own money for the sake of God in order to get rid of attachment to the materialistic life. Hujjatu'l-Islam Dr. Shomali is an associate professor and the head of the Dept. of Religions at the Imam Khomeini Education & Research Institute, Qum. He is also the Dean of Postgraduate Studies for International Students at the Jami'at al-Zahra, the Islamic University for Women in Qum. God-willing, other theoretical and practical aspects of Islamic spirituality will be studied by the same author and others in the forthcoming issues.

The third paper is entitled: "The Prophetic Hadiths in *Al-Khisal*". *Al-Khisal* is a well-known collection of the hadiths (traditions) from the Prophet Mohammad (S) and his household, compiled by one of the great masters of hadith in early centuries of Islam i.e. Shaykh Saduq, Muhammad b. Babawayh al-Qummi (d.329/940). Mr Mohammad Javad Shomali has selected for our readers fifty one hadiths from the Prophet Mohammad (S) reported by Shaykh Saduq in *Al-Khisal* which relate to Numbers One to Twelve. Mr Mohammad Javad Shomali is a seminarian at the Shahidayn School, Islamic Seminaries of Qum.

The fourth paper is entitled: "An Outline of Law from a Qur'anic Perspective". In this paper Dr Karim Aghili presents a brief summary and paraphrase of some of the salient points regarding law from a Qur'anic point of view, based on *Law and Politics in the Qur'an* by Ayatollah Muhammad Taqi Misbah Yazdi, one of the foremost masters of the intellectual and transmitted sciences in present-day Iran. This paper studies the need for law in every human society and

continues by showing the relation between law and morality in Islam. The paper ends by discussing the sources of Islamic law and its goals. In addition to his studies in Iran, Dr Karim Aghili has completed his PhD. on Comparative Philosophy of Education at the University of Sheffield and is currently based in Manchester. God-willing, this paper will be followed by a similar paper on government from a Qur'anic point of view by the same author in the next issue.

The fifth paper is entitled: "Authority and Tradition". In this paper Hujjat'ul-Islam Dr Ghasem Kakaie studies two major concepts of authority and tradition and their relation from a Shi'ite perspective. Studying the authority of the Prophet Mohammad (S), the author refers to four tasks of the Prophet i.e. receiving divine revelation, communicating the revelation to people, interpreting the revelation and administering the divine rulings. The paper continues with a discussion about the authority after the demise of the Prophet. The author explains that the Prophet Mohammad (S) was the last Prophet so the first two tasks i.e. receiving divine revelation and communicating it to people ended with his demise, but the other two tasks i.e. interpreting the revelation and administering divine rulings had to be continued. These two were handed over in the first place to the infallible Imams. In the time of occultation when there is no access to the twelfth Imam, it is required of the most qualified Shi'a jurists to administer divine rulings in addition to present teachings of the Prophet and Imams to the people. This paper was presented in the second Catholic-Shi'a Dialogue in UK in July 2005 and published

in *Catholic-Shi'a Engagement: Reason & Faith in Theory and Practice* (2006). Hujjatu'l-Islam Dr. Kakaie is an associate Professor and editor-in-chief of *Journal of Religious Thought* of the Faculty of Literature and Humanities of Shiraz University.

The sixth and final paper is entitled: "Authority from a Shi'ite Perspective". In this paper Dr Muhammad Legenhausen contrasts Shi'ite views on authority with those of Catholics, and those of Sunni theologians. The paper begins with explaining the meaning and different facets of authority. The paper continues with a discussion about the source(s) of authority and the way(s) in which it is conferred. After examination of authority, the author turns to the issue of tradition as far as it pertains to authority. This paper was written for the second Catholic-Shi'a Dialogue in UK in July 2005 and published in *Catholic-Shi'a Engagement: Reason & Faith in Theory and Practice* (2006). Dr Mohammad Legenhausen is a professor of philosophy at the Imam Khomeini Education & Research Institute, Qum.

I would like to take this opportunity to thank all who have contributed to this volume and pray for their success. I want to especially thank Mrs. Fatima Khimji from Canada for editing and proofreading all the papers of this publication and making valuable comments. I also want to thank Mrs. Zainab Rezavi from UK for reading and commenting on drafts of the second and third papers of this work. I would also like to thank the Ahlul Bayt World Assembly

and the Islamic Centre of England for their support and encouragement. And last, but not the least, I thank God the Almighty for His guidance and favour upon us in the past and present.

Mohammad Ali Shomali

March 2009

# **Life of the Prophet Mohammad before Starting the Mission**

**S. Ahmad Rahnamaei**

This paper is an attempt to study some aspects of the Prophet Mohammad's life before his mission started. Issues such as the Prophet's birth, his nursing, the story of the splitting of his chest (*shaqq al-Sadr*) and his participation in the Sacrilegious War (*Harb al-Fijar*) are discussed.

### **The Prophet's Birth**

Perhaps one of the most debatable subjects regarding the life of the Prophet is the biographers' dispute on the exact date of his birth. If someone were to gather all of the different opinions on this issue, there would be about twenty options to choose from.<sup>1</sup> Of course, the year and the month of the Prophet's birth is agreed upon by the vast majority of both Sunni and Shi'i historians and narrators of hadith. It is accepted as a well-known fact that the Prophet was born in the lunar month *Rabi' al-Awwal* of the 'Year of the Elephant', i.e. 570 C. E.<sup>2</sup> The majority of Muslim scholars agree with the consensus on the subject.<sup>3</sup>

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<sup>1</sup> Cf. Rasuli, *Tarikh*, Vol. 1, p. 107.

<sup>2</sup> Ibn Hisham, *al-Sira al-Nabawiya*, 1<sup>st</sup> edition, edited by 'Umar 'Abd al-Salam Tadmuri (Beirut: Dar al-Kitab al-'Arabi, 1987), Vol. 1, pp. 183-184 ; Ya'qubi, *Tarikh Ya'qubi*, Farsi translation by Muhammad Ibrahim Ayati (Tehran), Vol. 1, p. 385. There are very few historians who suggest a date other than the Year of the Elephant. They allege that it was a few years before the occurrence of the Elephant. For instance, al-Maqrizi in his book *Imta' al-Asma'*, refers to several opinions which concern the year of the birth. He mentions that the ideas differ from fifteen years before to forty years after the Year of the Elephant. al-Maqrizi himself gives preference to what the majority says, that is the Year of the Elephant. See: Rasuli, *Tarikh*, Vol. 1, footnote, pp. 107-108, from al-Maqrizi, Vol. 1, pp. 3-4.

<sup>3</sup> Haykal, *Hayat*, p. 108 ; Murtada, *Al-Sahih*, Vol. 1, p. 78.

Since the very beginning, however, there has been a difference between the Sunni and Shi'i schools on the actual day of the birth of the Prophet, and this difference is reflected in their works where they point to the birthday of the Prophet as it will be dealt with here.<sup>4</sup> The seventeenth of *Rabi' al-Awwal* is supported by the Shi'a due to a famous saying, while the twelfth of the month is recognized by the vast majority of Sunni scholars. Among the Shi'a, it was only al-Kulayni<sup>5</sup> who certified the date of the twelfth of the month.<sup>6</sup>

Some Sunni biographers refer to the disagreement among historians<sup>7</sup> but conclude: "the majority ... agree that Muhammad was born on the twelfth of *Rabi' al-Awwal*, the claim of Ibn Ishaq and other biographers."<sup>8</sup> Ibn Ishaq observes that the Prophet was born on Monday, the twelfth of *Rabi' al-*

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<sup>4</sup> As Majlisi indicates, the *'ulama* of the *Imami* school agree that the birth of the Prophet occurred on Friday, the seventeenth of *Rabi' al-Awwal*. However, most of their fellow Sunnis maintain that it took place on Monday, the twelfth, although some insist on the eighth, and others on the tenth of that month, and yet a few others declare that it happened in the month of Ramadan.

Majlisi, *The Life and Religion of Muhammad*, English Translation of *Hayat al-Qolub*, Vol. 2, by James L. Merrick (1982), p. 34

<sup>5</sup> al-Kulayni, (d. 939/ 940) a well known Shi'i traditionist of the 4<sup>th</sup> Muslim century, in his *al-Kafi, al-Usul wa al-Rawda*, Vol. 7, p. 131 (*Mawlid al-Nabi*), agrees with the Sunni position that the Prophet was born on the 12<sup>th</sup> of *Rabi' al-Awwal*. However, he mentions that it was on Friday and not on Monday, as Sunni tradition says.

<sup>6</sup> Murtada, *Al-Sabih*, Vol. 1, p. 78.

Majlisi, in his *Bihar* after differentiating between the two Sunni and Shi'i traditions, says that among Shi'a it was al-Kulayni who selected, either intentionally or because of *taqiya*, what the Sunni tradition advocates. See: Majlisi, *Bihar al-Anwar*, (Beirut: al-Wafa', 1983), Vol. 15, p. 248.

<sup>7</sup> Haykal, *Hayat*, p. 109.

<sup>8</sup> Haykal, *The Life*, p. 48.

*Annal*, in the ‘Year of the Elephant’.<sup>9</sup> According to the general belief of Sunnis, Monday was the actual day of the birth of the Prophet,<sup>10</sup> while among the Shi‘a, Friday is determined to have been the day in question.<sup>11</sup> Nowadays, in Islamic Republic of Iran, there is an anniversary celebration which is held every year from the 12<sup>th</sup> to the 17<sup>th</sup> of *Rabi‘ al-Annal*. The week during which the ceremony is held, is called the ‘Week of Unity’. It indicates that each sect can respect the other’s thought, while still focusing on what it has received through its own tradition.

The thirteenth century Shi‘i biographer al-Irbili,<sup>12</sup> states that he believes such a disagreement on the day of the Prophet’s birth is natural. To him this is because the Arabs then were unfamiliar with dates and calendars. They did not know how to record their children’s birthdays. What seems amazing and unreasonable to al-Irbili is the biographers’ dispute on the date of the Prophet’s death.<sup>13</sup>

### **Extraordinary Events**

Some biographers deny any unusual circumstance in respect to the birth of the Prophet and remark that “there was nothing unusual about Amina’s

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<sup>9</sup> Ibn Hisham, *al-Sira*, Vol. 1, p. 183 ; Ibn Kathir, *al-Bidaya wal-Nihaya*, edited by Ahmad Abu Muslim et al. (Beirut: al-Turath al-‘Arabi, 1980), Vol. 2, pp. 242-243 ; al-Maqrizi, *Imta‘ al-Asma‘*, edited by Mahmud Muhammad Shakir (Cairo: 1941), Vol. 1, pp. 3-4

<sup>10</sup> Ibid.

<sup>11</sup> al-Kulayni, *al-Kafi, al-Usul wal-Rawda*, edited by Ghaffari (Tehran: al-Maktaba al-Islamiyya, 1962), Vol. 7, p. 131 ; Majlisi, *Bihar*, Vol. 15, p. 248, etc.

<sup>12</sup> One of the Iraqi Shi‘i biographers in Baghdad who died in 1293. He wrote his book, *Kashf al-Ghumma fi Ma‘rifat al-A‘imma*, on the biography of the Prophet and the Shi‘i Imams.

<sup>13</sup> Murtada, *al-Sabih*, Vol. 1, p. 79, citing al-Irbili, *Kashf*, 2nd edition (Beirut: Dar al-Adwa‘, 1985), Vol. 1, p. 14.

pregnancy or delivery.”<sup>14</sup> However, some extraordinary events are narrated in almost all Sunni and Shi‘i biographies, events which are alleged to have happened before or very soon after the Prophet’s birth.<sup>15</sup>

### **The Prophet’s Suckling**

Why would Muhammad have been suckled by a nurse other than his own mother? Biographers accept that the Prophet was nursed by Thuwayba, servant of Abu Lahab, for a while. Then Halima al-Sa‘diyya, daughter of Abu Dhu‘ayb, accepted him into her charge, because she had found no one other than this orphan child. Halima related that after she took Muhammad with her, she found all kinds of blessings and goodness. She nursed him for two whole years, and then she brought him back to his mother.<sup>16</sup>

Ibn Ishaq relates of Halima:

He [the Prophet] was growing up as none of the other children grew and by the time he was two he was a well-made child. We brought him to his mother, though we were most anxious to keep him with us because of the blessing which he brought us. I said to her: “I should like you to leave my little boy with me until he becomes a big boy, for I am afraid on

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<sup>14</sup> Haykal, *The Life*, pp. 47 and 51.

<sup>15</sup> For details see: Ibn Ishaq, *The life of Muhammad*, translated by A. Guillaume (London-New York-Tronto: Oxford University Press, 1955), p. 69; Al-Tabari. *Tarikh*, Vol. 2, p. 156. It is also narrated by Shi‘i scholars. For instance, see: al-Saduq, *Ikmal al-Din wa Itmam al-Ni‘ma* (Najaf: 1970), pp. 189-190 ; al-Irbili, *Kashf*, Vol. 1, pp. 20-21.

<sup>16</sup> Ibn Ishaq, *The Life*, pp. 71-72 ; Haykal, *The Life*, p. 49 ; Murtada, *Al-Sabih*, Vol. 1, p. 81.

his account of the pest in Mecca.” We persisted until she sent him back with us.<sup>17</sup>

### **Was the Prophet Spurned Because of His Orphanhood?**

It is related that Halima used to say that she and other foster-mothers refused the apostle of God when he was offered to each of them, because they could not expect to get payment from the child’s father.<sup>18</sup> M. Hosayn Haykal (Sunni biographer) says,

the prospect of an orphan child did not much attract them (wet nurses), since they hoped to be well rewarded by the father. The infants of widows, such as Muhammad, were not attractive at all. Not one of them accepted Muhammad into her care, preferring the infants of the living and of the affluent.<sup>19</sup>

This point is understood from Ibn Ishaq’s *sira*, according to which Halima states: “We said, ‘An orphan! and what will his mother and grandfather do?’, and so we spurned him because of that.”<sup>20</sup>

S. Ja‘far Murtada (Shi‘i biographer) also refers to the same story and states that Halima at first spurned Muhammad (as her colleagues had done before her), but finally she accepted him because she found no child other than him.<sup>21</sup> He, however, suggests another possibility which is presented by some

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<sup>17</sup> Ibn Ishaq, *The Life*, p. 71.

<sup>18</sup> *Ibid.*, p. 71.

<sup>19</sup> Haykal, *The Life*, p. 49.

Shi'i scholars. They are not satisfied with this part of the story and refute it on the basis of the following considerations:

1-It is related that 'Abdullah, the Prophet's father, was alive at the time of his son's birth and died a few months after. Some say that the father's death occurred seven months after the Prophet's birth, while some other state that it was seventeen months.<sup>22</sup> It is also alleged by some others that 'Abdullah's death occurred twenty-eight months after his son was born.<sup>23</sup> Therefore, we are not sure whether the Prophet was an orphan at his birth or not. Even if we accept that Muhammad was an orphan at his birth, he was still a descendant of an honorable and wealthy man like 'Abd al-Muttalib one of whose properties was a herd of two-hundred camels, in the "Year of the Elephant."<sup>24</sup> People knew his grandfather to be a generous and exalted person. They knew that his daughter-in-law Amina also was from a wealthy family. So an orphan such as Muhammad should never have been deprived of the chance to have a foster-mother like the other children of

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<sup>20</sup> Ibn Ishaq, *The Life*, p. 71.

<sup>21</sup> Murtada, *Al-Sahib*, Vol. 1, p. 81.

<sup>22</sup> al-Irbili, *Kashf*, Vol. 1, p. 15; Murtada, *Al-Sahib*, v.1, p. 81.

Ya'qubi in his history says that the death of 'Abdullah happened two months after the Prophet's birth. He refutes the suggestion that the former's death was before the birth of the Prophet. He further argues that consensus is established upon the first opinion that the father died after his son's birth, to the extent of even one year after the Prophet's birth, as some historians believe. See: Ya'qubi, *Tarikh*, Vol. 2, p. 362.

<sup>23</sup> Majlisi, *Bihar*, Vol. 15, p. 125 ; Murtada, *Al-Sahib*, Vol. 1, p. 81.

In short, as Ibn Athir mentions, the date of 'Abdullah's death is a controversial subject among the historians. See: Ibn Athir, *Usd al-Ghaba*, Vol. 1, p. 20

<sup>24</sup> See: Rasuli, *Tarikh*, Vol. 1, p. 182.

nobles. His rights also could never be disregarded, especially when he was under the protection of his grandfather.<sup>25</sup> Moreover, we must consider that asking for nurses was the practice of the Makkan aristocracy<sup>26</sup> among whom was the leader of the Quraysh, ‘Abd al-Muttalib.

### **The Custom of Choosing Foster-Mothers**

There are good reasons as to why Muhammad, like other infants, was suckled by a desert tribe. On the whole, it was the practice of nobles of the Makka and until recently was still practiced among Makkan aristocracy. They used to send their children to the desert on the eighth day of their birth to remain there until the age of eight or ten. Some of the tribes of the desert had a reputation as providers of excellent wet nurses, specially the tribe of Banu Sa‘d.<sup>27</sup> From the points of this view, there were some reasons behind this practice, such as:

1- Their children’s physical disposition could grow sounder because they inhaled the purest of desert air, and the hardness of desert living, which caused their quick growth and equipped them with a natural adaptability towards different conditions.<sup>28</sup>

2- They were able to learn the purest and most classical Arabic language, since they avoided the multi-cultural conditions of Makka, which was

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<sup>25</sup> Cf. Murtada, *Al-Sahib*, Vol. 1, p. 81 ; Subhani, *Furugh Abadiyat*, 8th edition (Qum: 1993), Vol. 1, p. 160.

<sup>26</sup> Murtada, *Al-Sahib*, Vol. 1, p. 81 ; Haykal, *The Life*, p. 49.

<sup>27</sup> Haykal, *The Life*, p. 48. See also: Murtada, *Al-Sahib*, Vol. 1, p. 81.

<sup>28</sup> Haykal, p. 49 ; Murtada, Vol. 1, p. 88.

usually crowded with different tribes, especially during the season of pilgrimage, or when the trade caravans were in Makka for their transactions. Makkans mostly used to ask the Banu Sa'd to nurse their children, for this tribe was the most preserved Arab of the tribes of the cities or the desert.<sup>29</sup> Thus the Prophet himself told his companions: "I am the most perfect Arab of you all. I am of Quraysh, and I was suckled and brought up among the tribe of Banu Sa'd b. Bakr."<sup>30</sup>

3- Inhaling the pure air of the desert caused their children to grow up brave and strong-hearted, and gave them "the spirit of personal freedom and independence."<sup>31</sup>

4- The nature of desert living usually agreed with their children's mental growth, and gave them purer intellect and talent, for they were far from the disturbances and difficulties of urban living, and lived a simple and more natural life.<sup>32</sup>

5- It is related that Halima, when returning the Prophet to his mother after two years in the desert, asked Amina to let her take him again to the desert, because of an epidemic then raging at Makka.<sup>33</sup>

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<sup>29</sup> Haykal, p. 52 ; Murtada, Vol. 1, pp. 81-82.

<sup>30</sup> Ibn Ishaq, *The Life*, p. 72 ; Haykal, *The Life*, p. 52.

<sup>31</sup> Haykal, *The Life*, pp. 51-52 ; Murtada, *Al-Sahib*, Vol. 1, p. 82.

<sup>32</sup> Murtada, *Al-Sahib*, Vol. 1, p. 82.

<sup>33</sup> Cf. Haykal, *Hayat*, p. 110 ; Ibn Athir, *Usd al-Ghaba*, Vol. 1, p. 21.

See: al-Tabari, *Tarikh*, Vol. 2, p. 159 ; Majlisi, *Bihar*, Vol. 15, p. 401 and Rasuli, *Tarikh*, Vol. 1, pp. 183-184.

Makka had bad and hot air, especially during the summer and children were in more danger than adults, for the warm and dry situation of this city did not suit Makkan newborns. Therefore, Makkans used to send their children to the desert where it wasn't warm and dry in order to protect them from the unhealthy air of Makka. They had to look for foster-mothers to nurse their babies far from the city for a few years until they had grown up enough. It is related that Halima brought Muhammad back to his mother when he was four, but Amina wanted her to take him again with her to the desert, because she was afraid of such diseases afflicting him.

Two of the above-mentioned reasons are related in the form of certified *hadiths*. That is to say, the second one has been related in Ibn Ishaq's *sira*<sup>34</sup> as one hadith, and the fifth one is presented by Ibn Athir again in the form of a hadith.<sup>35</sup> Also it is elaborated by al-Tabari, in his history of the Prophet,<sup>36</sup> and by Haykal in his *Hayat*<sup>37</sup> as a narrative from Halima. The rest of these reasons are the result of the biographers' understanding of the *sira*.

### **The Story of the Splitting of the Prophet's chest**

In several sources from both Sunni and Shi'i traditions, one may find the story of the splitting of the Prophet's chest. Although the original narrative comes from Sunni tradition, the story is narrated in some Shi'i books too. Different attitudes are expressed by biographers towards this extraordinary

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<sup>34</sup> Ibn Ishaq, *The Life*, p. 72.

<sup>35</sup> Ibn Athir, *Uṣd al-Ghabab*, Vol. 1, p. 21.

<sup>36</sup> al-Tabari, *Tarikh*, Vol. 2, p. 159.

<sup>37</sup> Haykal, *Hayat*, p. 110.

anecdote. On the whole, most Sunni scholarship has agreed upon the authenticity of the story, while to the contrary, most Shi'i scholarship has rejected it.

According to Ibn Ishaq, quoting Halima, the story went like this:

Some months after our return, he and his brother were with our lambs behind the tents when his brother came running and said to us, 'Two men clothed in white have seized that Qurayshi brother of mine and thrown him down and opened up his belly, and are stirring it up.' We ran towards him and found him standing up with a livid face. We took hold of him and asked him what the matter was. He said, 'Two men in white raiment came and threw me down and opened up my belly and searched therein for I know not what.' So we took him back to our tent.<sup>38</sup>

This incident was what prompted his foster-mother to return him to his mother. Ibn Ishaq then relates another *hadith* on the authority of a learned person whom he thinks was Khalid b. Ma'dan. This person, on the authority of some of the Apostle's companions, told Ibn Ishaq that the Prophet said:

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<sup>38</sup> Ibn Ishaq, *The Life*, pp. 71-72.

... I was suckled among the B. Sa'd b. Bakr, and while I was with a brother of mine behind our tents shepherding the lambs, two men in white raiment came to me with a gold basin full of snow. Then they seized me and opened up my belly, extracted my heart and split it; then they extracted a black drop from it and threw it away; then they washed my heart and my belly with that snow until they had thoroughly cleaned them. ...<sup>39</sup>

In *Sabih* of Muslim, the story is narrated through a chain on the authority of Anas b. Malik. According to the *hadith* of Anas, the extracted black drop was the portion of Satan in the Prophet's heart. At the end of this narrative, Anas mentions that he himself used to see the mark of that splitting on the chest of the Prophet.<sup>40</sup>

### *Negative Attitude towards the story*

Evaluating the story, Haykal states:

Orientalists and many Muslim scholars do not trust the story and find the evidence therefore spurious. The biographers agree that the two men dressed in white were seen by children hardly beyond their second year of age, which constitutes no witness at all, and that Muhammad lived with the tribe of Banu Sa'd in the desert until he was five. The

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<sup>39</sup> Ibid.

<sup>40</sup> Muslim, *Sabih*, Vol. 1, pp. 165-166, *Hadith* 261 ; Murtada, *Al-Sabih*, v.1, pp. 82-83.

claim that this event had taken place while Muhammad was two and a half years old and that Halimah and her husband returned the child to his mother immediately thereafter, contradicts this general consensus. Consequently, some writers have even asserted that Muhammad returned with Halimah for the third time.<sup>41</sup>

As an extra proof, Haykal refers to the ideas of two Orientalists, Muir and Dermenghem. Muir states that it is difficult to discover the real fact, for the story have been invested with so many marvelous features. He concludes that the story was probably due to a fit of epilepsy, a sort of nervous or epileptic seizure, which could not at all have hurt Muhammad's healthy constitution.<sup>42</sup>

Dermenghem believes that this legend is only based on a verse from the *Qur'an*, and has no foundation other than the speculative interpretations of the verses which are depicted in *sura al-Inshirah*: “*Had We not revived [literally “opened”] your breast. And had We not removed the burden which galled your back?*”<sup>43</sup> From point of view of Dermenghem the story of the splitting is based upon the speculative interpretation of these verses.<sup>44</sup> Haykal comes to this conclusion:

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<sup>41</sup> Haykal, *The Life*, pp. 50-51.

<sup>42</sup> Muir, *The Life*, pp. 6-7 ; Haykal, *The Life*, p. 51.

<sup>43</sup> The *Qur'an*, 94 : 1-2.

<sup>44</sup> Haykal, *The Life*, p. 51.

Certainly, in these verses the *Qur'an* is pointing to something purely spiritual. It means to describe a purification of the heart as preparation for receipt of the divine message and to stress Muhammad's over-taxing burden of prophethood. Those Orientalists and Muslim thinkers who take this position *vis-à-vis* the foregoing tradition do so in consideration of the fact that the life of Muhammad was human through and through and that in order to prove his prophethood the Prophet never had recourse to miracle-mongering as previous prophets had needed to do..

This finding is corroborated by Arab and Muslim historians who consistently assert that the life of the Arab Prophet is free of anything irrational or mysterious and who regard the contrary as inconsistent with the Quranic position that God's creation is rationally analyzable, that His laws are immutable, and that the pagans are blameworthy because they do not reason.<sup>45</sup>

According to Haykal, the Prophet was never involved in 'irrational' and 'miraculous' things.

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Dermenghem states that "a wholly mystical operation, the opening and cleansing of a heart destined to receive without reserve and transmit faithfully the divine message, thus bearing the heavy burden of its mission." He then continues that "The cleansing of the heart takes a well-known place in mystic symbolism. Dermenghem, *The Life*, pp. 32-33.

<sup>45</sup> Haykal, *The Life*, p. 51.

Citing from *Sahih* of Muslim, S. Ja'far Murtada, remarks that Sunni books of *hadith* and *sira* often mention such a story. According to some of these sources, the splitting of the Prophet's chest took place several times. The first time occurred in his third year of age when he was among B. Sa'd, the second one occurred when he was ten, the third one at the time of his Commission, and the fourth at the time of the night journey and his ascent to heaven. The narrators attempt to justify the repetition of the story as increasing his glory.<sup>46</sup> Regarding the story in itself, Murtada, points out some of the attitudes which are expressed towards it as follows:

1-The story is considered a clear sign of the prophethood that appeared before the time of his Mission, and according to which the prophetic office of Muhammad was predicted.<sup>47</sup>

2-It refers to a verbal and terminological interpretation of *sura Inshirah*, as mentioned before.<sup>48</sup>

3-It does not seem to be a sound and authentic story, since the Prophet was born pure, lacking any defect, imperfection, and impurity.<sup>49</sup>

4-It is an unreal story which non-Muslim scholars have either ridiculed or taken as a proof of some of their untrue beliefs. For instance, it is advocated

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<sup>46</sup> Murtada, *Al-Sahih*, Vol. 1, pp. 83-84.

<sup>47</sup> Murtada, *Al-Sahih*, Vol. 1, p. 84, citing al-Buḫārī, *Fiqh al-Sira*, pp. 62-63.

<sup>48</sup> Ibid., citing Haykal *Hayat*, p. 111.

<sup>49</sup> Ibid., citing Tabataba'i, *al-Mizān*, Vol. 13, pp. 32-33, citing al-Tabarsi, "*Majma' al-Bayan*", Vol. 3, p. 395.

by some Christians that no human beings, even the Prophet of Islam, are infallible; rather they all perform faulty actions except Jesus Christ, who never was touched by Satan. They come to the conclusion that only Jesus was beyond the level of humanity, and he actually was a divine being in the shape of man.<sup>50</sup> Thus, in their opinion, it must be assumed that Muhammad was an impure man, as it is shown by the story of splitting.

Among the Orientalists, we can find someone like Dermenghem who in his *The Life of Mabomet* states: “This legend of the opened breast offers, moreover, certain dogmatic interest. The black stain removed by the angels can be linked to the stigma of original sin from which only Mary and Jesus were free.”<sup>51</sup>

Murtada, on the other hand, thoroughly refutes the story, and considers it a *jabili hadith* which is rooted in *jabiliya* thought, coming out of the opinion of the people of ignorance (*ahl al-jabiliya*). Quoting some examples from *al-Aghani*, he asserts that a legend like this has its background in the age of ignorance. According to *al-Aghani*, the very same event occurred four times to an unlightened person named Umayya b. Abi al-Salt, when he was sleeping in his sister’s house. In his case it was two birds that descended upon him, and one of them opened his chest.<sup>52</sup>

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<sup>50</sup> Ibid., pp. 84 & 87-88.

<sup>51</sup> Dermenghem, *The Life*, p. 33.

<sup>52</sup> Murtada, *Al-Sahib*, Vol. 1, pp. 88-89 ; Abu al-Faraj al-Isfahani, *al-Aghani*, Vol. 4. pp. 132-135.

In support of his position, S. Ja<sup>c</sup>far Murtada, presents seven proofs, mostly in the form of questions. These are as follows:

1-One of the sources for this narrative is the *Sira* of Ibn Ishaq, who on the authority of a learned person, declared that what persuaded Halima to return the Prophet to his mother was something apart from the above-mentioned reason. Accordingly, it was because

... a number of Abyssinian Christians saw him with her when she brought him back after he had been weaned. They looked at him, asked questions about him, and studied him carefully, then they said to her, 'Let us take this boy, and bring him to our king and our country; for he will have a great future. We know all about him.' The person who told me this alleged that she could hardly get him away from them.<sup>53</sup>

Therefore, the *hadiths* that attest that his foster-mother was urged to bring him back to his mother by the extraordinary event of splitting his chest in the desert seem to be doubtful.<sup>54</sup>

2-How could the return of the Prophet to his mother be due to the opening of his chest? On the one hand, it is alleged that this tale happened when he was three or two and some months. And on the other, it is said that he was

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<sup>53</sup> Ibn Ishaq, *The Life*, p. 73. See: Murtada, *Al-Sahib*, Vol. 1, p. 85.

<sup>54</sup> Murtada, *Al-Sahib*, Vol. 1, p. 85.

returned to his mother when he was five years old. How can one harmonize these two claims?<sup>55</sup>

3-Is it accurate to aver that the root of evil is a black drop in the heart, and something that requires a physical splitting and operation in order to get rid of it? Does this mean that whosoever has such a black drop can be a virtuous person if the black drop is removed from his heart by an operation? Or is it acceptable to say that this fact was specific only to the Prophet, and no one else can share this event with him? Then why should the Prophet be the only one among human beings whose heart contained this black drop and no one other than him?<sup>56</sup>

4-Why should that operation have been repeated several times (four or five times) at great intervals, even a few years after the Mission, and at the time of the night journey (*isra*) and his ascent to heaven (*mī'raj*)? Was this repeated because the black drop, i.e. that satanic portion, was so tenacious in the Prophet's heart, to the extent that it kept growing, and returned again and again? Was that black drop like a cancer, a single operation to excise which was useless, so that it was in need of more extensive operations, one after another? If it were so, then why did that black drop not return after the fourth or fifth operation? Further, why should Allah torture and punish

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<sup>55</sup> Ibid.

<sup>56</sup> Ibid.

His Prophet by such a chastisement? Wasn't it possible for Him to create His apostle free and pure from any satanic black drop?<sup>57</sup>

5-In the event that God does wish His servant not to be immoral and sinful, is it necessary to perform such a terrible cleansing in the sight and hearing of others? And doesn't it mean that the Prophet was obliged to do good unwillingly and automatically, since he was operated upon and cleaned in such a way by God?<sup>58</sup>

6-Why must it have been only Muhammad, among all the prophets, who was chosen for this operation?<sup>59</sup> Is it rational to believe that Muhammad was the most excellent of prophets, and at the same time he was the only prophet who was in need of such an operation because of having a black drop in his heart? Or is it possible to allege that there was the same satanic drop in the hearts of other prophets, but that they were not removed because the angels, who were responsible for the operation, did not know the method of operation yet?<sup>60</sup>

7-And finally, doesn't a story like this contradict what is revealed in Quranic verses that affirm that Satan neither has any authority over those who believe and trust in their Lord,<sup>61</sup> nor over His (pure) servants,<sup>62</sup> nor over

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<sup>57</sup> Ibid., pp. 85-86.

<sup>58</sup> Ibid.

<sup>59</sup> Halabi in his *Sira* maintains that it was only the Prophet of Islam who was operated in this way. By this al-Halabi considers such an operation as an increase in the Prophet's excellency and honor. See: al-Halabi, *al-Sira*, Vol. 1, p. 167.

<sup>60</sup> Murtada, *Al-Sahib*, Vol. 1, p. 86.

<sup>61</sup> The *Qur'an*, 16 : 99.

those who are sincere and purified?<sup>63</sup> According to Islamic thought, all prophets including the Prophet of Islam are the most sincere servants of Allah who were sent by Him to people. Then how could Satan have dominance and authority over the Prophet till the time of his night journey and ascent to heaven?<sup>64</sup>

In any case, the story is related in its original form only through the authority of Sunni tradition, and that it never goes back to the sayings of one of the Imams of the Shi'a.<sup>65</sup>

### **The Prophet and the Sacrilegious War (Harb al-Fijar)**

The war was known as sacrilegious because the tribes Kinana and Qays 'Aylan violated the holy months<sup>66</sup> by conducting warfare therein.<sup>67</sup>

Most of Sunni biographers accepted that Muhammad took part in the *fijar* war and that "he stood on the side of his uncle." For instance, Haykal states that

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<sup>62</sup> Ibid., 17 : 65.

<sup>63</sup> Ibid., 15 : 39-40.

<sup>64</sup> Murtada, *Al-Sabih*, Vol. 1, p. 87.

<sup>65</sup> Majlisi, *Bihar*, Vol. 15, pp. 349-357.

Rabbani, the commentator of *Bihar* indicates that there is no need to confirm the excellent character of the Prophet through such an extraordinary and miraculous event. Ibid., Footnote # 2.

<sup>66</sup> Most of the Muslim commentators believe that there are four sacred months and they are as follows: Dhu al-Qa'da, Dhu al-Hijja, Muharram, and Rajab.

<sup>67</sup> Ibn Ishaq, *The Life*, p. 822. Also see: Haykal, *The Life*, p. 56 & Murtada, *Al-Sabih*, Vol. 1, p. 95.

There is apparent consensus as to the kind of participation that Muhammad had in this war. Some people claim that he was charged with collecting the arrows falling within the Makkan camp and bringing them over to his uncle for re-use against the enemy.<sup>68</sup> Others claim that he himself participated in the shooting of these arrows.<sup>69</sup>

Concerning the age of the Prophet at the time of this war, Haykal continues that

History has not established the age of Muhammad during the *fijar* war. Reports that he was fifteen and twenty years old have circulated. Perhaps the difference is due to the fact that the *fijar* war lasted at least four years. If Muhammad saw its beginning at the age of fifteen, he must have been close to twenty at the conclusion of the peace.<sup>70</sup>

The circulation of the reports putting the Prophet's age at between fourteen or fifteen and twenty is found in the *Sira* of Ibn Ishaq. That is to say, according to Ibn Hisham, Muhammad was fourteen or fifteen years old when he participated in the war.<sup>71</sup> But in the same *Sira*, it is quoted from

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<sup>68</sup> Haykal, *The Life*, p. 57. Also see: Ibn Hisham, *al-Sira*, Vol. 1, p. 210.

<sup>69</sup> *Ibid.*, p. 57.

<sup>70</sup> *Ibid.*

<sup>71</sup> Ibn Hisham, *al-Sira*, Vol. 1, p. 208.

Ibn Ishaq that when the sacrilegious war occurred, the Prophet was twenty years old.<sup>72</sup> Harmonizing the two reports, Haykal observes, “Since the said war lasted four years, it is not improbable that both claims are true.”<sup>73</sup> Haykal then approves of the Prophet’s participation and the extent of his participation in this war through a *hadith* according to which, the Prophet, years after his commission to prophethood, said, “I had witnessed that war with my uncle and shot a few arrows therein. How I wish I had never done so!”<sup>74</sup>

This is while for many Shi‘i scholars it is not acceptable that the Prophet participated in the *fijar* war. To these scholars there are four proofs as follows to support this view:

1-The war broke out in the sacred months, the holiness of which was never violated by the Prophet and his uncle Abu Talib. One who studies the *sira* of Muhammad and Abu Talib will consider how they used to respect issues like the holiness of the sacred months. As mentioned in *al-Kafi*, *al-Ghadir* and some other sources of *hadith*, Abu Talib believed in the pure Abrahamic religion. Furthermore, he was an executor of Abrahamic wills and beliefs. Thus, how could the violation of the holiness of such months be attributed to a religious man like Abu Talib?<sup>75</sup> The negation of Abu Talib's

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<sup>72</sup> Ibid., p. 211 ; Ibn Ishaq, *The Life*, p. 82.

<sup>73</sup> Haykal, *The Life*, p. 57.

<sup>74</sup> Ibid.

<sup>75</sup> Murtada, *Al-Sahib*, Vol. 1, p. 95.

participation in *fijar* means that Muhammad also, who was then under his supervision and his instruction, never participated in this war.<sup>76</sup>

2-Ya'qubi reports that it is related that Abu Talib prohibited any of Banu Hisham to take part in *fijar* war, saying that it was an oppression, a hostile act, breaking with relatives and a violation of the holiness of the sacred months. Abu Talib insisted that he would not participate in that war nor would any of his family. Among Banu Hisham it was only Zubayr b. 'Abd al-Muttalib who took part unwillingly and under the pressure of his alliances. Ya'qubi continues that 'Abdullah b. Jad'an al-Taymi and Harb b. Umayya said that they would never attend any position from which Banu Hisham kept themselves away.<sup>77</sup>

3-The conflict of *hadiths* is another reason. Some of these *hadiths* restrict his role to collecting and carrying the arrows which had fallen within the camp of the Makkans in order that they may be re-used against their enemy. Also, he was charged with protecting his uncles' equipment.<sup>78</sup> A group of *hadiths* indicate that the Prophet shot a number of arrows against the enemy, but later on he wished that he had never done that.<sup>79</sup> The third group of narratives state that the Prophet injured Abu Bara (the head of Banu Qays

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<sup>76</sup> Since this natural conclusion seems clear to Murtada, he does not mention it at the end of his first argument.

<sup>77</sup> Murtada, *Al-Sahib*, Vol. 1, pp. 95-96, citing al-Ya'qubi, *Tarikh*, Vol. 2, p. 371.

<sup>78</sup> Ibid., p. 96, citing Ibn Hisham, *al-Sira*, Vol. 1, p. 210.

<sup>79</sup> Ibid., citing al-Halabi, *al-Sira*, Vol. 1, p. 207.

and a spear-thrower), with the result that Abu Bara fell down from his horse.<sup>80</sup>

4-Some reports are contradictory, such as in what is related by Ibn Hisham. First he states that the Prophet participated in the *fijar* war when he was fourteen years old, but at the end of the story he records Ibn Ishaq's opinion that the *fijar* took place when the Prophet was twenty years old, i.e. twenty years after the Year of the Elephant.<sup>81</sup> Another example of contradiction among the narratives is Ya'qubi's reports, according to which Harb b. Umayya did not take part in the *fijar* war, whereas according to other narratives Harb participated in the war while he was the head of the Quraysh and the Kinana.<sup>82</sup>

We come to the conclusion that the Prophet neither partook in the *fijar* war nor cooperated with any side in the war. So this kind of inconsistency in the narratives should be attributed to the political agenda of the Umayyad, who were responsible for these fabrications.<sup>83</sup>

### **The Prophet's trip to Sham**

Among a number of stories, we may refer to a very famous one which has been accepted by almost all historians and biographers of the Prophet. The story of his first trip to Sham alongside his uncle Abu Talib explains how the monk Bahira foretold the coming apostleship of the Prophet. According

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<sup>80</sup> Ibid., citing al-Halabi, *al-Sira*, Vol. 1, p. 208.

<sup>81</sup> Ibid., citing Ibn Hisham, *al-Sira*, Vol. 1, pp. 208, 211.

<sup>82</sup> Ibid., pp. 96-97.

<sup>83</sup> Ibid., p. 97.

to Ibn Ishaq the story went like this: "He (Bahira) saw the Apostle of God in the caravan when they approached, with a cloud over-shadowing him among the people. Then they came and stopped in the shadow of a tree near the monk. He looked at the cloud when it over-shadowed the tree, and its branches were bending and drooping over the apostle of God until he was in the shadow beneath it."<sup>84</sup> After Bahira saw this extraordinary event he stared at the Prophet closely "finding traces of his description (in the Christian books)." He asked him many questions, "and what the apostle of God told him coincided with what Bahira knew of his description."<sup>85</sup> Here the monk foretold the prophethood of the Prophet and he advised Abu Talib to "guard him carefully against the Jews, for by Allah! if they see him and know about him what I know, they will do him evil; a great future lies before this nephew of yours, so take him home quickly."<sup>86</sup>

### **Summarizing Comments**

1. The dispute surrounding the date of the Prophet's birth is a result of the differences between the *hadith* and *sira* sources from both Sunni and Shi'i sects.
2. One should be very cautious and careful about the unusual events narrated and associated with the Prophet's birth. On the whole, the narratives which imply such extraordinary events indicate the possibility that there might have been something unusual about Amina's pregnancy or

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<sup>84</sup> Ibn Ishaq, *The Life*, p. 80.

<sup>85</sup> Ibid.

<sup>86</sup> Ibid., p. 81.

delivery. They show that like some other prophets' births,<sup>87</sup> the birth of Muhammad also was accompanied by miraculous events. These extraordinary events may have functioned as signs for Muhammad's prophethood. Narratives that correspond to the life of the Prophet before his mission illustrate that his prophecy never occurred accidentally or by chance. Rather, many things had taken place to gradually establish the doctrine of his apostleship from God. One may express the same attitude in the case of the extraordinary events which happened surrounding the birth of the Prophet. In short, they might be regarded as *irbas*, a kind of foretelling or prophecy. Such stories are related of previous prophets, and need not contradict the supposition that the Prophet's life was human through and through.

3. In regard to the story of the Prophet's nursing, if it is accepted that it was the practice of Makkan aristocracy to ask for nurses for their children, then on what basis do some biographers argue that Muhammad was spurned because of his orphanhood and his poverty? Basically, if Muhammad was offered to foster-mothers, it indicates that he was from Makkan aristocracy. And if this was so, how could he have been refused by any wet-nurse to whom he was offered, especially when it is obvious that his grandfather was well-known among all the tribes for his generosity, honor and mastership of the Quraysh?<sup>88</sup> It is also said that the Prophet's

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<sup>87</sup> As it is depicted in the *Qur'an*, the births of the prophets like 'Isa Ibn Maryam', 'Yahya Ibn Zakariya, etc. were accompanied by some miracles and extraordinary events. See: The *Qur'an*, 19 : 7-33.

<sup>88</sup> Cf. Murtada, *Al-Sahih*, Vol. 1, p. 125.

inheritance from his father ‘Abdullah was more than enough for having a foster-mother: at least five camels, a flock of sheep, a sword, and some money. Thus, the reason that Muhammad was nursed by Halima Sa‘diya was that he did not accept the breasts of any woman to whom he was offered, except those of Halima. When she put him to her bosom to suckle him, the Quraysh infant surprisingly grasped his foster-mother’s breasts, and this made his family very cheerful. ‘Abd al-Muttalib then asked Halima: “Which tribe do you belong to?” And she answered: “I am from Banu Sa‘d.” He asked her name, and she said that her name was Halima. ‘Abd al-Muttalib became very happy and said: “Excellent, excellent! Two praised and valuable attributes, salvation (*sa‘d – sa‘ada*) and patience (*hilm*). Good tidings to you Halima for having these excellent characteristics that imply eternal happiness and glory!”<sup>89</sup>

4. Concerning the story of the splitting the Prophet’s chest, we realize that the story is untrue and unreasonable, and also destructive to the personality of the Prophet.

5. Regarding the ‘Sacriligious War’ as an offensive one, we deny the Prophet’s participation in it, for this war broke the holiness of the sacred months, the fact that was always observed by the Prophet and his uncle Abu Talib, the master of Quraysh. This is why later on such a pre-Islamic social custom was affirmed by Islam, and Muslims were asked not to fight during the sacred months.

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<sup>89</sup> See: Ibn Athir, *Usd al-Ghaba*, Vol. 1, p. 21 ; Rasuli, *Tarikh*, Vol. 1, p. 182 ; Majlisi, *Bihar*, Vol. 15. p. 125 & 442 ; Sobhani, *Furugh* , Vol. 1, p. 160 ; Halabi, *Sira*, Vol. 1, p. 147.

6. Biographers speak of the Prophet's first trip to Sham. They "tell how the monk recognized in Muhammad the signs of prophethood as told in Christian books."<sup>90</sup> The monk informed the Prophet's uncle Abu Talib that his nephew would be an apostle of Allah.<sup>91</sup> Certainly such a prophecy refers to something extraordinary in the life of the Prophet, and is neither denied nor ignored by most biographers. This event assured Abu Talib that Muhammad would be a messenger of God.<sup>92</sup>

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<sup>90</sup> Haykal, *The Life*, p. 54.

<sup>91</sup> Murtada, *Al-Sahib*, Vol. 1, p. 91.

<sup>92</sup> "They will ask you about fighting during the hallowed month. Say: Fighting therein is a great (transgression), while obstructing God's way, disbelief in Him and the Hallowed Mosque," The *Qur'an*, 2: 217.

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## **The Significance of Self-control and Self-purification**

Mohammad Ali Shomali

It is a common idea amongst all religious and spiritual traditions that human beings should have some kind of self-control. Although we enjoy free will, we need to exercise our free will in a responsible way. In the same way that we expect others to respect our dignity and interests, we should respect dignity and interests of others. We should also safeguard our own dignity and long term interests. Thus, we cannot simply go after our whims and desires and do whatever we want. We need to have self-control and self-discipline which leads to self-purification. If we purify our hearts we will no longer need to resist our temptations and control ourselves against lower desires and lusts, since a purified person desires nothing except what is good and moral for himself and others. In what follows, we will study the necessity of self-control and self-purification.

### **Self-control**

On the necessity of self-control, the Glorious Qur'an says:

فَإِنَّ الْجَنَّةَ هِيَ الْمَأْوَىٰ وَ أَمَّا مَنْ خَافَ مَقَامَ رَبِّهِ وَ نَهَى النَّفْسَ عَنِ الْهَوَىٰ

And as for him who fears to stand in the presence of his *Lord* and forbids his own soul from its whims and caprices then surely Paradise is the abode. (79:40 & 41)

يَا دَاوُدُ إِنَّا جَعَلْنَاكَ خَلِيفَةً فِي الْأَرْضِ فَاحْكُمْ بَيْنَ النَّاسِ بِالْحَقِّ وَ لَا تَتَّبِعِ الْهَوَىٰ فَيُضِلَّكَ عَنْ سَبِيلِ اللَّهِ إِنَّ الَّذِينَ يَضِلُّونَ عَنْ سَبِيلِ اللَّهِ لَهُمْ عَذَابٌ شَدِيدٌ بِمَا نَسُوا يَوْمَ الْحِسَابِ

O David! ...do not follow the whims of your own *soul* for they will lead you astray from God's path. (38:26)

يَا أَيُّهَا الَّذِينَ آمَنُوا كُونُوا قَوَّامِينَ بِالْقِسْطِ شُهَدَاءَ لِلَّهِ وَ لَوْ عَلَىٰ أَنْفُسِكُمْ أَوِ الْوَالِدِينَ وَ الْأَقْرَبِينَ إِنْ يَكُنْ غَنِيًّا أَوْ فَقِيرًا فَاللَّهُ أَوْلَىٰ بِهِمَا فَلَا تَتَّبِعُوا الْهَوَىٰ أَنْ تَعْدِلُوا وَ إِنْ تَلَوُّوا أَوْ نَعَرَضُوا فإِنَّ اللَّهَ كَانَ بِمَا تَعْمَلُونَ خَبِيرًا

O you who have faith! Be maintainers of justice and witnesses for the sake of God, even if it should be against yourselves or [your] parents and near relatives, and whether it be [someone] rich or poor, for God has a greater right over them. So do not follow [your] desires, lest you should be unfair, and if you distort [the testimony] or disregard [it], God is indeed well aware of what you do. (4:135)

Here we find two pieces of advice. Firstly, to observe God's Will, to fear Him and to try to obey Him. And secondly, to forbid our soul

from doing what is wrong and harmful to us. This becomes only possible when we have some kind of self-control. In *Nahj al-Balaghah*, there is a very beautiful and insightful description of an un-named brother. Imam Ali a.s. is quoted as saying:

كَانَ لِي فِيمَا مَضَىٰ أَحْ فِي اللَّهِ وَ كَانَ يُعْظِمُهُ فِي عَيْنِي صِغَرُ الدُّنْيَا فِي  
 أُيْهُمَا أَقْرَبُ إِلَى الْهُوَىٰ [نَظَرَ] عَيْنِهِ ... وَ كَانَ إِذَا بَدَهُهُ أَمْرَانِ يَنْظُرُ  
 فَيُخَالِفُهُ [فَخَالَفَهُ]

In the past I had a brother-in-faith, and he was prestigious in my view because the world was insignificant in his eyes... If two things confronted him he would see which was more akin to his whims and he would do the other. (Wise Sayings, No. 289)

We see that one of the brother-in-faith's qualities was that when faced with two options, (for example whether to go to one place or another, one meeting or another or to engage in one business or another), that is, when he was at a 'crossroads' and wanted to choose which way to turn, he would look at his own soul/heart, trying to discover which course of action was dearer to his self, his own personal interest and then he would do the other one. For example, one might have the option to either watch TV or to help someone with his work. The soul which is not trained may encourage us to go and watch TV, saying that it is a waste of time to help the other person. But instead it is better to spend the time helping the other person.

Of course, we may not always be able to find out what is the right course of action by just following this instruction. But it is important to at least try to find out what our selfish desire wants us to do. God has given us the ability to distinguish between what our egoism or greediness wants from us and those things which are in our 'real' interests. When we work for our 'real' interest we also secure the interests of other people. God has created us in a way that when we really serve ourselves, then we serve all human beings. But if we try to be 'clever' and only serve ourselves, then we not only damage ourselves but also others. There are lots of ways to damage ourselves and others. But it is not possible to truly serve oneself and not serve others.

There is also another method which we can use when we want to make a decision and have two or three options to consider and do not know what to do. In such cases, it is useful to try to imagine that a person who is very pious, and whose actions you trust and accept, is in your place. Then try to decide what that person would do if he were in your place. Since you have information about the way that person normally makes his decisions and about his intentions and good will, by keeping that person in mind you may be able to understand what to do. For example, you could imagine a pious scholar or pious relative, not necessarily an infallible or saint. You could then think about what they might do and this would give you some kind of insight.

So, it is a basic fact that we must have self-control. If we believe that we should just do what we want by satisfying and gratifying ourselves, then there is no point in talking about spiritual direction. Of course, Islam tells us that self-control is just a beginning; it is for those people who are at the start of the journey. What we need to do is to transform our soul from one which has an interest in lower desires into a soul which instead has a yearning for good things. Then our soul itself becomes a helper and an assistant to us. But this is a matter of training and purifying the soul.

There is a beautiful story in the *Mathnawi* by Rumi which shows how the heart can be transformed in either a good way or a bad way. Rumi says that once there was a perfume market where every person who wanted to sell perfumes had a shop. As a result, whoever entered this bazaar would only sense the beautiful fragrance of perfumes. Everyone enjoyed it, especially the perfume sellers who of course are the best people to appreciate perfume due to their refined sense of smell, whereas we become confused after smelling too many different fragrances. But one day someone went to the bazaar with a horse and the horse dirtied the passageway of the bazaar. The people became very angry because they could not tolerate the bad smell but no-one had the strength to take the dirt outside. It was like torture for them. So someone suggested that they had better bring someone there whose job was to clean horses' stables. They went to ask a young man to help them. He said that of course he would be able to do this as this was his job and what he always did. But when he entered the

bazaar, before even reaching the dirty place, as soon as he smelt the fragrance of perfume he became unconscious because he was used to bad smells and so could not tolerate good fragrances.

In a similar way, on one hand, we find people who enjoy praying, who enjoy having some private time with God. And, on the other hand, we find people who become angry when they see you praying and it causes them pain. And when they see you go to the mosque or the church, they feel troubled by this. There is a hadith which says that a believer in the mosque is like a fish in water but when a hypocrite is in the mosque he feels like he is in prison and always wants to escape. So these are the different states of the soul that we can reach through self-training and self-purification.

### **Self-purification**

In the Glorious Qur'an, God emphasises the purification and purity of the human soul as follows:

وَ الشَّمْسِ وَ ضُحَاهَا وَ الْقَمَرَ إِذَا تَلَّاهَا وَ النَّهَارَ إِذَا جَلَّاهَا وَ اللَّيْلَ إِذَا  
يَغْشَاهَا وَ السَّمَاءَ وَ مَا بَنَاهَا وَ الْأَرْضَ وَ مَا طَحَاهَا وَ نَفْسَ وَ مَا سَوَّاهَا  
فَأَلْهَمَهَا فُجُورَهَا وَ تَقْوَاهَا قَدْ أَفْلَحَ مَنْ زَكَّاهَا وَ قَدْ خَابَ مَنْ دَسَّاهَا

I swear by the sun and its brilliance and the moon when it follows the sun and the day when it makes manifest the sun (and her beauty) and the night when it covers the sun and the heaven and Him who made it and the earth and Him who extended it and the soul and Him who made it

perfect, then He inspired it to understand what is right and wrong for it. He will indeed be successful who purifies it and he will indeed fail whoever pollutes and corrupts it. (91:1-10)

So, after swearing eleven times, after so much emphasis, God declares that the person who purifies his soul will be successful and whoever pollutes and corrupts his soul will fail. On the Day of Judgement there will be two groups of people: those who are prosperous and happy because they purified their soul and those who are in an unfortunate position because they were careless and negligent of their soul.

Purification of the soul is a prerequisite for closeness to God. Indeed, the whole point of morality and spirituality is to purify one's soul. It is only then that the soul starts shining, receiving and reflecting utmost radiation and light from God. If we want to meet God, Who is the Most Pure, then we need to achieve purity. It is impossible to be polluted and then try to go towards God. If we want to go somewhere where the people are smart, well-dressed and beautiful, then we too need to make ourselves clean and tidy, we should put on good clothes and thus make ourselves somehow compatible with them. Otherwise they will say that we will spoil their gathering and damage their reputation.

One of the main tasks of all the Prophets (a.s.) and a major aim behind all their endeavours in teaching the divine message was to help

people to purify their souls. Referring to the mission of the Prophet Muhammad (s.a.w.), the Glorious Qur'an says:

هُوَ الَّذِي بَعَثَ فِي الْأُمِّيِّينَ رَسُولًا مِنْهُمْ يَتْلُوا عَلَيْهِمْ آيَاتِهِ وَيُزَكِّيهِمْ وَيُعَلِّمُهُمُ  
الْكِتَابَ وَالْحِكْمَةَ وَإِنْ كَانُوا مِنْ قَبْلُ لَفِي ضَلَالٍ مُبِينٍ

He is the one who has sent amongst illiterate people an apostle from among themselves who recites to them His verses and purifies them and teaches them the Book and the wisdom. (62:2)

لَقَدْ مَنَّ اللَّهُ عَلَى الْمُؤْمِنِينَ إِذْ بَعَثَ فِيهِمْ رَسُولًا مِنْ أَنْفُسِهِمْ يَتْلُوا عَلَيْهِمْ آيَاتِهِ  
وَيُزَكِّيهِمْ وَيُعَلِّمُهُمُ الْكِتَابَ وَالْحِكْمَةَ وَإِنْ كَانُوا مِنْ قَبْلُ لَفِي ضَلَالٍ مُبِينٍ

Certainly God conferred a great favour upon the believers when He raised among them a Messenger from among themselves, reciting to them His verses and purifying them, and teaching them the Book and the wisdom, although before that they were surely in manifest error. (3:164)

كَمَا أَرْسَلْنَا فِيكُمْ رَسُولًا مِنْكُمْ يَتْلُوا عَلَيْكُمْ آيَاتِنَا وَيُزَكِّيكُمْ وَيُعَلِّمُكُمُ الْكِتَابَ  
وَالْحِكْمَةَ وَيُعَلِّمُكُم مِمَّا لَمْ تَكُونُوا تَعْلَمُونَ

As We sent to you an Apostle from among yourselves, who recites to you Our signs, and purifies you, and

teaches you the Book and wisdom, and teaches you what you did not know. (2:151)

Thus we see that one of the tasks of the Holy Prophet (s.a.w.), in addition to reciting the Qur'an and teaching the Qur'an and wisdom, was to help us to purify our souls. Indeed, the appointment of Prophet Muhammad (s.a.w.) for such tasks was an answer to the prayer of Abraham (a.s.) and Ishmael (a.s.) after they raised the foundations of the House (*ka'bah*):

وَ إِذْ يَرْفَعُ اِبْرٰهِيْمُ الْقَوَاعِدَ مِنَ الْبَيْتِ وَ اِسْمَاعِيْلُ رَبَّنَا تَقَبَّلْ مِنَّا اِنَّكَ اَنْتَ السَّمِيْعُ الْعَلِيْمُ رَبَّنَا وَ اجْعَلْنَا مُسْلِمِيْنَ لَكَ وَ مِنْ ذُرِّيَّتِنَا اُمَّةً مُسْلِمَةً لَكَ وَ اَرْسَلْنَا مِنْهُمْ اَنْبِيَاً عَلَيْنَا اِنَّكَ اَنْتَ التَّوَّابُ الرَّحِيْمُ رَبَّنَا وَ اِيعِزْ فِيْهِمْ رَسُوْلًا مِنْهُمْ يَتْلُوْا عَلَيْنَا آيٰتِكَ وَ يُعَلِّمُوْنَهُمُ الْكِتٰبَ وَ الْحِكْمَةَ وَ يُزَكِّيْهِمْ اِنَّكَ اَنْتَ الْعَزِيْزُ الْحَكِيْمُ

Our Lord! Accept from us; surely You are the Hearing, the Knowing....Our Lord! And raise up in them a Messenger from among them who shall recite to them Your verses and teach them the Book and the wisdom, and purify them; surely You are the Mighty, the Wise. (2:127-129)

Just imagine how wise Abraham was! How lovely his supplication was! In three places in the Qur'an, God says that He has sent the Holy Prophet (s.a.w.) to do the same thing that Abraham (a.s.) and Ishmael (a.s.) had wanted: to recite for the people the verses of the

divine Book, to teach them the divine Book and wisdom and to purify their souls. Of course, it must be God Himself who inspired them to pray in this way. God is so merciful that He first invites us to call Him, then He inspires us what to ask and then he answers our call and prayer.

Thus purification of the people was an important task for the Holy Prophet (s.a.w.) and, indeed, all the Prophets (a.s.). These verses clearly show the great significance of the task of purification of the soul. It is noteworthy that in the prayer of Abraham and Ishmael the request of teaching the Book and wisdom is mentioned before the purification, but in all the three places that God describes the mission of the Prophet Muhammad (s.a.w.), purification precedes teaching the Book and wisdom. This indicates the priority and great importance of purification. This also suggests that a prerequisite for learning the Book and wisdom is to be pure.

There are a number of sources of impurity. A major or the major source of impurity is the attachment to the materialistic life and worldly affairs to the extent that the Prophet Muhammad (s.a.w.) is quoted as saying:

حُبُّ الدُّنْيَا رَأْسُ كُلِّ خَطِيئَةٍ أَلَا تَرَى كَيْفَ أَحَبَّ مَا أَبْغَضَهُ اللَّهُ وَ أَيْ خَطِيئَةٍ  
أَشَدُّ جُرْمًا مِنْ هَذَا

The attachment to this world is the source for every wrong. Beware how the one who is attached to this world

has loved what God dislikes. What wrong can be a greater crime than this?<sup>1</sup>

The materialistic world (*dunya*) is the least important and valuable thing in the sight of God. To be attached to it and make it one's ultimate end in one's life is a grave mistake and impurity. Therefore, one of the major treatments of this problem and a crucial means of purification of the soul is to ask people to give alms. In some twenty verses of the Qur'an, giving alms (*al-zakat*) is mentioned right after establishing prayer (*iqamat a-salat*). For example, Allah (swt) says in the Qur'an:

وَ مَا أَمْرُوا إِلَّا لِيَعْبُدُوا اللَّهَ مُخْلِصِينَ لَهُ الدِّينَ حُنَفَاءَ وَيُقِيمُوا الصَّلَاةَ وَ  
يُؤْتُوا الزَّكَاةَ وَ ذَلِكَ دِينُ الْقِيَمَةِ

And they were not commanded except to worship God, dedicating their faith to Him as men of pure faith, and to maintain the prayer, and pay the zakat. That is the upright religion. (98:5)

Zakat is derived from the same root as *tazkiyah* (purification) i.e. *za-ka-wa* which means growth and purity. It has been suggested (*Lisan al-'Arab*, Vol. 14, p. 358) that the reason for calling alms "zakat" lies in the fact that paying zakat purifies one's money and possessions. It is also true that paying alms causes growth (*nama*) and blessing (*barakah*) in one's money and sustenance. It seems more reasonable to suggest

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<sup>1</sup> *Bihar al-Anwar*, Vol. 67, p. 309.

that the main reason for calling alms “zakat” is that it helps in purifying the soul by getting rid of the love for this world. This is why God says to the Prophet Muhammad (s.a.w.):

خُذْ مِنْ أَمْوَالِهِمْ صَدَقَةً تُطَهِّرُهُمْ وَتُزَكِّيهِمْ بِهَا وَصَلِّ عَلَيْهِمْ إِنَّ صَلَاتَكَ  
سَكَنٌ لَهُمْ وَاللَّهُ سَمِيعٌ عَلِيمٌ

Take charity from their possessions to cleanse them and purify them thereby, and bless them. Indeed your blessing is a comfort to them, and God is all-hearing, all-knowing. (9:103)

In this verse, instead of the term *zakat*, *sadaqah* (charity) is used. However, the same point is there: Giving money for the sake of God helps in purification of the giver.<sup>2</sup> Elsewhere the Qur’an says:

الَّذِي يُؤْتِي مَالَهُ يَتَزَكَّىٰ وَمَا لِأَحَدٍ عِنْدَهُ مِنْ نِعْمَةٍ تُجْزَىٰ إِلَّا ابْتِغَاءَ وَجْهِ  
رَبِّهِ الْأَعْلَىٰ وَالسَّوْفَىٰ يَرْضَىٰ

he who gives his wealth to purify himself and does not expect any reward from anyone, but seeks only the pleasure of his Lord, the Most Exalted, and, surely, soon he will be well-pleased. (92:18-21)

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<sup>2</sup> This in addition to the great emphasis that the Qur’an puts on giving alms shows that it is not just a linguistic point or an accident that paying zakat as a religious requirement and tazkiyah (purification of the people) as a major task of the Prophet are so closely linked to each other.

Thus when someone spends some money for the sake of God on things such as giving to the needy people or building places for common good such as Mosques, seminaries, schools and hospitals both giver and receiver benefit. However, the main beneficiary is the giver who is giving some money which is the least valuable thing in the sight of God and instead achieves purity and pleasure of God.

إِنَّمَا تُنذِرُ الَّذِينَ يَخْشَوْنَ رَبَّهُم بِالْغَيْبِ وَأَقَامُوا الصَّلَاةَ وَمَنْ تَزَكَّى فَإِنَّمَا يَتَزَكَّى لِنَفْسِهِ وَإِلَى اللَّهِ الْمَصِيرُ

... You can only warn those who fear their Lord in secret, and maintain the prayer. Whoever seeks purification for himself, seeks purification only for his own sake, and to God is the return. (35:18)

## Conclusion

It is a basic fact that we must have self-control. There can be no spirituality without self-discipline. We cannot develop ourselves by simply doing what we wish and satisfying and gratifying our soul. Of course, Islam tells us that self-control is just a beginning. What we need to do is to transform our soul from one which has an interest in lower desires into a soul which instead has a yearning for good things. By training and purifying our souls, our soul itself becomes a helper and an assistant to us. A major task of the Prophets and in particular the Prophet Muhammad (s.a.w.) was to help people to purify

themselves. The reason for such a great emphasis on self-purification is the fact that God is the Most Pure and the Most Perfect and it is only by purification of the soul that we can achieve our ambition of getting close to Him. One major way of purification is to get rid of attachment to the materialistic life by giving out one's own money for the sake of God.

## The Prophetic Hadiths in *Al-Khisal*

Mohammad Javad Shomali

*Al-Khisal* (lit. traits of character) of Shaykh Saduq is one of the most valuable early sources of hadiths (narrations) from Prophet Muhammad and his household. Shaykh Saduq, Muhammad b. Babawayh al-Qummi (d.329/940), was an outstanding jurist and a prominent scholar of hadith. He was given the title “*Imad Al-Din*” by Shaykh Tusi.

In *Al-Khisal*, Shaykh Saduq has prepared a collection of traditions in an interesting way. The main themes of the traditions are ethics, manners and good characteristics. All the traditions are presented with a complete record of transmission. Furthermore, they are divided into different groups according to numbers e.g. all the traditions related to the number one are gathered in one part then traditions related to number two and so on. It starts with one and ends with one million. *Al-Khisal* seems to be the first on record to be compiled with this style. Moreover, *Al-Khisal* is a great encyclopedia on Islamic knowledge and many authoritative works on Shi'ite traditions such as *Bihar Al-Anwar* have cited it as a reference.

The following article is a collection of traditions from the Prophet, selected from Parts One to Twelve of *Al-Khisal*.

### **Characteristics related to the Number One**

#### **► Abandoning the present to attain the promised**

طوبى لمن ترك شهوة حاضرة لموعد لم يره

Blessed be the one who abandons a current tangible desire to attain an unseen promised reward.<sup>1</sup>

#### **► A believer's honor is in one practice and his glory is in one characteristic**

It is reported from Prophet Muhammad (S) that the Gabriel went to him and said:

جاء جبرئيل عليه السلام إلى النبي صلى الله عليه و آله فقال: "يا محمد  
عش ما شئت فانك ميت و احبب ما شئت فانك مفارقه و اعمل ما شئت  
فانك مجزى به و اعلم ان الشرف الرجل قيامه بالليل و عزه استغناؤه  
عن الناس."

O Muhammad! Live for as long as you want. You will finally die. Love whatever you want. You will finally be separated from it. Do whatever you want. You will finally be rewarded for it. Know that a man's honour is in his

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<sup>1</sup> P. 2, No. 21.

staying up at night and his dignity is in his independence from people.<sup>2</sup>

► **A characteristic that constitutes half of the religion**

حسن الخلق نصف الدين

Being good-tempered constitutes half of the religion.<sup>3</sup>

► **A characteristic that is the best thing given to a Muslim**

قيل لرسول الله صلى الله عليه و آله: "ما افضل ما اعطى المرء المسلم؟"  
قال: "الخلق الحسن".

God's Prophet was asked: "What is the best thing given to a Muslim?" He replied: "A good temper".<sup>4</sup>

**Characteristics related to the Number Two**

► **Two blessings which are normally taken for granted**

نعمتان مكفورتان: الامن والعافية

Two blessings are taken for granted, security and health.<sup>5</sup>

► **There is no good in this life except for two kinds of men**

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<sup>2</sup> P. 29, No 20.

<sup>3</sup> P. 69, No 106.

<sup>4</sup> Ibid. No 107.

<sup>5</sup> P. 74, No 5.

لا خير في العيش الا لرجلين: عالم مطاع، أو مستمع واع

There is no good in this life except for two kinds of men: a knowledgeable one who is obeyed and an obedient student.<sup>6</sup>

► **Seek refuge from two characteristics**

قال رسول الله صلى الله عليه و آله أعوذ بالله من كفر و الدين، قيل يا رسول الله أيعدل الدين بالكفر؟ فقال نعم

God's Prophet (S) said: "I seek refuge in God from disbelief and debt." He was told, "O Prophet of God! Is debt equal to disbelief?" He replied: "Yes".<sup>7</sup>

► **Whoever possesses two characteristics is a true believer**

من و اسى الفقير و انصف الناس من نفسه فذلك مومن حقا

Whoever is sympathetic with the poor and treats the people fairly is a true believer.<sup>8</sup>

► **Saying what is right under two conditions**

ما انفق مؤمن من نفقة هي احب الى الله عز و جل من القول الحق في الرضا و الغضب.

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<sup>6</sup> P. 85, No 28.

<sup>7</sup> P. 91, No 39.

<sup>8</sup> P. 95, No 48.

Nothing that a believer does is more loved by God, the Honourable and Exalted, than saying what is right whether he is pleased or angry.<sup>9</sup>

► **Two characteristics loved by God in the Heavens and by the people on Earth**

قال رجل للنبي صلى الله عليه و آله: "يا رسول الله علمنى شيئا إذا أنا فعلته أحببني الله من السماء و أحببني الناس من الارض" فقال له: "ارغب فيما عند الله عز و جل يحبك الله و ازهد فيما عند الناس يحبك الناس."

A man asked the Prophet (S): "O Prophet of God! Please let me know something which I can do to be loved by God in the Heavens and by the people on Earth." The Prophet (S) told him: "Be inclined to what belongs to God to be loved by God, the Honourable and Exalted, and abstain from what belongs to people to be loved by people."<sup>10</sup>

► **Jealousy is not proper except in two circumstances**

لا حسد الا فى اثنتين رجل آتاه الله مالا فهو ينفق منه آثناء الليل و آثناء النهار و رجل آتاه الله القرآن فهو يقوم به آثناء الليل و آثناء النهار

It is not proper to be jealous except in two circumstances.  
The first case is to be jealous of a man to whom God has

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<sup>9</sup> P. 121, No 82.

<sup>10</sup> Ibid. No 84.

granted things and he gives some of them in charity day and night. The second case is to be jealous of a man to whom God has granted the Qur'an and he recites it during the day and the night.<sup>11</sup>

### ► Two fears and two securities

قال الله تبارك و تعالى و عزتى و جلالى لا أجمع على عبدى خوفين و لا أجمع له أمنين، فاذا أمننى فى الدنيا أخفته يوم القيامة و إذا خافنى فى الدنيا أمنته يوم القيامة.

God's Prophet (S) said: "God the Blessed and the Sublime swore by his Honour and Grandeur that He would not give His servants two fears and two securities. If a person is not afraid of Me in this world, I will scare him on the Day of Resurrection and if he is afraid of Me in this world, I will make him secure on the Day of Resurrection."<sup>12</sup>

### ► Two things improve this nation and two destroy it

إن صلاح أول هذه الأمة بالزهد واليقين و هلاك آخرها بالشح و الامل.

The two things that made early generation(s) of this nation happy are abstinence and certitude, and the two

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<sup>11</sup> P. 143, No 119.

<sup>12</sup> P. 147, No 127.

things that would destroy the ending generation(s) of this nation are stinginess and having high aspirations.<sup>13</sup>

### Characteristics related to the Number Three

#### ► Three characteristics, each of which would cause one to be under the Shade of God's Throne

ثلاث خصال من كن فيه أو واحدة منهن كان في ظل عرش الله عز و جل {يوم القيامة} يوم لا ظل الا ظله: رجل أعطى الناس ما سألهم لها و رجل لم يقدم رجلا و لم يؤخر اخرى حتى يعلم أن ذلك لله فيه رضى أو سخط و رجل لم يعب أخاه المسلم بعيب حتى ينفى ذلك العيب من نفسه فانه لا ينفى منها عيبا إلا بدا له عيب و كفى بالمرء شغلا بنفسه عن الناس

There are three qualities having each of which would cause one to be under the Shade of God, the Honourable and Exalted, (on the Resurrection day) on the day in which there is no shade but God's Shade. The first characteristic is to grant people what you expect of them. The second characteristic is to only do what pleases God, and not do what would provoke God's Wrath. The third characteristic is not to express the faults of one's Muslim brothers in their absence, unless one first removes such faults from himself. It is better to attend to the

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<sup>13</sup> P. 147, No 128.

improvement of one's own faults than to seek out other people's faults.<sup>14</sup>

► **Whoever possesses three characteristics has perfect faith**

ثلاث خصال من كن فيه استكمل خصال الايمان: الذى إذا رضى لم يدخله رضاه فى إثم و لا باطل و إذا غضب لم يخرجه الغضب من الحق و إذا قدر لم يتعاط ما ليس له.

There are three characteristic which if possessed would perfect one's faith. When one is pleased, his pleasure does not lead him into sin and wrongful deeds; when one is angered, his anger does not lead him away from what is right; and when one is in power, his power does not lead him to acquire what does not rightfully belong to him.<sup>15</sup>

► **Having three characteristics is enough for one to be bad**

إن أسرع الخير ثوابا البر و إن أسرع الشر عقابا البغى و كفى بالمرء عيبا أن ينظر من الناس إلى ما يعمى عنه من نفسه و يعبر الناس بما لا يستطيع تركه و يؤذى جليسه بما لا يعنيه.

Indeed the reward of doing good to others will arrive much faster than any good deeds, the punishment for doing wrong to others will arrive much faster than any evil deeds. Having three characteristics is enough for one

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<sup>14</sup> P. 148, No 3.

<sup>15</sup> P. 188, No 66.

to be considered imperfect: paying attention to other people's faults while ignoring your own; admonishing others against evil deeds without being able to abandon them yourself and hurting your companion for nothing.<sup>16</sup>

### ► Three characteristics without which you are not from God or the Prophet

"ثلاث لم تكن فيه فليس منى و لا من الله عز و جل" قيل: "يا رسول الله و ما هن؟" قال: "حلم يرد به جهل الجاهل و حسن خلق يعيش به فى الناس و ورع يحجزه عن معاصى الله عز و جل."

God's Prophet (S) said: "There are three characteristics which if not possessed then one is neither from me nor from God, the Honourable and Exalted." The Prophet (S) was asked: "O Prophet of God! What are they?" The Prophet (S) replied: "Patience by which you forgive the ignorance of those who are ignorant, being good-tempered with people and piety which restrains you from rebelling against God, the Honourable and Exalted."<sup>17</sup>

### ► Three things to respect and safeguard for God's sake

إن الله حرّمات ثلاث من حفظهن حفظ الله له أمر دينه و دنياه و من لم يحفظهن لم يحفظ الله له شيئاً: حرمة الاسلام و حرمتى و حرمة عترتى.

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<sup>16</sup> P. 196, No 81.

<sup>17</sup> P. 253, No 172.

There are three things to respect so that God will protect your faith and your worldly affairs. And if you disrespect them, God will not protect anything for you. These three things to respect are Islam, me and my *'Itrat* (household).<sup>18</sup>

► **Reality of one's faith can be proved by having three characteristics**

قال أبو جعفر عليه السلام: "بيننا رسول الله صلى الله عليه وآله ذات يوم في بعض أسفاره إذ لقيه ركب فقالوا: السلام عليك يا رسول الله فالتفت إليهم فقال: ما أنتم؟ قالوا: مؤمنون، قال: فما حقيقة إيمانكم؟ قالوا: الرضا بقضاء الله والتسليم لأمر الله والتقويض إلى الله، فقال رسول الله صلى الله عليه وآله: علماء حكماء كادوا أن يكونوا من الحكمة أنبياء، فإن كنتم صادقين فلا تبنوا ما لا تسكنون ولا تجمعوا ما لا تاكلون واتقوا الله الذي إليه ترجعون"

Abu Ja'far Al-Baqir said: "God's Apostle (S) encountered a group of riders during one of his journeys. They greeted him and he asked them who they were. They said they were believers. The Apostle (S) asked them about the proof of the reality of their faith. They replied 'Contentment with what God has destined, entrusting ourselves to God, and submitting to God's orders.' Then God's Apostle (S) said, "These are wise and

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<sup>18</sup> Ibid. No 173.

knowledgeable people with such a high rank, near that of the Prophets.' Then he faced them and said, 'If you are truthful, do not build what you shall not reside in, do not collect what you shall not eat and fear God to whom you shall return.'" <sup>19</sup>

► **Faith consists of three things**

الايمان معرفة بالقلب و إقرار باللسان و عمل بالاركان

Faith consists of whole-hearted acceptance, verbal expression and acting accordingly.<sup>20</sup>

► **It is not allowed for one not to be on speaking terms with one's Muslim brother for more than three days**

لا يحل للمسلم أن يهجر أخاه فوق ثلاث

It is not allowed for one not to be on speaking terms with one's Muslim brother for more than three days.<sup>21</sup>

**Characteristics related to the Number Four**

► **Four characteristics that can make one stay in God's light**

أربع من كن فيه كان في نور الله الاعظم: من كانت عصمة أمره شهادة أن لا إله إلا الله وأنى رسول الله ومن إذا إصابته مصيبة قال: إنا لله و إنا

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<sup>19</sup> P. 255, No 175.

<sup>20</sup> P. 299, No 239.

<sup>21</sup> P. 305, No 250.

إليه راجعون و من إذا أصاب خيرا قال: الحمد لله رب العالمين و من إذا أصاب خطيئة قال: أستغفر الله وأتوب إليه.

God's Prophet (S) said: "Whoever has the following four characteristics is in the Greatest Light of God: 1- Witnessing to God's Unity and my Prophethood prevents him from committing sins 2- Saying '*from God we are and to Him we return*' in times of calamity 3- Saying '*praise be to the Lord of the two worlds*' when he receives some blessings 4- Saying '*I ask for forgiveness from Allah and repent to him*' whenever he commits a sin."<sup>22</sup>

#### ► Four things that the nation should always do

يلزم الحق لامتى فى أربع: يحبون الثائب ويرحمون الضعيف و يعينون المحسن و يستغفرون للمذنب

My nation should always do the following four things: 1- They should love those who repent. 2- They should be sympathetic with the weak. 3- They should help good-doers. 4- They should ask for forgiveness for sinners.<sup>23</sup>

#### ► Four signs of misery

يا على أربع خصال من الشقاء: جمود العين و قساوة القلب و بعد الامل و حب البقاء.

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<sup>22</sup> P. 365, No 49.

<sup>23</sup> P. 391, No 88.

O Ali! The following are among the signs of misery: solidity of the eye (inability to cry), hard-heartedness, being too ambitious and love for a very long life.<sup>24</sup>

► **One cannot move on the Resurrection Day until asked about four things**

لا تزول قدما عبد يوم القيامة حتى يسأل عن أربع، عن عمره فيما أفناه و{عن} شبابيه فيما أبلاه وعن المال من أين اكتسبه و فيما أنفقه وعن حبنا أهل البيت.

A servant of God will be asked about four (things) on the Resurrection Day before he can move: how he spent his lifetime, what he used his youth for, how he earned his income and how he spent it and about his love for us, the members of the Holy Household.<sup>25</sup>

► **Four characteristics of a hypocrite**

أربع من كن فيه فهو منافق وإن كانت فيه واحدة منهن كانت فيه خصلة من النفاق حتى يدعها: من إذا حدث كذب وإذا وعد أخلف وإذا عاهد غدر وإذا خاصم فجر.

Whoever possesses four characteristics is a hypocrite. Even if one has only one of these characteristics he is a hypocrite, unless he gives up that characteristic. One who

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<sup>24</sup> P. 395, No 97.

<sup>25</sup> P. 411, No 125.

lies when he talks, one who breaks his promise, one who breaks his pledges and one who cheats when he fights.<sup>26</sup>

## Characteristics related to the Number Five

### ► A businessman must avoid five things

من باع واشترى فليجتنب خمس خصال وإلا فلا يبيعن ولا يشتريين: الربا والحلف وكنتمان العيب والمدح إذا باع و الذم إذا اشترى

Whoever engages in buying and selling should avoid the following five things; otherwise he must not do any business. They are as follows: usury, swearing at something or someone, covering up the defects of his goods, praising goods while selling them and finding faults (undervaluing) with goods while buying them.<sup>27</sup>

### ► Requirements of knowledge

جاء رجل إلى النبي صلى الله عليه و آله فقال: "يا رسول الله ما العلم؟" قال: "الانصات"، قال: "ثم مه؟" قال: "الاستماع له"، قال: "ثم مه؟" قال: "الحفظ له"، قال: "ثم مه؟" قال: "العمل به"، قال: "ثم مه؟" قال: "ثم نشره"

A man asked the Prophet (S): "O Prophet of God! What is (the requirement of) knowledge?" The Prophet (S) replied: "Silence." The man asked: "What is next?" The

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<sup>26</sup> P. 413, No 129.

<sup>27</sup> P. 463, No 39.

Prophet (S) replied: "Listening to knowledge (i.e. those who are knowledgeable)." The man asked: "And what is next?" The Prophet (S) replied: "Remembering it." The man asked: "And what is next?" The Prophet (S) replied: "Acting upon it." The man asked: "And what is next?" The Prophet (S) said: "Spreading and sharing it with others."<sup>28</sup>

► **The best of people are those who do five deeds**

سئل رسول الله صلى الله عليه و آله عن خيار العباد، فقال: "الذين إذا أحسنوا استبشروا وإذا أسأؤوا استغفروا وإذا أعطوا شكروا وإذا ابتلوا صبروا وإذا غضبوا غفروا"

The Prophet of God (S) was asked about the best of people. He replied: "They are the ones who rejoice when they do good and repent when they do evil. They thank you when you do something good for them and persevere in the face of calamities. They forgive (others) when they get angry."<sup>29</sup>

**Characteristics related to the Number Six**

► **If you do six things, you would be admitted to Paradise**

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<sup>28</sup> P. 465, No 44.

<sup>29</sup> P. 515, No 100.

تقبلوا لى بست أتقبل لكم بالجنة: إذا حدثتم فلا تكذبوا وإذا وعدتم فلا تخلفوا وإذا ائتمتم فلا تخونوا وعضوا أبصاركم و احفظوا فروجكم و كفوا أيديكم وألسنتكم.

Promise me that you will do the following six things and then I will promise you that you will go to Paradise. Do not lie when you quote something. Never break your promise. Return what you are entrusted with. Do not look at what is forbidden to see. Guard your modesty. Do not bother people physically or verbally.<sup>30</sup>

#### ► Six forms of chivalry

ست من المروءة □: ثلاث منها فى الحضر وثلاث منها فى السفر، فأما التى فى الحضر: فتلاوة كتاب الله عز و جل و عمارة مساجد الله واتخاذ الاخوان فى الله عز و جل وأما التى فى السفر: فبذل الزاد وحسن الخلق والمزاح فى غير المعاصى"

There are six forms of chivalry. Three of them are for when you are at home and three others are for when you are travelling. The three for when you are at home are: reciting the book of God the Honourable and Exalted, developing and promoting God's Mosques and making friends for the sake of God, the Honourable and Exalted. The three for when you are travelling are: to give to others from your own travel provisions, being good-

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<sup>30</sup> P. 521, No 5.

tempered and joking regarding things other than acts of disobedience.<sup>31</sup>

► **Seek refuge from six characteristics**

كان رسول الله صلى الله عليه و آله يتعوذ في كل يوم من ست {خصال} من الشك و الشرك و الحمية و الغضب و البغى و الحسد.

God's Prophet (S) used to seek refuge from six characteristics every day: doubt, associating partners with God, bias, anger, injustice and jealousy.<sup>32</sup>

► **Six rights of a quadruped incumbent upon its owner**

للدابة على صاحبها ست خصال: يبدأ بعلفها إذا نزل ويعرض عليها الماء إذا مر به ولا يضرب وجهها فإنها تسبح بحمد ربها ولا يقف على ظهرها إلا في سبيل الله عز و جل ولا يحملها فوق طاقتها ولا يكلفها من المشى إلا ما تطيق.

A quadruped has six rights incumbent upon its owner. When he stops, he should feed it first. He should give it water whenever it passes by water. He should not hit it on the face, since it glorifies God with its face. He should not ride on its back, unless it is in the way of God. He

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<sup>31</sup> P. 525, No 11.

<sup>32</sup> P. 533, No 24.

should not overload it beyond its capability. He should not force it to walk more than it can.<sup>33</sup>

### ► There are six who are damned

سنة لعنهم الله وكل نبي مجاب: الزايد في كتاب الله والمكذب بقدر الله والتارك لسنتي والمستحل من عترتي ما حرم الله و المتسلط بالجبروت ليدل من أعزه الله و يعز من أذله الله والمستأثر بفيء المسلمين المستحل له.

There are six groups of people who are damned by God and all the Prophets (whose calls are accepted): Those who add to any divine book, those who deny the divine decree, those who abandon my Sunnah (Traditions), those who allow what God has forbidden regarding my *Itrat*, those who take power by force to debase those whom God has honoured and honour those whom God has debased, those who misappropriate public money that belong to all Muslims.<sup>34</sup>

### Characteristics related to the Number Seven

#### ► Blessed be those who believe without having seen the Prophet

طوبى لمن رآنى و آمن بى، ثم طوبى يقولها سبعا لمن لم يرنى و آمن بى.

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<sup>33</sup> P. 535, No 28.

<sup>34</sup> P. 549, No 42.

"Blessed be those who meet me and believe." Then the Prophet added: "Blessed be those who believe in me without having seen me." He then repeated it seven times.<sup>35</sup>

### ► Seven people who will be in the shade of God's Throne on Resurrection Day

سبعة في ظل عرش الله عز وجل يوم لا ظل إلا ظله: إمام عادل و شاب نشأ في عبادة الله عز وجل ورجل تصدق بيمينه فأخفاه عن شماله و رجل ذكر الله عز وجل خاليا ففاضت عيناه من خشية الله عز وجل و رجل لقي أخاه المؤمن فقال: إني لأحبك في الله عز وجل و رجل خرج من المسجد وفي نيته أن يرجع إليه و رجل دعته امرأة ذات جمال إلى نفسها فقال: إني أخاف الله رب العالمين.

Seven people will be in the Shade of God, the Honourable and Exalted 's Throne on the day in which there is no shade except for His Shade: just leaders, young people who have grown up in the worship of God, men who give charity in private such that even their left hands do not realize what they gave with their right hands (stressing the fact that they give charity in such a way that no one else sees it), men who remember God, the Honorable and Exalted when they are alone and cry due to fear of God, the Honourable and Exalted, men who

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<sup>35</sup> P. 555, N o 6.

upon seeing their believing brethren say, 'I like you for the sake of God, the Honorable and Exalted ', men who intend to return to the Mosque whenever they leave it, men who when enticed by a beautiful woman do not accept her invitation and say that they fear the Lord of all the worlds."<sup>36</sup>

► **God's Prophet (S) gave Abu Dharr seven pieces of advice**

قال أبي ذر رحمة الله عليه قال: "أوصاني رسول الله بسبع أوصاني أن أنظر إلى من هو دوني و لا أنظر إلى من هو فوقى وأوصاني بحب المساكين و الدنو منهم وأوصاني أن أقول الحق و إن كان مرا وأوصاني أن أصل رحمى و إن أدبرت و أوصاني أن لا أخاف فى الله لومة لائم وأوصاني أن أستكثر من قول "لا حول و لا قوة إلا بالله {العلى العظيم}" فانها من كنوز الجنة"

Abu Dharr said: "God's Prophet (S) gave me seven pieces of advice. He advised me to always consider the situation of people who are in a worse position (less affluent) than I am. The Prophet (S) advised me never to consider the situation of those who are in a better position (more affluent) than I am. The Prophet (S) advised me to like the poor and associate with them. The Prophet (S) advised me to tell the truth even though it may be unpleasant. The Prophet (S) advised me to visit my

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<sup>36</sup> P. 554, N o 8.

relatives, even if they have cut off relations with me. The Prophet (S) advised me not to fear the blame of those who blame me for the sake of God. The Prophet (S) advised me to often say "There is neither any power nor any strength except with God, the Sublime, the Great" as it is one of the treasures of Paradise."<sup>37</sup>

► **The belief of one who has seven characteristics is complete**

قال النبي صلى الله عليه وآله في وصيته لعلي عليه السلام: "يا علي، سبعة من كن فيه فقد استكمل حقيقة الايمان وأبواب الجنة مفتحة له: من أسبغ وضوءه وأحسن صلاته وأدى زكاة ماله وكف غضبه وسجن لسانه واستغفر لذنبه وأدى النصيحة لأهل بيت نبيه."

God's Prophet (S) told Ali b. Abi Talib (A): "O Ali! The belief of one who has the following seven characteristics is complete and the gates of Paradise shall open up for him: to perform the (ritual) ablution properly, to say the prayers properly, to pay the alms, to quench one's anger, to control one's tongue, to seek God's forgiveness for sins and to (follow and) wish good for the Prophet's Household."<sup>38</sup>

► **God would send seven calamities upon people if He gets angry with them and yet does not destroy them**

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<sup>37</sup> P. 559, N o 12.

<sup>38</sup> P. 559, N o 14.

إذا غضب الله عزوجل على امة ولم ينزل بها العذاب غلت أسعارها وقصرت أعمارها ولم تريح تجارها ولم تترك ثمارها ولم تغزر أنهارها وحبس عنها أمطارها وسلط عليها (أ) شرارها.

If God, the Honourable and Exalted, becomes angry with a nation and does not destroy them, He will bring about inflation, shorten their lives, bring loss to their trade, reduce the amount of fruit grown on their trees, reduce the amount of water flowing in their streams, withhold rain from them and wicked ones will prevail over them.<sup>39</sup>

► **Love for the Prophet and his Household (pbut) is beneficial on seven occasions**

حبي وحب أهل بيتي نافع في سبعة مواطن، أهوالهن عظيمة: عند الوفاة وفي القبر وعند النشور وعند الكتاب وعند الحساب وعند الميزان وعند الصراط.

Love for me and my Household would be beneficial on seven occasions: at the time of death, in the grave, at the time of Resurrection, at the time of receiving one's record of deeds, at the time of reckoning, at the time of examining good and bad deeds and at the time of crossing the Bridge.<sup>40</sup>

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<sup>39</sup> P. 585, N o 49.

<sup>40</sup> P. 585, N o 50.

## Characteristics related to the Number Eight

### ► A believer should have eight characteristics

قال النبي صلى الله عليه وآله في وصيته لعلی علیه السلام: "يا علي ينبغي أن يكون في المؤمن ثمان خصال: وقار عند الهزاهز و صبر عند البلاء و شكر عند الرخاء و قنوع بما رزقه الله لا يظلم الاعداء ولا يتحامل للاصدقاء و بدنه منه في تعب و الناس منه في راحة.

God's Prophet (S) told Ali b. Abi Talib (A): "O Ali! A believer should have eight characteristics: 1- He should maintain his dignity when calamities befall him. 2- He should be patient when he is in trouble. 3- He should be grateful when he has plenty of blessings. 4- He should be content with his share of God-given daily bread. 5- He should not oppress his enemies. 6- He should not be a burden on his friends. 7- He should use his body (to perform his duties). 8- People should be safe from him."<sup>41</sup>

### ► Those who go to the Mosque often shall acquire one of eight characteristics

من أدمن الاختلاف إلى المساجد أصاب إحدى الثمان: أخا مستقادا في الله عزوجل أو علما مستظرفا أو كلمة تدله على هدى أو اخرى تصرفه عن الردى أو رحمة منتظرة أو ترك الذنب حياء أو خشية."

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<sup>41</sup> P. 675, N o 2.

Those who go to the Mosque often shall acquire one of the following eight characteristics: brotherhood for the sake of God, the Honourable and Exalted, new knowledge, a word of guidance, a word which may save him from destruction, an awaited mercy or abandonment of sins out of shyness or fear.<sup>42</sup>

► **The eight classes of people who should blame no one but themselves if they are insulted**

قال النبي صلى الله عليه وآله في وصيته لعلي عليه السلام: "يا علي ثمانية إن اهينوا فلا يلوموا إلا أنفسهم: الذاهب إلى مائدة لم يدع إليها والمتأمر على رب البيت وطالب الخير من أعدائه وطالب الفضل من اللئام والداخل بين اثنين في سر لهم لم يدخله فيه والمستخف بالسلطان والجالس في مجلس ليس له بأهل والمقبل بالحديث على من لا يسمع منه."

God's Prophet (S) told Ali b. Abi Talib (A): "O Ali! The following eight have no one but themselves to blame if they are insulted: those who attend a banquet without being invited, those who order their hosts around at a party, those who expect goodness from their enemies, those who seek favours from lowly people, those who interfere in other people's private affairs without being asked to do so, those who mock rulers, those who sit in a

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<sup>42</sup> P. 681, N o 12.

position which they do not deserve and those who converse with people who do not listen to them" <sup>43</sup>

## Characteristics related to the Number Nine

### ► God granted the followers of Ali (A) nine characteristics

قال جابر بن عبدالله الانصاري: "كنت ذات يوم عند النبي صلى الله عليه واله إذ أقبل بوجهه على علي بن أبي طالب عليه السلام فقال: ألا أبشرك ياأبا الحسن فقال: بلى يا رسول الله، فقال: هذا جبرئيل يخبرني عن الله جل جلاله أنه قد أعطى شيعتك ومحبيك تسع خصال: الرفق عند الموت والانس عند الوحشة والنور عند الظلمة والامن عند الفزع والقسط عند الميزان والجواز على الصراط و دخول الجنة قبل سائر الناس و نورهم يسعى بين أيديهم وبأيمنهم."

Jabir Abdullah al-Ansari reports that one day he was with the Prophet (S) when he turned his face towards Ali b. Abi Talib (A) and said: "O Aba al-Hasan! Do you want me to give you glad tidings?" Ali (A) said: "Yes, O Prophet of God!" The Prophet continued: "God – may His Majesty be Exalted – informed me through Gabriel that He granted nine things to your followers and lovers. They will have: 1- gentle treatment at the time of death, 2- a companion at times of fear, 3- light at times of darkness, 4- security at the time of Resurrection, 5- justice at the time of Reckoning, 6- permission to pass through

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<sup>43</sup> P. 681, N o 13.

the bridge (to Heaven), 7- entry to Heaven before other people, 8- with the light (of their faith) shining in front of them and 9- on their right side."<sup>44</sup>

## Characteristics related to the Number Ten

### ► Ten characteristics which are due to nobility

عن أبي عبدالله الصادق عليه السلام: "أن الله تبارك وتعالى خص رسول صلى الله عليه واله بمكارم الاخلاق فامتحنوا أنفسكم فإن كانت فيكم فاحمدوا الله عزوجل وارغبوا إليه في الزيادة منها، فذكرها عشرة: اليقين والقناعة والصبر والشكر والرضا وحسن الخلق والسخاء والغيرة والشجاعة والمروءة.

Aba Abdullah Sadiq (A) said: "Indeed God, the Blessed and Sublime, has granted God's Prophet (S) noble characteristics. Examine yourselves. If you have them, praise God, the Honourable and Exalted, and ask Him for their increase. Then Imam Sadiq (A) mentioned the following ten: certitude, contentment, perseverance, gratitude, contentedness, being good-tempered, generosity, zeal, bravery and chivalry."<sup>45</sup>

### ► A believer without ten characteristics is not intelligent

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<sup>44</sup> P. 678, N o 2.

<sup>45</sup> P. 719, N o 12.

لم يعبد الله عزوجل بشئ أفضل من العقل ولا يكون المؤمن عاقلا حتى يجتمع فيه عشر خصال: الخير منه مأمول والشر منه مأمون، يستكثر قليل الخير ممن غيره ويستقل كثير الخير من نفسه ولا يسأم من طلب العلم طول عمره ولا يتيرم بطلاب الحوائج قبله، الذل أحب إليه من العز والفقر أحب إليه من الغنى، نصيبه من الدنيا القوت والعاشرة وما العاشرة لا يرى أحدا إلا قال هو خير مني وأتقى، إنما الناس رجالان فرجل هو خير منه وأتقى وآخر هو شر منه وأدنى، فاذا رأى من هو خير منه وأتقى تواضع له ليلحق به وإذا لقي الذي هو شر منه وأدنى قال: عسى خير هذا باطن وشره ظاهر وعسى أن يختم له بخير، فاذا فعل ذلك فقد علا مجده وساد أهل زمانه.

God, the Honourable and Exalted, has not been worshipped by anything better than the intellect. A believer is not intelligent unless he has ten characteristics: Good is expected from him. Evil is not expected from him (people should feel safe from his wickedness). He values highly whatever goodness he receives from others and undervalues whatever goodness he does for people. He does not become tired of acquiring knowledge throughout his lifetime. He does not become fed up due to the requests of the needy ones from him. Humbleness should be better in his opinion than pride. Poverty should be better in his opinion than being wealthy. His share of this world should only be his daily sustenance. The tenth characteristic which is extremely important is that he should consider everyone he sees to be more pious and

better than himself. Indeed people are only of two kinds. The first group are those who are really better than he is, and the second group are those who are more wicked than he is. He should be humble when he meets someone who is better and more pious than himself, until he attains his rank. If he meets someone who is apparently more wicked than himself, he should say may be in reality I am more wicked than him or may be that person is a good person so as to end up with a better condition of faith and piety. Should he behave this way, he will become honourable and will prevail over people of his own time.<sup>46</sup>

### ► Islam is founded upon ten pillars

بني الاسلام على عشرة أسهم: على شهادة أن لا إله إلا الله وهي الملة والصلاة وهي الفريضة والصوم وهو الجنة والزكاة وهي الطهر والحج وهي الشريعة والجهاد وهو الغزو (العز) والامر بالمعروف وهو الوفاء والنهي عن المنكر وهو الحجة والجماعة وهي الالفة والعصمة وهي الطاعة.

Islam is founded upon ten pillars which are as follows: bearing witness that 'There is no god but God' – that is the basis of a Muslim's faith, prayer which is an obligatory deed, fasting which is a shield against the fire, payment of the alms which purifies one's possessions, going on the

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<sup>46</sup> P. 721, N o 17.

*Hajj* pilgrimage which is a decree, participating in struggle for the sake of God which is to fight (alternative version: an honour), enjoining to do good deeds which is persistence in belief, prohibiting the bad which is giving an ultimatum, attending congregational prayers which results in mutual sympathy and avoiding sins which is the basis of obedience.<sup>47</sup>

### Characteristics related to the Number Eleven

#### ► The Night of Qadr and the eleven leaders from progeny of Ali b. Abi Talib

قَالَ رَسُولُ اللَّهِ ص لِأَصْحَابِهِ آمِنُوا بِلَيْلَةِ الْقَدْرِ إِنَّهَا تَكُونُ لِعَلِيِّ بْنِ أَبِي طَالِبٍ وَوَلَدِهِ الْأَحَدَ عَشَرَ مِنْ بَعْدِي

The Apostle of God told his companions: “Believe in the Night of Qadr as that belongs to Ali b. Abi Talib and eleven of his progeny after me.”<sup>48</sup>

There are many hadiths on the relation between the Night of Qadr and the divinely appointed leader of every age. Shaykh Saduq also reports that Imam Ali (A) told Ibn Abbas: “Indeed there is the Night of Qadr every year. On this night the affairs for the whole year descend. After the Apostle of God there are people who are in charge

<sup>47</sup> P. 745, N o 48.

<sup>48</sup> أَنْ أَمِيرَ الْمُؤْمِنِينَ ع قَالَ لِابْنِ عَبَّاسٍ إِنَّ لَيْلَةَ الْقَدْرِ فِي كُلِّ سَنَةٍ وَ إِنَّهُ يَنْزِلُ فِي تِلْكَ اللَّيْلَةِ أَمْرُ السَّنَةِ وَ لِذَلِكَ الْأَمْرُ وَلِأَنَّ بَعْدَ رَسُولِ اللَّهِ ص فَقَالَ ابْنُ عَبَّاسٍ مَنْ هُمْ قَالَ أَنَا وَ أَحَدَ عَشَرَ مِنْ صُلْبِي أَيْمَةٌ مُحَدَّثُونَ. ( P. ) (807, No 49)

of those affairs”. Ibn Abbas asked: “Who are they?” Imam Ali replied: “Me and eleven people from my progeny who will be Imams to whom the angels will speak”.<sup>49</sup>

## Characteristics related to the Number Twelve

### ► The twelve caliphs and Divine leaders after the Prophet (pbut)

يلى هذا الامر اثنا عشر. قال: فصرخ الناس فلم أسمع ما قال، فقلت لابي و كان أقرب الناس إلى رسول الله صلى الله عليه و آله منى فقلت: ما قال رسول الله صلى الله عليه و آله؟ فقال: "قال: كلهم من قريش و كلهم لا يرى مثله".

The Prophet said: “There will be twelve people who will rule this nation.” The narrator adds that then the people made some noise and I could not hear what the Prophet (S) said. I asked my father, who was closer to God's Prophet (S) than others, "What did the Prophet say?" My father said: “The Prophet (S) said: "They are all from the Quraysh.”<sup>50</sup>

### ► There are twelve advantages in brushing the teeth

قال النبي صلى الله عليه وآله في وصيته لعلى عليه السلام: "يا علي السواك من السنة وهو مطهرة للفم ويجلو البصر ويرضي الرحمن

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<sup>49</sup> Ibid, No 48.

<sup>50</sup> P. 793, N o 30.

ويبيض الاسنان ويذهب بالحفر ويشد اللثة ويشهي الطعام ويذهب بالبلغم  
ويزيد في الحفظ ويضاعف الحسنات وتفرح به الملائكة."

The Prophet (S) told Ali b. Abi Talib (A): "O Ali! Brushing the teeth with a toothbrush is a recommendable practice since it cleans the mouth, improves vision, pleases the Merciful Lord, whitens the teeth, removes the mouth's bad smell, strengthens the gums, improves the food's taste, alleviates the phlegm, improves memory, increases reward for good deeds and makes the angels happy."<sup>51</sup>

#### ► The twelve dirhams donated to the Prophet (S)

Imam Sadiq (A) reports that a man went to see God's Prophet (S). When he saw that the Prophet's shirt was old, he gave him twelve dirhams (silver coins). The Prophet (S) said: "O Ali! Take this money and buy me a shirt with it." Ali (A) said: "I went and bought the Prophet (S) a shirt with twelve dirhams and took it to the Prophet (S)." The Prophet (S) looked at it and said: "O Ali! I would like a different shirt! Do you think that the seller would take it back?" Ali (A) replied: "I do not know." The Prophet (S) said: "Then try it." Ali (A) went back to the seller and told him: "The Prophet of God (S)

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<sup>51</sup> P. 80, No 55.

doesn't like this shirt. He wants another shirt. Please take it back and return my money." Then he returned the money to the Prophet (S). The Prophet (S) accompanied Ali (A) to buy another shirt. They came across a slave girl who was sitting there and crying. The Prophet (S) asked her: "Why are you crying?" She said: "O Prophet of God! My master gave me four Dirhams with which to buy things from the market. I don't know where I lost that money. Now I don't have the courage to go back home." The Prophet (S) gave her four dirhams and told her: "Buy whatever you had to buy and go back home."

Then the Prophet (S) went to the market to buy a shirt for himself for four dirhams. He (S) put it on, praised God, the Honourable the Exalted and returned. On his way back from the market, the Prophet (S) saw an unclothed man who kept on saying: "God will put heavenly attire on whoever clothes me." Then the Prophet (S) took off his shirt and put it on the needy man.

Then the Prophet (S) himself went to the market to buy another shirt for himself with the last four dirhams. He (S) put it on, praised God, the Honourable the Exalted and returned. On his way back, he came across the slave-girl again who was sitting there and crying. The Prophet

(S) asked her: "Why didn't you go home?" She replied: "O Prophet of God! It is too late for me to return and I am afraid that they might beat me." The Prophet of God (S) said: "Walk ahead of me and take me to your house." The Prophet (S) walked with her until they reached her house. He stopped at the door and said: "O residents of this house, Peace be upon you!" There was no response. He gave greetings again but they did not respond. So he greeted them for the third time. Then they said: "O Prophet of God! Please, His Blessings and His Mercy be upon you!" The Prophet (S) asked: "So what was the reason that you didn't respond to my greeting the first and the second time?" They said: "O Prophet of God! Yes! After hearing your voice for the first time we came to know that it was you. However, we loved to hear your voice over and over again." God's Prophet (S) said: "Your slave-girl has taken a long time to come back. Hence, I have come to request that you do not punish her." They said: "O Prophet of God! Due to the blessing of your gracious arrival at our home, we have set this slave-girl free." The Prophet (S) said:

الحمد لله ما رأيت اثني عشر درهما أعظم بركة من هذه، كسا الله بها  
عاريين و أعتق نسمة

"Praise is due to God. I have not seen any twelve dirhams more blessed than these. With them, God clothed two unclothed persons and freed a slave-girl. "<sup>52</sup>

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<sup>52</sup> p. 828, No 70.

# **An Outline of Law from a Qur'anic Perspective**

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Summarized and Paraphrased by Karim Aghili

This paper is an attempt to partially delineate the salient features of Islamic law from a Qur'anic perspective. It seeks to clarify that every human society necessitates that there exist a system of rules without which there can be no public order but chaos. It also shows that in Islam, there is no separation of religion from morals, worldly affairs and from politics. Islam is an all-embracing religion consisting of a set of laws and injunctions which are requisite for the establishment of an ideal society. Therefore, all the laws and injunctions which are of a practical character and which should be applied to human society can be subsumed under the general rubric 'law.' The paper continues by discussing the sources of Islamic law and its goals.

## **Introduction**

The Qur'an is the verbatim revelation or the Word of God, revealed in Arabic through the archangel Gabriel to the Prophet Muhammad

during the twenty-three-year period of his prophetic mission.

The practices of Muslims as ordained by the *Shari'ah* (Islamic Law) have their origin in the Qur'an. Although the foundations of the *Shari'ah* must also be sought in the Sunnah and the elaboration of the law depends furthermore, with respect to Shi'ism, upon reason (*'aql*) and consensus (*ijma'*), all principles of the *Shari'ah* are already contained in the Qur'an.

The scheme of life which Islam envisages consists of a set of rights and obligations, which, as already mentioned, have their origin in the Qur'an, and every human being who accepts this religion is enjoined to live up to them. Broadly speaking, the law of Islam imposes four kinds of rights and obligations on every man: (1) the rights of God, which every man is obliged to fulfill; (2) his own rights upon his own self; (3) the rights of other people over him; and (4) the rights of those powers and resources which God has placed in his service and has empowered him to use for his benefit.

These rights and obligations constitute the corner-stone of Islam and it is the bounden duty of every true Muslim to understand and obey them carefully. The *Shari'ah* discusses clearly each and every kind of right and deals with it in detail. It also throws light on the ways and means through which the obligations can be discharged.

## **Social Phenomenon**

Issues pertaining to human social life can be divided into two categories: those which deal with social phenomena irrespective of their goodness or badness, and those which are concerned with the value judgements on the various aspects of social life and through which the goodness and badness of each social phenomenon are judged. In other words, there are certain issues which deal with 'is' and 'is not', whereas certain others deal with 'ought to' and 'ought not'. Most issues of the first category relate to sociology and the philosophy of history, while those pertaining to the second fall mainly into the category of morals and rights. The rulings pertaining to the former are called real and descriptive rulings, while those pertaining to the latter are called normative and prescriptive ones.

## **Religion and worldly affairs**

The prescriptive rulings as mentioned above are divided into three categories:

A. The Divine and Religious Laws: These consist of the commands and prohibitions which are attributed to God Almighty and as in every religion, people are required to abide by them, such as keeping the daily prayer and performing the pilgrimage to Mecca, etc.

B. Moral Laws: That is, the laws which are comprehended by human reason, primordial nature (*fitra*) or consciousness to varying degrees and which are considered to be of value or validity irrespective of the

Divine or human criteria, such as the goodness of truthfulness and the ugliness of oppressing others.

C. Legal Laws: That is, the laws which are made for safeguarding the best interests of human beings in their worldly life by a qualified authority in view of the relations of individuals with each other within a society. These laws have an executive backing, which is usually the government.

Over the years, there has been a tendency to separate these three groups of law from one another and to specify a distinct area for each group.. According to this view, the area of Divine laws is restricted to the rituals and rites which concern the followers of each religion in specific times and places, such as the religious ceremonies of the Hindus or the rites of idol-worship which are seen in various parts of the world. These rites and rituals are not connected at all with other social aspects of life but rather they consist of performing the duties which, according to the followers of each religion, are required by the natural or supernatural powers. Religious laws are neither connected to the moral laws nor are they connected to the legal ones.

In the Western world, after Christianity had become the official religion of the Byzantine empire, in spite of accepting Christianity, apparently on account of the exigencies of the time, some rulers planned to separate religion from all its worldly aspects including politics in order to gain the secular power totally, and to rule over the countries under their control as they wished and to exclude the divine

commands and prohibitions from the domain of politics and law in their general sense. For this purpose, they used every possible means, even the distortion of the scriptures.

After the Renaissance, this attitude gained more momentum, to the extent that a large number of writers and intellectuals demanded the total separation of religion and law. Furthermore, they supported the total separation of religion from morals. The separation of religion from worldly affairs in general and from politics in particular as seen today in the Muslim countries is nothing but the acceptance of the current mainstream attitude in the Western world.

Such a separation cannot be deemed acceptable in any revealed religion. From the Islamic point of view, religion is a system of theoretical knowledge and practical laws, and its practical laws embrace all three areas of the relation of man to God, the relation of man to himself, and of man to others.<sup>1</sup> In the Holy Qur'an and the

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<sup>1</sup> Based on the religious teachings and the consensus of all the religious scholars, the goal of religion is to provide man with a comprehensive felicity in this world and the next. Islam as a revealed religion is both the path and the guide which will lead to man's eternal happiness. It is composed of three elements which are intertwined: i. doctrine ii. ethics iii. law. The threefold elements play an effective role in providing man with happiness when all three are combined together just as a single organism is composed of its inseparable organs.

These three elements in combination facilitate man's eternal felicity. The texture or combination of these three elements is such that they should never be separated from one another, and if they are considered separately, they will lose their own essential qualities. Therefore, if anyone believes only in God, the Creator, the All-Wise, the all-Knowing, the all-Powerful, the all-Compassionate, the all-Rich, and the Lord of the Universe, who created man and Who wills both his good and perfection, and who knows his needs, interests and harms or if he observes an ethical discipline only for the purification of the soul and the acquisition of good

traditions narrated from the holy Shi'ite Imams, there is a huge collection of moral and legal laws, therefore the moral and legal systems of Islam are completely based on the fundamental religious principles consisting of the belief in Divine Unity, the Resurrection, etc. In other words, both morals and law are two main sections of the whole of the religion and are deeply rooted in the most fundamental theoretical religious sciences.

## **Law**

In spite of the fact that there are a lot of uses of the word 'law' in legal terms, it does not have a definite and specific meaning and is used in different ways. Sometimes, it is used in a wide sense and includes any prescriptive ruling which should be practised in society whether it be legislated or non-legislated laws, such as social customs and conventions.

Thus, some of the law experts use the term "natural law", which refers to a type of moral theory, as well as to a type of legal theory,

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traits of character or if he only abides by the religious commands and prohibitions, he will never attain to that comprehensive this-worldly and other-worldly felicity, which will be actualized through the three elements mentioned above..

The Islamic intellectual and transmitted sciences (*al-'ulum al-'aqliyyah wa'l-naqliyyah*) are comprised of an extensive scope dealing with different major issues. However, based on the same threefold elements mentioned above, the religious sciences are comprised of Islamic theology, that is the discipline relating to the beliefs, and ethics, i.e. the discipline relating to the purification of the soul, and moral conduct, and jurisprudence, the discipline concerned with the laws and injunctions relating to man's individual and social needs. Of course, acquaintance with these sciences entails being familiar with certain disciplines which are considered to be their preliminaries and which can be called religious sciences in one sense.

but the core claims of the two kinds of theory are logically independent. According to natural law ethical theory, the moral standards that govern human behaviour are, in some sense, objectively derived from the nature of human beings. However, according to natural law legal theory, the authority of at least some legal standards necessarily derives, at least in part, from considerations having to do with the moral merit of those standards. The phrase “natural law” is sometimes opposed to the positive law of a given political community, society, or nation-state, and thus can function as a standard by which to criticize that law. Positive law in the strictest sense is law made by human beings.

### **The Main Differences between Morals and Law**

The other point to discuss in this regard is that though there are cases where morals and law overlap with each other, there are some differences between them, the most important of which are as follows:

1. Legal precepts are just concerned with social behaviour, while moral rules cover all voluntary human behaviour.
2. Legal rules are based on an external guarantee of enforcement, while moral rules are not based on such a guarantee of enforcement but based on an internal guarantee of enforcement.
3. Ethical ‘dos’ and ‘don’ts’ are permanent, universal and eternal, while legal ‘dos’ and ‘don’ts’ are, more or less, changeable.

4. Legal rules are obligatory, while within the moral domain, there are both obligatory and recommended obligations.

5. The goals of legal dos and don'ts are to provide the happiness of people in their worldly life and to establish social justice, order, security and public welfare and the like, while the goals of ethical commands and prohibitions are to achieve spiritual perfection, which is nothing other than proximity to God.

6. Legal rules are just concerned with the external aspect of the act, but are not so concerned with the motivation for and intent of the doer of the action, while the moral rules are mostly concerned with the motivation for and the goal of the doer of the action.

### **Ethical and Legal Concepts are of Conventional Nature**

Apart from the above-mentioned differences between legal and ethical rules, ethical and legal concepts are, however, *i'tibari* (conventional). For example, considering the concept of property, we see that even if it is applied to such metals as copper and silver, it is not because of their being metals of a specific kind, but because they are desired by people and can be used as a means for meeting their needs. In other words, the acquisition of property by a person signifies another concept called 'possession' without an external instance.

These concepts are only based on the desires of groups or individuals without having a relation to objective truth independent of

inclinations of social groups and individuals. These concepts, in spite of being conventional, are not without relation to external reality. Their validity is based on the specific needs of man to attain felicity and his own perfection. Consequently, the worth of these concepts, albeit dependent on convention, lies in their being a symbol of the objectively true relationship between man's actions and their results.

Consider the term "good": one of its meanings is to achieve a purpose desired by a doer performing an action. The word "good" is contrasted with the result that an agent expects. Without a comparison and the relationship between the action and the goal of the action, it may not be possible to say if the action is good or not.

As is the case with the term 'right': one of its meanings in legal terms is an advantage which can be claimed and which must be observed by others. The word "right" in this meaning can be understood by considering a person having an advantage as well as others who have to observe this right. Therefore, the term "right" is predicated on the external benefit after a comparison and intellectual analysis. The word "right" is associated with duty, and they are two reciprocal concepts which will be further explained.

### **The Reciprocity of Right and Duty**

Right and duty are two reciprocal concepts and the two faces of the same coin. When a person has the right to dispose of his property as he wishes, others consequently are bound not to dispose of it at all.

Therefore, right and duty are reciprocally determined. That is, wherever a right is determined, a duty is also determined, and vice versa. Of course, only one of the two is explicitly stated; however, the specification of one necessitates that of the other. It should be noted that right is of a voluntary nature, whereas duty is of an obligatory nature. One has a right against something and can use it or not, but with respect to duty, one is obliged to respect it and should not evade his or her obligation.

It is worth noting that the fundamental principle of Islamic Law is that man has the right and in some cases the bounden duty, to fulfill all his genuine needs and desires and make every conceivable effort to promote his interests and achieve success and happiness. However, he should do all this in such a way that not only are the interests of other people not jeopardized and no harm is caused to their strivings towards the fulfilment of their rights and duties, but there should be all possible social cohesion, mutual assistance and cooperation among human beings in the achievement of their objectives. In respect of those things in which good and evil, gain and loss are inextricably connected, the tenet of the law is to choose, for instance, the least harm for the sake of greater benefit and sacrifice a little benefit, in order to avoid a greater harm. This is the basis of Islamic Law. To what degree one should choose harm for the sake of a greater degree of benefit depends on the circumstances in which one is involved.

Islam attaches great importance to social life, and moreover Islam considers it incumbent upon all to attend to social problems and to struggle for the benefit of all human beings and for the establishing a just society on Earth. Being indifferent to such problems is considered in Islam to be a major sin. Paying attention to such problems is so crucial that sometimes one feels obliged to spend all of one's property and even to endanger one's own life in order to save others from worldly and other-worldly afflictions and harms. It is unlikely to find any other school of thought other than Islam which has advanced this idea so far. Of course, all of the revealed religions are unanimous on basic principles and rules; naturally they are in common with Islam in this regard.

### **The word al-haqq (truth or the True) in the Qur'an**

In Islam, there appear to be three golden threads that run through all its aspects and these three golden threads are clearly intertwined. They are: truth, justice and equity. The words used in the Qur'an are *al-haqq*, *al-'adl*, and *al-qist*. It is significant that each of these words is significantly used in the Qur'an several times; the word *al-haqq* is used about 247 times, *al-qist* 15 times and *al-'adl* 13 times. The word *al-haqq* incorporates the other two terms and has several meanings depending upon the context: truth, obligation, right and justice.

Al-haqq can be used as a name for God. For example, the Qur'an says:

That is because Allah, He is the True, and that whereon they call instead of Him, it is the false, and because Allah, He is the High, the Great. (22:62).<sup>2</sup>

At this point, it is worth noting that in many Qur'anic verses, the word *'haqq'* is used in a sense similar to the technical meaning of law but not identical with it. Similarly in the *Treatise on Rights (Risalat al-huquq)* by the Fourth Shi'ite Imam, there are topics such as the rights of your womb relatives, the right of your self (*nafs*) and the rights of the tongue, hearing and sight. Many of these rights are moral in their nature. It should be noted that the word *haqq* is not used in a legal sense in the above verses but rather it falls into the category of morals. However, in this paper, while dealing with law from a Qur'anic perspective, we are not concerned with law (*huquq*) in its moral sense but in its legal sense.

### **The Source of Right and the Legal Goal of Society from the Islamic Point of View**

At the same time, it should be noted that the social laws and injunctions which make up the legal system of Islam should be based on a goal which directly results from that system and which secures man's felicity in social life. The question is: Is there another goal beyond this goal which can be used as a means for the attainment of

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<sup>2</sup> For further study, refer to the following verses: (30:8), (2:61), (38:21), (38:22), (38:26), (21:112), (40:20), (40:78), (39:69), (39:75), (10:47), (10:54), (2:282), (24:48), (24:49) (51:19), (70:24), (70:25), (6:141), (17:26), (30:38), (2:180), (2:236) and (2:241).

that goal or not? In other words, the question is: Is providing for man's felicity the ultimate goal or the intermediate one?

In answer to these questions, it should be said that the legal system of Islam is distinct from other ones. The other legal systems based on a secular world view know no goal beyond that of providing for man's felicity in social life, and consequently, this very goal is considered to be the ultimate goal and the desired object per se. In other words, in such systems, only those interests and benefits which can be actualized and attained in this world are taken into consideration. In this regard, God says in the Qur'an:

They know only some appearance of the life of the world, and are heedless of the Hereafter (30:7).

Then withdraw (O Muhammad) from him who fleeth from Our remembrance and desireth but the life of the world (53:29).

Islam does not restrict man's felicity to this world only but rather the goal of man's creation transcends this world. The ultimate goal is to get spiritually closer to God. Man's felicity in this world can be desirable only when it is consistent with attaining the ultimate goal.

Islam is a religion which encourages the qualities of purity, beauty, goodness, virtue, success and prosperity which *Allah* wants to flourish in the life of His people and to suppress all kinds of exploitation and

injustice. As well as placing before us this high ideal, Islam clearly states the desired virtues and the undesirable evils. Therefore, the members of society should have the right to use all the God-given potentialities and abilities for the attainment of their ultimate goal.

The legal goal of Islam is to prepare the ground and context for the spiritual growth and eternal felicity of the people. At the very least they should not be inconsistent with spiritual development, for, in the view of Islam, the life of this world is but a fleeting phase of the entire human life which despite its short duration, has a fundamental role in human destiny. It is in this phase that with his conscious behaviour the human being prepares for himself his everlasting felicity or wretchedness. Even if a law could maintain the social order in this world but would cause eternal misfortune for humans, it would not be, from an Islamic perspective, a desirable law, even if it were to be accepted by the majority.

### **The Necessity of Law and Legal Rules in Society**

Islamic law is based on a realistic view of things which are on one hand related to God Who created the universe and man based on a definite goal, and on the other hand to Resurrection, because it is the last phase of human existence and the ultimate station of his journey towards God. Finally, it is connected to Divine Wisdom, because the best created order is built upon the most Sublime Divine Wisdom. Since the members of a society are not equal in terms of understanding, and since all the members equally do not seek right

and justice, thus, for the establishment of order and for the prevention of chaos, it is necessary that there be some highly qualified institutionalized powers representing the whole society for taking responsibility for the crucial functions. These powers consist of the legislature, the executive and the judiciary.

The functions of the legislature are to be exercised through the Islamic Consultative Assembly, consisting of the elected representatives of the people. Legislation approved by this body, after going through certain stages, is communicated to the executive and the judiciary for implementation.

The judiciary is of vital importance in the context of safeguarding the rights of the people in accordance with the line followed by the Islamic movement, and the prevention of deviations within the Islamic nation. Provision has therefore been made for the creation of a judicial system based on Islamic justice and operated by just judges with meticulous knowledge of the Islamic laws. This system, because of its essentially sensitive nature and the need for full ideological conformity, must be free from every kind of unhealthy relation and connection (this is in accordance with the Qur'anic verse: "*When you judge among the people, judge with justice*" [4:58]).

Considering the particular importance of the executive power in implementing the laws and ordinances of Islam for the sake of establishing the rule of just relations over society, and considering, too, its vital role in paving the way for the attainment of the ultimate

goal of life, the executive power must work toward the creation of a just Islamic society. Consequently, the confinement of the executive power within any kind of complex and inhibiting system that delays or impedes the attainment of this goal is rejected by Islam. Therefore, the system of bureaucracy, the result and product of old forms of government, will be firmly cast away, so that an executive system that functions efficiently and swiftly in the fulfilment of its administrative commitments comes into existence.

### **The Separation of Powers**

During the past three centuries, there have been a lot of disputes between the philosophers of law and other social scholars. Today the issue of separation of powers has been stressed so much that it has been accepted as an indisputable principle of the philosophy of law and of the basic law.

In the newly-established Islamic society in Medina, the holy Prophet of Islam had responsibility for the three powers, and there occurred no problem in this regard. During the occultation of the twelfth Shi'ite Imam, according to the Shi'ite jurisprudential principles, the leader has responsibility for all the three powers.<sup>3</sup> Therefore, the

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<sup>3</sup> According to twelve-Imam Shi'ism, Abu'l Qasim Muhammad ibn al-Hasan al-Askari, the Proof (*al-hujjah*), the righteous descendent (*al-khalaf al-salih*), the promised Mahdi and the twelfth Imam, peace be upon him, was born in *Surra man ra'a* (*Samarrah*) in the midnight of Sha'ban in the year 255. When his father died, he was five years old and he became Imam through Divine Command as was the case with Yahya (John) as He, the Exalted, says:

powers of government in the Islamic Republic of Iran, for example, are vested in the legislature, the judiciary, and the executive functioning under the supervision of the supreme Leader.

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*“O Yahya! Take hold of the Book with strength, and We granted him judgement while yet a child” (19: 12).*

God made Yahya a prophet while he was a child as He made Christ a prophet while still a little child. God, the Exalted, says through Jesus when he addressed his people:

*“He said: Surely I am a servant of Allah; he has given me the Book and made me a prophet” (19: 30).*

The Muslims are agreed on the appearance of the Mahdi at the end of the time for the obliteration of ignorance, oppression and tyranny and for dissemination of the signs of justice and the exaltation of the word of truth and the manifestation of Religion in its entirety even if the polytheists may be averse. By the permission of God, he will deliver the world from the disgrace of servitude to other than God and abolish evil morals and customs and abrogate the irreligious laws as established by whims and break the bonds of national and racial prejudices and eliminate the causes of hostility and hatred which have given rise to the division and disunity of the community, and God, the Exalted, will keep through his appearance His promise which He made to the believers as He says:

*“Allah has promised to those of you who believe and do good that He will most certainly make them rulers in the earth as he made rulers those before them, and that He will most certainly establish for them their religion which He has chosen for them, and that He will most certainly, after their fear, give them security in exchange; they shall serve Me, not associating aught with Me, and whoever is ungrateful after this, these it is who are the transgressors” (24:55).*

*“And We desired to bestow a favour upon those who were deemed weak in the land, and to make them the Imams, to make them the heirs” (28:5).*

*“And certainly We wrote in the Book after the reminder that (as for) the land, My righteous servants shall inherit it” (21:105).*

The Occultation of the twelfth Imam has two distinct stages: the Lesser Occultation and the Greater Occultation. In the Lesser Occultation, which began in 260/872 and ended in 329/939, lasting about seventy years, the Hidden Imam continued to communicate with humanity through his special deputies. The second, the greater occultation which commenced in 329/939 and which is continuing as long as God wills it. According to the Shi'ah, the Mahdi is alive but hidden. He is the *axis mundi*, the hidden ruler of the Universe.

## **The Basic Law**

Most of the social regulations are legislated and approved by a legislature, but there is another law called basic law which should be specified and validated before the formation of a legislature and which deals with such questions as why it is necessary that there should be a legal system in every society, and why law needs three basic institutions of legislature, judgement and execution, and so on.

The basic law consists of a set of rules which should be validated before the legislation and codification of the social regulations.

In the democratic systems, in order to give credence to the basic law, first the people should elect the members of the constituent assembly by voting for them. Then, the elected members of the constituent assembly will legislate and approve the code of the basic law which is called constitution, and which is offered to be voted for by the people.

The term basic law is used in some places as an alternative to “constitution.” A Basic Law is either a codified constitution, or in countries with constitutions which are not codified, a law given to have constitutional powers and effect.

## **The Sources of Law in Islam**

Each and every legal system consists of a set of legal rules which are usually derived from one or more sources. In other words, in order to

build a legal system, some of these sources, and the elements or constituents which are extracted from them, should be used.

To date the Muslim juristic rationalists (*usuliyyun*) have never used the term ‘the sources of law’, and instead they have used the expression ‘the jurisprudential proof’, though the meaning of the latter expression is not the same as the former. The Shi‘ite juristic rationalists (*usuliyyun*) rely on four proofs called the juristic proofs, which consist of: the Book (the Qur’an), the Sunnah (the Tradition), consensus, and reason. Some of the other juristic rationalists also add some other proofs or sources which consist of: analogical reasoning (*qiyas*), juristic preference (*istihsan*), public interest (*masalih mursalah*), opening and blocking the means (*fath wa sadd al-dharaai’*), convention, and so on.

Having said this, it has to be noted that the only source of law in Islam is the Divine Legislative Will. That is, a rule is valid in Islam only when it can be attributed to the legislative Will of God Almighty. Attributing to any other source can never give validity to the legal ruling. Firstly, the unique importance of the Qur’an and secondly of the Sunnah (the Tradition, that is, the sayings, actions and silent assertions of the Prophet and the Imams) is due to the fact that these two proofs derive from the Divine Legislative Will. That is, if we wish to know about the rulings of God, we will have no choice but to refer to these two proofs. These two are not sources themselves but guide us to the original source. A consensus is binding if it can be a means

for discovering the Sunnah (the Tradition) of the holy Prophet or of the Imam

As previously stated, the religion of Islam accepts reason as one of the fundamental proofs of the religious rulings and attaches great importance to it, if it can be a means for discovering the rulings of God. The Book, the Sunnah, consensus and reason are binding simply because they are means of discovering the Will of God, and never are they considered to be independent sources vis-à-vis the Divine Legislative Will.

## Authority and Tradition

Dr. Ghasem Kakaie

Authority, in Islamic terminology, may be defined as “*wilayah*”. Literally, this term means intimacy, assistance, love, and tenure of office. He who has such qualities is called “*wali*”. According to the Holy Quran, God is to be known as “*wali*”. God owns all existence<sup>1</sup> and as a result, He leads the universe.<sup>2</sup> Since God is *Wali* and Guardian of the entire world, He is its “Guide” as well. God, Who has authority over the entire existence, guides every type of existent to its own way of perfection. Unlike most of the existents, human perfection is to be achieved consciously and freely. Therefore, man is in need of teaching so that this consciousness and freedom may grow.

There are two types of divine guardianship:

- a) Generative Guardianship (*al-wilayah al-takwiniyah*): God has authority

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<sup>1</sup> “Unto Allah (belongeth) whatsoever is in the heavens and whatsoever is in the Earth” (the Holy Quran, 2:284).

<sup>2</sup> “But Allah, He (alone) is the *Wali*” (42:9), “Ye have not, beside Him, a *Wali*” (32:4).

over the entire existence and leads the entire world to perfection. This authority is deterministic and undeniable.

- b) Legislative guardianship (*al-wilayah al-tashri'iyah*): Human beings are endowed with another kind of guidance. Through prophets, human beings are provided with divine law, and they are free to accept it and act accordingly. If they accept it, they will attain happiness, and otherwise they will go astray. Revelation grants human beings what they need for happiness, and meets their spiritual and individual needs through individual and devotional commandments, including supplications and prayer.

According to Islam, human beings' otherworldly happiness passes through this world and, therefore, human beings must be actively involved in the social life. One of the striking aspects of the Holy Quran is that it announces plans and rules for social life. In this regard, there are four duties for the Holy Prophet:

I Receiving what revealed by God.

II Communicating the revelation to people.

III Interpreting the revelation. In the reception and communication, the Prophet should be infallible and free of mistake. The language of revelation is sometimes of certain complexity, however; thus it should be explained and commented upon. The Prophet himself was responsible for interpretation of the Qur'an and explaining divine law in a more detailed

account. In this detailing and commenting upon the revelation, the Holy Prophet (pbuh) was infallible and free of mistake. At the same time, people are asked to act as the Holy Prophet (pbuh) instructs them: "And whatsoever the messenger giveth you, take it. And whatsoever he forbiddeth, abstain (from it)" (59:7). Whatsoever issued by the Holy Prophet (pbuh) is of a revelatory origin: "Nor doth he speak of (his own) desire. It is naught save an inspiration that is inspired" (53:3/4). Thus, the Holy Prophet (pbuh)'s sayings are absolutely valid and should be accepted. This is also true about his conducts: "Verily in the messenger of Allah ye have a good example" (33:21). Thus in addition to the Holy Quran, God's legislative guidance has been revealed in the Holy Prophet (pbuh)'s *sunnah*, i.e. his saying and conducts.

IV Administering the divine rules: Islam has many social, political, and economical commandments. Clearly, the mere existence of rules cannot guarantee society's happiness. These rules should be executed and rule the society. Here, the Holy Prophet (pbuh)'s fourth duty entrusted to him by God is execution of rules and establishment of a State. In other words, the Holy Prophet (pbuh) has authority here. This is not only a right, but also an obligation entrusted to the Holy Prophet (pbuh) by God. For example, in the Holy Quran, God commands the Holy Prophet (pbuh): "thou mayst judge between mankind by that which Allah showeth thee" (4:105).

However, Islam draws no sharp line between this world and the other world, between devotional points and political ones. But rather many Islamic devotional commandments are at the same time political ones as

well. No one has cast doubt in the fact that the Holy Prophet (pbuh) had established a State in his own era, during which he led Muslims and appointed some persons for certain positions. Moreover, in some occasions, he issued certain instructions in which rulers' responsibilities had been clarified. Also, to settle disputes among people, he appointed judges. He executed Islamic Penal Statute. Between him and other tribes and sects, pacts were concluded. In order to study people's and tribes' problems, he had appointed some persons to collect information; assigned natural resources, according to rules, to some people to exploit these resources. To collect Islamic taxes, a systematic organization had been established; and many times, he organized and dispatched peoples to resist attacks by other tribes and states. Such activities made sense only in the light of a State led by the Holy Prophet (pbuh).

### **After the Holy Prophet (pbuh)**

For Muslims, Muhammad is the last and final prophet. In other words, after his demise reception of revelation and communication of revelation had come to an end. But as mentioned, the Holy Prophet (pbuh) had two other offices as well, one of which was infallible explanation of revelation. The other was that the Holy Prophet (pbuh) had authority and based on this he implemented the divine law and presided the state. After the Holy Prophet (pbuh)'s death, some questions arose about these two last responsibilities. Did infallible commentary upon religion come to an end after the Holy Prophet (pbuh)'s death? Is there no other reference whose explanation of the religion cannot be questioned? On the other hand, is there any one appointed by God to execute God's religion and social rules of the religion?

In reply to these questions, two general views were formed. The first one, which is that of Sunnis, considers the Holy Quran's revelation and the Holy Prophet (pbuh)'s *sunnah* to be sufficient, and in this view no one has been appointed by God to execute the religion. In other words, according to them, there is no special authority for an Islamic State.

The Shi'a, on the other hand, believe that after the Holy Prophet (pbuh)'s death, his daughter, Lady Fatima (s) and twelve Imams were infallible. After the Holy Prophet (pbuh), they undertook to comment upon and explain the religious laws in the same way that the Holy Prophet (pbuh) did. In other words, in the same way that the Holy Prophet (pbuh) took religious sciences from an infallible source and communicated them to people, and declared commandments which had not been apparently described in the Holy Quran for them, after him the aforementioned persons are of the same office, free of mistakes in commenting upon the religion, and infallible. According to what is said in Shi'i traditions (*hadiths*), they are aware of all apparent and hidden aspects of the Holy Quran. These persons are of three characteristics. The first one is that they are infallible. The second is that they have knowledge of the hidden world, and the third is that they have been appointed by God to this superior office and introduced by the Holy Prophet (pbuh) to Muslims, and have occupied office of Imamate one after the other. They are perfect human beings and have the highest human characteristics. Thus, in the same way as that of the Holy Prophet (pbuh), their tradition, i.e. their sayings and conducts, is a firm argument as well. In other words they do not receive the revelation, but they comment upon the Scripture (the Holy Quran) infallibly. In

addition to explaining the revelation, these perfect human beings are in charge of execution of divine commandments and establishment of religious state.

Within 250 years of the presence of Imams, they had such scientific position that even scholars from all schools of Islam benefited from their knowledge. In this period, Imams (a) trained many disciples in Islamic sciences. Their spiritual appeals were of great influence on Muslims, and they left many supplications and *hadiths*.

As for administrative system and establishment of a State, Imams (a) were confronted with many obstacles created by opponents and oppressors, and these obstacles led to martyrdom of first eleven Imams; and apart from a short period at the end of Imam Ali's life and at the beginning of Imam Hasan's Imamate, there was no possibility for other Imams to establish a State. Finally, there came the twelfth Imam. Here, the Shi'a reached a new stage, and theory of concealment which was predicted in Shi'i and Sunni religious and ideological resources, was realized. In other words, at this time the twelfth Imam is concealed from view, but like a sun concealed by clouds, he shows his existential blessings. In other words, his generative guidance continues to spiritually guide people; but people are deprived of his legislative and apparent guidance. According to Shi'i belief, he is still alive, and at the end of the time, he will come together with some prophets including Jesus Christ (a); and establish justice and a just State. Belief in *savoir* which is part of fundamental creeds of all religions makes itself apparent in Shi'i view in the existence of Imam of the Time (a). The Shi'a

always await for his return. Such a faith grants a spiritual power to human being that, in spite of all problems and difficulties, he considers himself to be happy and remains hopeful.

### **Occultation and the Issue of Religious Authority**

During the lives of Imams, many scholars benefited from their knowledge. When the minor occultation started, access to this source of teaching and infallible commentary upon the scripture was very limited. After this time, esoteric role of Imams to some extent was inherited by mystics and saints, and their legislative authority was inherited by jurists. There have been, of course, people who have had both dimensions.

All great Sufis were, mediately or immediately, under training and guidance of Imam Ali (a) and other Imams (a). For example, Kumayl is attributed to Ali (a), Ibrahim Adham to the fourth Imam, Bayazid Bastami to the sixth Imam, Shafiq Balkhi and Boshir Hafi to the seventh Imam, and Ma'ruf Balkhi to the eighth Imam. These Sufi masters who considered themselves to be inspired by Imams, brought others to perfection and appointed them their successors; and in this way, various chains of Sufism were formed. Contrary to Sunnis, these great Sufis believe that God's religion is not only the Scripture and the Holy Prophet (pbuh)'s tradition so that it may come to an end upon his death; but rather there should be Imam and an authority along with the Scripture to comment upon the latter; and this office came to Ali (a) and his successors. Thus, this kind of mysticism is to some extent similar to esoteric Shi'ism.

Exoteric aspect and legislative authority of Imams were inherited by jurists. At the beginning, however, religious scholars contented themselves to narrate sayings and conducts of the Holy Prophet (pbuh) and Imams. Gradually and with appearance of various, intricate, and new needs, the need for reflection on, and analysis of, *hadiths* arose, and reason was recognized for deduction from the Scripture and tradition; and juridical discretion, i.e. rational deduction of new commandments from the Scripture and *sunnah* emerged as a discipline. Because of the stress that the Shi'a have put on reason, natural theology and philosophy elevated to a high place among the Shi'a.

A religious jurist is he who becomes able, through studying certain sciences and mastering them, to deduce religious rulings from their sources. The difference between a jurist's view and that of Imam is that the former may be mistaken, unlike the latter. Here a jurist is like any expert in any discipline that may make mistake, yet the lay should follow him. Indeed, following e.g. a jurist is following knowledge and expertise and not the person of the jurist as such. Thus, authority of jurist (*wilayat faqih*) means, in fact, authority of jurisprudence. According to Shi'i jurisprudence, a religious jurist whom they follow should be alive so that he may recognize requirements and needs of the age and deduce pertaining Islamic rulings from the holy Quran and *sunnah*. This grants vitality to the Shi'i jurisprudence, instead of being stuck with the views of the early jurists.

## **Authority of Jurist in Society**

As mentioned before, in addition to individual rulings and devotional issues, Islam has many social, political, and economic rulings. Moreover, Islam is concerned with the happiness of all mankind and not only those who lived in a particular era. In the eras of the Holy Prophet (pbuh) and Imams, they were responsible to do their best for establishing a sociopolitical system in which Islamic rulings could be practiced and human happiness could be secured. In the age of occultation, however, on the one hand such task cannot be abandoned and people cannot be deprived, and on the other there is no Imam available. Thus, the question is: who is in charge with and competent to undertake such responsibility.

There are two outstanding characteristics of Imams that make them distinct from others: infallibility (i.e. being free from mistake and sins) and immense knowledge. When there is no access to Imams naturally people should refer to someone who resembles them the most i.e. someone with highest level of piety and knowledge. This is why the Shi'a believe that in the time of the occultation it is the responsibility of the just jurist whose piety, knowledge and competence are more than others to be in charge of the Islamic state. This is the same idea which has been crystallized in the Islamic Revolution of Iran and is known as authority of jurist.

This State, however, takes its acceptability from people. For, according to Shi'i Islam, without acceptance of people, the State will be a despotic one. For this reason, Islamic State in Iran emerged as Islamic Republic. The term "Republic" determines the State's form, and the term "Islamic" specifies its

content. Islamic Republic means a State whose form is democracy and its president is elected by people, and its content is Islamic. The role played by a jurist in an Islamic country, i.e. a country in which people have accepted Islam as their way of life is that of a supervisor or an ideologue. His duty is to supervise execution of strategies and overall running of the state. Thus people have to elect from among jurists the most competent one and, by listening to him, give him power to practice his authority.

## Authority from a Shi'ite Perspective

Dr Muhammad Legenhausen

In this paper I propose to describe the teachings of Shi'ite Islam about authority in a manner accessible to Catholic partners in dialogue. For this purpose, I will contrast Shi'ite views on these issues with those of Catholics, and those of Sunni theologians, and I will also mention a few of the differences of opinion on these matters among the various Shi'ite sects and Sufis.

To begin with, we need to clarify what is meant by *authority*. Needless to say, there is no concept in the Muslim intellectual traditions that is exactly equivalent to the concept of authority as understood by Christians. The differences between Shi'ite and Catholic thinking about what Catholics would describe as issues of *authority*, are likely to lead to misunderstandings if not directly addressed.

Authority is multifaceted. There is political authority, teaching authority, sacramental authority, spiritual authority, legal authority, and more; but it may be convenient to limit ourselves to these five facets of authority.

Next we can speak of *de facto* and *de jure* authority. Someone has *de facto* authority when he holds a position, and by virtue of holding that position is accorded authority. The person holding the position is able to carry out various activities that are not permitted to persons who do not hold the position. *De facto* authority may be challenged by those who claim that the person who holds the position does not do so legitimately. They claim that although the person holding the office may have *de facto* authority, the person lacks *de jure* authority.

Finally, we should speak of the ways in which authority is conferred, and its source or sources. Various sorts of authority are won by military strength, knowledge, appointment by God, popular approval, birth, wealth, and by other means. Of course, not all of the ways in which people gain positions of *de facto* authority are considered acceptable. Bribery is a means of gaining various sorts of *de facto* authority, but it is never a means of winning *de jure* authority.

After discussing the facets, propriety, and transfer of authority in a rather abstract fashion, we can turn to an examination of how Catholics and Shi'ites understand these issues.

Once we have examined authority, we will turn very briefly to the issue of tradition. Our approach to tradition will not, however, review the relevant concepts in all their generality, but only as they pertain to issues of authority.

## **Authority and Wilayah**

There are various types of authority. Teachers have authority over their students. Employers have authority over their employees. Parents have authority over their children. None of these sorts of authority are absolute. Parents do not have authority to abuse their children. Authority is not mere liberty to command. The limits on authority are especially pronounced in Islam. All authority belongs ultimately to God, and different people exercise specific types of authority according to the responsibilities given to them. One who exercises authority may be required to use personal discretion, but discretion is always to be employed in order to carry out one's duties in the best possible way, and does not imply that one has a free hand to do whatever one wants.

If there is any absolute authority, it is the authority of God. (This sentence questions *if* there is any absolute authority.... How about: The only absolute authority is the authority of God. )Here, however, there is a difference between Shi'ite and Ash'arite views. Most Sunnite theologians accept an Ash'arite position, according to which all moral obligation derives from divine commands, and that since it does not make sense to speak of God commanding Himself, He is not constrained by any moral obligations. It would not be wrong for Him to command murder and stealing, but rather, if He commanded them, they would become morally obligatory. Shi'ites, on the other hand, along with the Mu'tazilites, hold that what we know by reason to be wrong, could never be commanded by God. The Ash'arites object that this seems to imply that reason—or the absolute moral values discerned by reason—has an authority above the authority of

God. Heaven forbid! Shi'ites respond that this is a misunderstanding of the nature of authority. God cannot command what is wrong because He is essentially just, not because He is subservient to justice or reason, or because He lacks sufficient power to be unjust. God has absolute authority, not in the sense that He could command what is wrong, but that He does whatever He wills, and He necessarily wills what is just and what is better than justice, e.g., grace, because He is essentially just and merciful. The God of Abraham, Noah, Moses, Jesus and Muhammad (peace be with him and his progeny and with them all) is no *Pater Liber*.<sup>1</sup>

The absolute authority of God does not mean that God is at liberty to do evil, but neither does it imply that He is not at liberty. Likewise, the expertise of a craftsman does not mean that if the craftsman were to produce something unbecoming his skill, then he has the authority to do so because of his expertise. Neither does it imply that the craftsman who exercises his skill is not at liberty to make what he wants. God does whatever He wills, but His will is not arbitrary. God does whatever He wills, but His willing is never evil, because this would contradict His essence.

In Shi'ite sources, there is no general term for authority as it occurs in Western languages, used for the concepts of divine authority, scriptural authority, church authority, etc.. Occasionally, one who has the power of command is referred to by the word *sulṭān* (from which comes the English "sultan"), *malik* (sovereign), *mālik* (owner, possessor), and *hujjah*. Among the

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<sup>1</sup> *Pater Liber* is one of the Roman gods who came to be identified with Dionysus, or Bacchus, the god of licentiousness and drunkenness.

Names of God mentioned in the Qur'ān, we find *al-Malik* (20:114), and *Mālik al-Mulk* (which has been translated as “Master of the Kingdom”, “Owner of All”, and “Master of all sovereignty”). There are no divine Names based on the roots of *sulṭān* or *hujjāb*, although reference to divine authority can be found in which such terms are employed. Other terms that are used to indicate divine authority are: *al-Haqq* (the Truth), *al-Rabb* (Lord), *Dhê al-Jalāl* (Possessor of Majesty), and a number of others, each of which repays study with a greater appreciation of the nature of divine authority in Islam. The notion of authority is closely related to that of obedience; so, we should also look at what the Qur'ān has to say about obedience and following in order to get a clearer picture of how authority is viewed in Islam.

Let's begin with *sulṭān*. What is most characteristic of the use of this word in the Qur'ān is that it is used to condemn idolatry as unauthorized, in contrast to which the missions of the prophets are described as authorized.

The following verses may be grouped together because they all pertain to the condemnation of unauthorized idolatry [which is contrasted with the authorized message of monotheism (*tawhīd*) brought through the prophets]. We could say that these verses indicate a negative concept of authority, in that they deny authority for idolatry. These verses are relevant to teaching authority, for they condemn false unauthorized religious teachings, and to sacramental authority, for they condemn unauthorized worship of false gods.

سَنَلْقَى فِي قُلُوبِ الَّذِينَ كَفَرُوا الرَّعْبَ بِمَا أَشْرَكُوا بِاللَّهِ مَا لَمْ يُنَزَّلْ بِهِ سُلْطَانًا وَ  
مَأْوَاهُمُ النَّارُ وَ بئس مَثْوَى الظَّالِمِينَ

«We shall cast terror into the hearts of the faithless because of their ascribing to Allah partners for which He has not sent down any authority, and their refuge shall be the Fire; and evil is the abode of the wrongdoers.» (3:151)

وَ كَيْفَ أَخَافَ مَا أَشْرَكْتُمْ وَ لَا تَخَافُونَ أَنَّكُمْ أَشْرَكْتُم بِاللَّهِ مَا لَمْ يُنَزَّلْ بِهِ عَلَيْكُمْ  
سُلْطَانًا فَأَيُّ الْفَرِيقَيْنِ أَحَقُّ بِالْأَمْنِ إِنْ كُنْتُمْ تَعْلَمُونَ

«How could I [Abraham] fear what you ascribe as partners, when you do not fear ascribing to Allah partners for which He has not sent down any authority to you?» (6:81)

قُلْ إِنَّمَا حَرَّمَ رَبِّي الْفَوَاحِشَ مَا ظَهَرَ مِنْهَا وَ مَا بَطَّنَ وَ الْإِثْمَ وَ الْبَغْيَ بِغَيْرِ الْحَقِّ وَ  
أَنْ تُشْرِكُوا بِاللَّهِ مَا لَمْ يُنَزَّلْ بِهِ سُلْطَانًا وَ أَنْ تَقُولُوا عَلَى اللَّهِ مَا لَا تَعْلَمُونَ

«Say, 'My Lord has only forbidden indecencies... and that you should ascribe to Allah partners for which He has not sent down any authority...» (7:33)

أَتُجَادِلُونَنِي فِي أَسْمَاءِ سَمَّيْتُمُوهَا أَنْتُمْ وَ آبَاؤُكُمْ مَا نَزَّلَ اللَّهُ بِهَا مِنْ سُلْطَانٍ

«...Do you dispute with me regarding names that you have named—you and your fathers—for which Allah has not sent down any authority?» (7:71)<sup>2</sup>

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<sup>2</sup> See also 53:23.

مَا تَعْبُدُونَ مِنْ دُونِهِ إِلَّا أَسْمَاءَ سَمَّيْتُمُوهَا أَنْتُمْ وَءَابَاؤُكُمْ مَا أَنْزَلَ اللَّهُ بِهَا مِنْ سُلْطَانٍ  
إِنِ الْحُكْمُ إِلَّا لِلَّهِ أَمَرَ أَلَّا تَعْبُدُوا إِلَّا إِيَّاهُ ذَلِكَ الدِّينُ الْقَيِّمُ وَ لَكِنَّ أَكْثَرَ النَّاسِ لَا  
يَعْلَمُونَ

«You do not worship besides Him but names that you and your fathers have coined for which Allah has not sent down any authority. Sovereignty belongs only to Allah...» (12:40)

وَلَا يَأْتُونَ عَلَيْهِمْ بِسُلْطَانٍ بَيِّنٍ

«...if only they would bring some clear authority concerning them [gods besides Him]...» (18:15)

أَمْ أَنْزَلْنَا عَلَيْهِمْ سُلْطَانًا فَهُمْ يَنْكُرُوهَا كَانُوا بِهِ يُشْرِكُونَ

«Have We sent down to them any authority which might speak of what they associate with Him?» (30:35)

وَيَعْبُدُونَ مِنْ دُونِ اللَّهِ مَا لَمْ يَنْزَلْ بِهِ سُلْطَانًا وَمَا لَيْسَ لَهُمْ بِهِ عِلْمٌ

«They worship besides Allah that for which He has not sent down any authority, and of which they have no knowledge...» (22:71)

The link between authority and knowledge is important. Those without legitimate authority don't know what they're talking about. This would seem to indicate a lack of teaching authority, since the reference to eavesdropping indicates that those condemned lack knowledge on which to base their pronouncements. They are ridiculed by God in the following verse:

أَمْ لَهُمْ سُلْمٌ يَسْتَمِعُونَ فِيهِ فَلَيَأْتِ مُسْتَمِعُهُمْ بِسُلْطَانٍ مُبِينٍ

«Or do they have a ladder whereby they eavesdrop? If so let their eavesdropper produce a manifest authority.» (52:38)

No one becomes privy to the divine knowledge by illegitimate means:

يَمَعَّشِرَ الْجِنَّ وَالْإِنْسَ إِنِ اسْتَطَعْتُمْ أَنْ تَنْفُذُوا مِنْ أَقْطَارِ السَّمَوَاتِ وَالْأَرْضِ فَانْفُذُوا  
لَا تَنْفُذُونَ إِلَّا بِسُلْطَنٍ

«O company of jinn and humans! If you can pass through the confines of the heavens and the earth, then do pass through. But you will not pass through except by an authority.» (55:33)

Likewise, the attribution of polytheistic doctrines about God is declared to be unauthorized and not based on any knowledge.

قَالُوا اتَّخَذَ اللَّهُ وَلَدًا سُبْحٰنَهُ هُوَ الْغَنِيُّ لَهُ مَا فِي السَّمٰوٰتِ وَمَا فِي الْأَرْضِ ۗ إِنَّ  
عِنْدَكُمْ مِّنْ سُلْطٰنٍ بِهَٰذَا أَتَقُولُونَ عَلَى اللَّهِ مَا لَا تَعْلَمُونَ

«They say, ‘Allah has taken a son!’ Immaculate is He! To Him belongs whatever is in the heavens and whatever is in the earth. You have no authority for this. Do you attribute to Allah what you do not know?» (10:68)

This verse has figured prominently in theological disputes between Christians and Muslims, but the point is general, and asserted in much the same way against polytheists who held that the angels were the daughters of God. Christians respond that they do not hold that the second person of the Trinity is a son in the sense condemned in the above verse. However, this is not the place to review the history of *that* discussion. What is at issue

here is that improper religious beliefs are condemned as being taught without authority; and once again, it is primarily teaching authority that is at issue, and those condemned for unauthorized teaching are condemned for making attributions without knowledge.

أَمْ لَكُمْ سُلْطَنٌ مُّبِينٌ

«Do you have a manifest authority?» (37:156) [asked of those who hold that Allah has begotten daughters]

إِنَّ الَّذِينَ يَجْدِلُونَ فِي آيَاتِ اللَّهِ بِغَيْرِ سُلْطَنٍ أَتَاهُمْ إِنْ فِي صُدُورِهِمْ إِلَّا كِبْرٌ مَّا هُمْ  
بِیْلَغِيهِ

«Indeed those who dispute the signs of Allah without any authority that may have come to them—there is only vanity in their breasts, which they will never satisfy....» (40:56)

Next we have verses that declare the divine authorization of the prophets, for whom Moses stands as an exemplar. These verses indicate a positive concept of authority, the divine authorization given to the prophets. Here, the authority is not limited to teaching, but has legal and political dimensions, as well.

وَءَاتَيْنَا مُوسَى سُلْطَانًا مُّبِينًا

«...and We gave Moses a manifest authority.» (4:153)

وَلَقَدْ أَرْسَلْنَا مُوسَى بِنَايِبَتِنَا وَ سُلْطَنٍ مُّبِينٍ (69) إِلَى فِرْعَوْنَ وَ مَلَائِهِ فَاتَّبَعُوا أَمْرَ  
فِرْعَوْنَ وَ مَا أَمْرُ فِرْعَوْنَ بِرَشِيدٍ

﴿Certainly We sent Moses with Our signs and a manifest authority/ to Pharaoh and his elite, but they followed Pharaoh's dictates, and Pharaoh's dictates were not right.﴾ (11: 96-97)

ثُمَّ أَرْسَلْنَا مُوسَىٰ وَأَخَاهُ هَارُونَ بِآيَاتِنَا وَسُلْطٰنٍ مَّيِّينٍ

﴿Then We sent Moses and Aaron, his brother, with Our signs and a manifest authority...﴾ (23:45).

This is similar to (28:35), just Moses is mentioned with the signs and manifest authority at (40:23), (51:38). Moses tells Pharaoh that he has a manifest authority from God at (44:19), where opposition to freeing (giving over to Moses) the Israelites, “the servants of God”, is considered rebellion against God. So, the authority given by God to the prophets is over whoever God wishes, and is not confined to the prophet himself or his people. Moses has *de jure* authority over Pharaoh, even if Pharaoh refuses to recognize it.

وَلٰكِنّ اللّٰهُ يُسَلِّطُ رُسُلَهُ عَلٰى مَن يَشَاءُ

﴿...but Allah gives authority to His apostles over whomsoever He wishes﴾ (59:6)

While various people challenge the authority of the prophets, the prophets acknowledge that whatever authority they bring is only by the permission of God. Here the authority may be indicated in the form of a miracle, or sign indicative of their mission.

قَالُوا إِنَّ أَنْتُمْ إِلَّا بَشَرٌ مِّثْلَنَا تُرِيدُونَ أَنْ نَصَدِّقَ مَا كَانُوا يَعْبُدُونَ آبَاءَهُمْ فَأَتُونَا بِسُلْطَانٍ  
مَّبِينٍ (10) قَالَتْ لَهُمْ رُسُلُهُمْ إِنْ نَحْنُ إِلَّا بَشَرٌ مِثْلُكُمْ وَلَكِنَّ اللَّهَ يَمُنُّ عَلَىٰ مَنْ يَشَاءُ  
مِنْ عِبَادِهِ وَمَا كَانَ لَنَا أَنْ نَأْتِيَكُمْ بِسُلْطَانٍ إِلَّا بِإِذْنِ اللَّهِ وَعَلَى اللَّهِ فَلْيَتَوَكَّلِ  
الْمُؤْمِنُونَ (11)

«...They said, ‘You are nothing but humans like us who desire to bar us from what our fathers used to worship. So bring us a manifest authority.’/ Their apostles said to them, ‘Indeed we are just human beings like yourselves, but Allah favors whomever of His servants He wishes. We may not bring you an authority except by Allah’s leave, and in Allah let all the faithful put their trust.’» (14:10-11)

Another important instance of negative authority, or authority denied, is the case of Iblis, or Satan. What is denied here is not specifically teaching authority, but a quasi-political/legal right to rule over or command.

إِنَّ عِبَادِي لَيْسَ لَكَ عَلَيْهِمْ سُلْطَانٌ وَكَفَىٰ بِرَبِّكَ وَكِيلًا

«As for My servants, you [Satan] shall have no authority over them» (17:65)

وَقَالَ الشَّيْطَانُ لَمَّا قُضِيَ الْأَمْرُ إِنَّ اللَّهَ وَعَدَكُمْ وَعَدَّ الْحَقُّ وَعَدَدْتُكُمْ فَأَخْلَفْتُكُمْ وَمَا  
كَانَ لِي عَلَيْكُمْ مِنْ سُلْطَانٍ إِلَّا أَنْ دَعَوْتُكُمْ فَاسْتَجَبْتُمْ لِي

«...Satan will say, ‘Indeed Allah made you a promise that was true and I made you a promise, but I failed you. I had no authority over you, except that I called you and you responded to me...’» (14:22)

Just as Satan admits that he had no legitimate authority over man, the idols will testify against their worshippers at the end of the world:

وَمَا كَانَ لَنَا عَلَيْكُمْ مِّنْ سُلْطٰنٍ بَلْ كُنْتُمْ قَوْمًا طٰغِيْنَ

﴿...we [what wrongdoers used to worship] had no authority over you; no, you were an insolent people...﴾ (37:30)

Satan does exert a sort of *de facto* authority over man, as is indicated by the words ﴿I called you and you responded to me﴾, but this is not a legitimate form of authority. It merely means that Satan is obeyed by men. We see the same distinction in the following verses.

إِنَّ عِبَادِي لَيْسَ لَكَ عَلَيْهِمْ سُلْطٰنٌ إِلَّا مَن اتَّبَعَكَ مِنَ الْغٰوِيْنَ

﴿Indeed as for My servants, you [Iblis] do not have any authority over them, except the perverse who follow you﴾ (15:42)

إِنَّهُ لَيْسَ لَهُ سُلْطٰنٌ عَلَى الَّذِينَ ءَامَنُوا وَعَلَى رَبِّهِمْ يَتَوَكَّلُونَ (99) إِنَّمَا سُلْطٰنُهُ عَلَى  
الَّذِينَ يَتَوَكَّلُونَهُ وَالَّذِينَ هُم بِهٖ مُّشْرِكُونَ

﴿Indeed he [Satan] does not have any authority over those who have faith and put their trust in their Lord./ His authority is only over those who befriend him and those who make him a partner [of Allah].﴾ (16:99-100)

The possibility of *de facto* Satanic authority is the result of the free will granted to human beings. Satan is able to tempt:

وَمَا كَانَ لَهُ عَلَيْهِمْ مِّنْ سُلْطٰنٍ إِلَّا لِنَعْلَمَ مَن يُّؤْمِنُ بِالْآخِرَةِ مِمَّنْ هُوَ مِنْهَا فِي شَكٍ

«He [Iblis] had no authority over them, but that We may ascertain those who believe in the Hereafter from those who are in doubt about it...» (34:21)

Often the believers have been protected by God from the *de facto* authority of tyrants:

وَلَوْ شَاءَ اللَّهُ لَسَلَّطْنَاهُمْ عَلَيْكُمْ فَفَقْتَلْتُمُوهُمْ

«...had Allah wished, He would have given them authority against you, and then they would surely have fought you.» (4:90)

There is a recurrent association of tyranny and the illegitimate exercise of authority, the taking up of idols, the failure to follow the prophets, and disputing religious tenets without divine authority.

الَّذِينَ يَجِدُونَ فِي آيَاتِ اللَّهِ بَغْيًا سُلْطَانًا أَنَّهُمْ كَبَرُوا عِنْدَ اللَّهِ وَعِنْدَ الَّذِينَ  
ءَامَنُوا كَذَلِكَ يَطْبَعُ اللَّهُ عَلَى كُلِّ قَلْبٍ مُتَكَبِّرٍ جَبَّارٍ

«Those who dispute the signs of Allah without any authority that may have come to them—[that is] greatly outrageous to Allah and to those who have faith. That is how Allah seals the heart of every arrogant tyrant.» (40:35)

Authority often has the sense of permission. The signs brought by the prophets are by the permission of God. The religious/legal permission to take retribution for murder is also described as an authority.

وَمَنْ قُتِلَ مَظْلُومًا فَقَدْ جَعَلْنَا لَوْلِيَّهِ سُلْطَانًا

﴿...and whoever is killed wrongfully, We have certainly given his heir an authority﴾ (17:33)

Likewise permission for self-defence against hostile idolaters is described as an authority, perhaps better translated in this case and the above as authorization. The authorization here pertains to what is to be considered lawful, not to teaching, spirituality, or worship.

وَ أُولَئِكَ جَعَلْنَا لَكُمْ عَلَيْهِمْ سُلْطٰنًا مَّيِّبًا

﴿...and it is such against whom We have given you a clear authorization.﴾ (4:91)

When the hoopoe doesn't show up on time for Solomon, he says:

لَأَعَذِّبَهُ عَذَابًا شَدِيدًا أَوْ لَأَذْبَحَهُ أَوْ لِيَأْتِيَنِي بِسُلْطٰنٍ مَّيِّبٍ

﴿ 'I will surely punish him with a severe punishment, or I will surely behead him, unless he brings a clear authority﴾ (27:21)

The meaning of "authority" here is also that of an *authorization* or *excuse*. When one has no excuse left to offer, one is said to lack authority:

هَلٰكٌ عَنِّي سُلْطٰنِيَّةٌ

﴿My authority has departed from me﴾ (69:29)

This is spoken by the sinners who are given their books in their left hands on the judgment day and have no legal excuse on the basis of which to seek to avoid punishment.

Treachery is seen as an invitation to disaster, as if one were giving permission to God to make one wretched. Of course, God does not *need* the permission of humans for anything; yet by failing to carry out the conditions needed for being granted a reward, it is as though one gives permission to the authority not to grant the reward.

يَا أَيُّهَا الَّذِينَ ءَامَنُوا لَا تَتَّخِذُوا الْكَافِرِينَ أَوْلِيَاءَ مِنْ دُونِ الْمُؤْمِنِينَ أَلِئِنَّكُمْ لَتَجْعَلُونَ  
 اللَّهُ عَلَيْهِ سُلْطٰنًا مَّيْمِنًا

﴿O you who have faith! Do not take the faithless for friends instead of the faithful. Do you wish to give Allah a clear authorization against yourselves?﴾ (4:144)

Every believer seeks divine guidance, and so seeks an authority from God. Divine authority is associated more with divine authorization, assistance, signs and guidance than with having free reign or liberty to rule. Here the authority mentioned is more clearly associated with spiritual guidance than those previously mentioned.

وَ قُلْ رَبِّ اُدْخِلْنِيْ مُدْخَلَ صِدْقٍ وَّاَخْرِجْنِيْ مَخْرَجَ صِدْقٍ وَّاَجْعَلْ لِّيْ مِنْ لَّدُنْكَ  
 سُلْطٰنًا نَّصِيْرًا

﴿And say, ‘My Lord! Admit me with a worthy entrance, and bring me out with a worthy departure, and make for me a helping authority from Yourself.﴾ (17:80)

The examination of these verses and the above-mentioned reflections enable us to reach the following conclusions about the concept of authority in Islam.

1. Divine authority is beneficial. What God commands is for the good of those commanded. Because of this, practical reason is understood to endorse obedience to the divine commands.
2. Divine authority is always presented in contrast to usurped authority or deceitful authority, which is arbitrary, selfish, and of no real benefit, although appearances to the contrary commonly deceive many.
3. Divine authority is guiding, while de facto authority without divine permission is oppressive and misleading.
4. Authority is backed up by signs, by reason, and by knowledge. It is linked to proof (*hujjah*) and clear explanation (*bayyinah*). The recognition of authority is by appeal to individual conscience and reason. No one can be forced to recognize the divine authority given to the prophets.
5. The divine authority given to human beings is limited. For example, one is permitted retribution, but one must not be excessive in this. Divine authority cannot be abused because it is conditioned on proper exercise. As soon as one acts abusively, one forfeits any claim to divine authority. No one can claim divine authority for oppression.
6. The divine authority given to the prophets is not divided. Through them, divine guidance is provided in all areas of life: legal, spiritual,

sacramental, teaching, political, etc. For example, rules of good hygiene are woven into the rules of ritual practice; moral teachings are not separated from religious law; and spirituality informs the political decisions of the prophets. On the other hand, authority delegated to others is limited to specific authorizations, e.g., retribution.

7. Authority is authorization. One has authorization for what has a good reason, for what excuses one, for what one has been given explicit divine permission, and for what has been divinely commanded.

Our examination of the above verses suffices to establish that the source of authority in Islam is God. This is not surprising. God's authority, however, is not arbitrary. God does whatever He wishes, but His wishes are not capricious. This point is one on which Shi'ite theology differs with the Ash'arite theology that is common among Sunni Islam.

The above verses also demonstrate a principle by which authority is transmitted: by authorization. God delegates authority to the prophets, peace be with them.

The difference between Shi'ite and Sunni accounts of the succession to the Prophet is often portrayed as a political dispute. This is misleading. There *is* a dispute about the political leadership of the Muslim community, but this is secondary to a more fundamental disagreement about authorization. According to the Shi'ah, the ultimate basis of authority is not what anyone wants—neither the will of the people, nor anyone else. Even the will of

God can only be considered the source of authority because of God's essential justice and mercy. Of course, authority is granted by God's will, but it is not because God wills capriciously for the prophets to have authority that they have it; rather, God wills that the prophets have their authority because of His wisdom and mercy, and the prophets' capacity to provide guidance. He chooses whoever He wills in accordance with His wise and beneficent plan for humanity.

God wills justice, for He is just. Justice means that everything should be in its proper place. Those who require guidance should obey those who can best provide it. Thus, God sends His messengers with authority to provide guidance that will enable those who obey His Messengers to arrange their relations with God and men in the way they can acquire virtue and thereby move toward Him.

Likewise, the succession to the Prophet through the Imams is neither determined by heredity nor by the arbitrary selection of the previous authority, but through divine selection announced through the appointment of each of the Imams by the one who held the authority prior to him.

The Prophet Muhammad was authorized by Allah to bring a law for the people that differed in some respects from what was current among the Christians and Jews of the time, although there were many points in common among them. The successors of the Prophet were not authorized to bring any other law. In this sense there is a difference in the legal authority given to the prophets and to the Imams. Both are given authority in the sense of authorization to guide the people, with a right to obedience

from the people, not for their own sakes, but in order to fulfil the divine mandate. However, the law promulgated by the Imams is the law that had been given to Muhammad, and the scripture they taught was the scripture given to Muhammad.

The authority given to both the prophets and Imams to guide the people and which requires obedience is called *wilāyah*. *Wilāyah* is a special friendship with God, which is usually translated into English as *sainthood*, but the *waliy* in Shi'ism is not understood as the *saint* in Catholicism. Sometimes *wilāyah* and *walāyah* are distinguished, so that the former means the guardianship and right to obedience that characterizes the relation of the *mawlā* over his followers, while the latter is used to characterize the special friendship and devotion to God of the *waliy Allah*, as well as the love and devotion of the people toward him. Shaykh Saduq tells us that the most noble servants of Allah are those whose *waliy* is the *waliy Allah* and whose enemy is the enemy of Allah.<sup>3</sup> In practice the terms are often confused, and the markings that would distinguish the words *wilāyah* and *walāyah* are often omitted in Arabic texts.

Like the Catholic saint, the *waliy* is a very holy person, one who has an especially intimate relation with God expressed as love and devotion. However, the *waliy* also takes the utmost care to follow the path prescribed toward God through the guidance given His Prophet<sup>ﷺ</sup>, and because of his success in following the way toward God, he becomes the means through

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<sup>3</sup> Muhammad ibn Babawayh al-Qummi, *A Shi'ite Creed*, tr. Asaf A. A. Fyzee (Tehran: WOFIS, 1982), 85-86.

which God guides others to Himself, too, and thus God grants him the right to leadership and to the obedience of the people.

One of the most important narrations on which the authority of Imam ‘Ali is based is that of Ghadir, according to which the Prophet appointed ‘Ali as his successor after the farewell pilgrimage. It is reported that he brought ‘Ali before the people, raised ‘Ali’s hand in his own and said: “For whomever I am *mawla*, this (‘Ali) is his *waliy*. O Allah, befriend those who befriend him and have enmity for those who have enmity toward him.”<sup>4</sup>

An early claim to authority that invokes the concept of *wilayah* may be found in a hadith according to which the grandson of the Prophet, Imam Husayn, is reported to have written the following in a letter to the Shi‘ah of Basra:

God has chosen Muhammad from among his people, graced him with His prophethood and selected him for His message. After he admonished the people and conveyed His message to them, God took him back unto Himself. We, being his family (*ahl*), his devotees (*awliya*), his trustees, heirs, and legatees, are the most deserving among all the people to take his place.<sup>5</sup>

In this statement it is clear that the sort of authority understood by the Imam to have been given through the appointment of the Prophet includes

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<sup>4</sup> This narration is found in various Shi‘ite as well as Sunni collections of hadiths. See the book: *Shi‘ism in Sunnism* by Sayyid Muhammad Reza Mudarrisi Yazdi (Qom: Ansariyan, 2003), p. 52.

<sup>5</sup> This narration is reported in Tabari, cited by S. H. M. Jafri in *The Origins and Development of Shi‘a Islam* (Qom: Ansariyan, 1989), 179-180.

the authority to command, that is, to provide political leadership to the community, and that this authority is based on spiritual authority through which the Imam guides his followers toward God. Furthermore, the political authority is also rooted in the spiritual authority, for the political direction of the community is not for the sake of merely worldly benefits or by the arbitrary exercise of power, rather, the community is guided politically by the *waliy* so as to provide an appropriate framework for the spiritual perfection of its members. However, the guidance of the community is not only in order to provide this framework for *individual* spiritual perfection. The Muslim community or *ummah* also has a moral and spiritual role to play in the greater community of nations.

The political and spiritual guidance of the community and its members by the Prophet and Imams would not be possible if it were not based on a proper knowledge of the divine Will. Because of the possession of this knowledge, the *waliy* has teaching authority.

Authority may be further delegated by the Prophet or Imams to others. For example, although the authority to bring a covenant with God in the form of religious law ends with the Prophet Muhammad, the legal authority to issue rulings based on this law and to interpret how the law is to be applied in new circumstances is delegated to those who have gained the appropriate knowledge of the law and are God-fearing. Likewise, teaching authority is further delegated to those who have the appropriate knowledge and are pious, regardless of whether that knowledge is of the law, doctrine, hadiths, the recitation of the Qur'an, its interpretation, etc.

Sacramental authority is a special case that deserves attention given the great differences in this between Catholicism and Islam. There is no priesthood in Islam. There are no sacraments, or special rituals that serve as vehicles for obtaining grace, that require a special person with specific authority to perform them. All of the major sacraments of Islam (if we may be allowed to use the Catholic terminology for them here), that is, bearing witness, prayer, alms, fasting and hajj, can be performed by any Muslim with knowledge of the relevant laws without the presence of the clergy (although leading prayers requires both knowledge of the ritual and justice). There is no power or authority invested in any person by any Muslim religious institution for the performance of any ritual or for the issuing of any decree of Islamic law or for the statement of doctrine.<sup>6</sup>

To find something analogous to the Catholic notion of religious authority in Islam, we would do best to take a glance at the Sufi Orders. According to Sufis, spiritual authority has been passed down through a chain of specific designations, called a *silsilah*, on the basis of which claims are made to spiritual authority. Among both Sunni and Shi'ī Sufis, these chains go back to the Prophet through 'Alī. This not only provides the Sufis with a doctrine of spiritual authority derived by appointment or designation, but it also introduces a sort of sacramental authority that is absent from non-Sufi Islam. The Sufis hold that the pledge between the master and disciple, called *bay'ah*, is a vehicle of divine grace or *barakat*, in a manner comparable with

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<sup>6</sup> There is an established idea among many Shi'a jurists that in the time of the presence of Imams as well as in the reign of a just jurist, certain positions such as acting as a judge or Friday and Eid prayer leader must be decided by appointment. (Editor's note)

Catholic teachings on the sacraments. This initiatory ceremony must be conducted by the Sufi master or someone appointed by him and the initiate. This provides an approximation to the Catholic idea of a sacrament that also can be found in Islam, although it does not correspond to any particular Catholic sacrament. An even closer approximation in Sufism to a specific Catholic sacrament, that of Holy Orders, may be found in the appointment of a *shaykh* by the Sufi *pir*, although this is in some ways more like the appointment of a bishop than like the sacrament through which one becomes a Catholic priest. At any rate, even these analogies to Catholic sacraments are only found in Sufi Islam, whether Shi'ī or Sunni branches of Sufism. In non-Sufi Shi'ī Islam as in non-Sufi Sunni Islam, there is nothing like a sacrament that requires performance by a religious authority.

Sunni and Shi'ī theologians differ on the nature of political authority. For the Shi'ah, the *wilāyah* of 'Alī is comprehensive, in the sense that it includes spiritual, teaching, legal and political authority. For Sunni theologians, the *wilāyah* of 'Alī is such that he can be recognized as a spiritual authority, (although his spiritual authority is not comparable with that of the Prophet), but this is held to have no political implications. 'Alī's political authority is limited, in Sunni Islam, to the period of his caliphate. He is recognized as a teaching authority, but only to the extent that he had knowledge of the Qur'ān and the teachings of the Prophet. He is accorded legal authority in Sunni Islam because of this same knowledge. The political authority of the caliphs, according to Sunni Islam, is based on the virtues of the caliph and on his acceptance by the Muslim community. The authority of the Imams in Shi'ite Islam, on the other hand, does not require acceptance by the Muslim

community. Their authority is appointed whether anyone recognizes it or not. In theory, there is no significant difference in this regard among the various Shi'i sects. Ismaili Shi'a, for example, accept the same basic theory of Imamate as the Twelver Shi'a, but differ as to the identity of some of the Imams.

In traditional Sunni Islam, legal authority is confined to four schools of jurisprudence: Hanbali, Hanafi, Maliki, and Shafi'i. Although there are Sunni Muslims who have called for a re-examination of the formulation of Muslim law in these four schools, the traditional opinion has been that the doors to *ijtihad* (the independent deriving of the law from its sources) are closed. In Shi'i Islam, on the other hand, the doors to *ijtihad* have never been closed. For the Shi'ah, legal authority requires not merely a knowledge of the sources, it implicitly also requires the wisdom to derive rulings on specific issues in changing circumstances. Legal authority to derive such rulings is based solely on knowledge and intelligence (as well as piety), however, and does not require any specific sort of permission, according to the dominant view among the Shi'i 'ulama, called *usuli*. During the Safavid period, there was a debate between *usuli* and *akbbāri* schools of Shi'i jurisprudence; and the *akbbāris* argued that any sort of religious authority, whether legal or merely for the narration of hadiths, required permission from a previous authority. Although many Shi'i religious authorities continue to receive permission from their teachers or from the seminaries for *ijtihad*, there are notable *mujtahids* who have practiced *ijtihad* without obtaining any such permission.

According to Twelver Shi'a, religious authority and *wilayah* is currently accorded to the Twelfth Imam, who is in a state of *ghaybah*, or occultation. The period of *ghaybah* is divided into two: minor and major. During the minor *ghaybah*, the 12<sup>th</sup> Imam appointed deputies in order to attend to various affairs of his followers and to provide guidance on some matters. The period after the death of the last deputy, who acted as an intermediary between the people and the Imam, marks the beginning of the major occultation. So, the question arises as to where religious authority is to be found during the major occultation. For this purpose we need to distinguish authority needed for practical affairs and authority pertaining to doctrine. With regard to teaching, the Qur'an and the hadiths are available to all who have the ability to understand them. Teaching authority is based on knowledge. There is no magisterium to settle doctrinal disputes in Islam. Such disputes can only be settled through strength of argument, reason and knowledge of the relevant sources. It is the duty of each Muslim to ascertain the truth of the fundamental teachings of the religion by his own intellectual efforts, and merely taking the word of an expert is specifically forbidden.

With respect to legal and political matters, however, some criterion for action is a practical necessity. In matters of religious law, each Shi'a must either have competence to derive the law from its sources or follow the rulings of someone who has such competence. Those who are not experts are advised to investigate, by asking who devote their lives to the study of Islamic law; and on the basis of this investigation to follow the pious *mujtahid* they believe is the most knowledgeable as a source or *marji'* of imitation (*taqlid*) in matters of the practical laws of Islam.

According to some *hadiths*, not only did the Imams refer people to the scholars of Islamic law for legal rulings, but also for arbitration of disputes. This has been taken by many Shi'i scholars to indicate a general delegation of practical authority over disputed issues to the *'ulama*. The political form of this idea of delegation is known as the doctrine of *wilayah al-faqih*, the guardianship of the jurist. Imam Khomeini also argued on rational and practical grounds for the need of religious government. The basic idea is that Islam includes teachings about social, economic and political affairs that can only be put into practice through an Islamic government, a government guided by the teachings and rulings of Islam as understood by those with appropriate expertise in such matters.

There are various interpretations of the doctrine of *wilayah al-faqih*, which differ on such issues as the qualifications for the position and the scope of its authority; however there is general agreement that the institution is based on exigency and the application of reason to various principles of Islam and governance. It is not a position, like that of the papacy, authorized through something like apostolic succession. One of the most famous statements of the doctrine in recent history is that of Hajj Mulla Ahmad Naraqi (1771-1829):

As for the jurists' duty over people's affairs and over what they have full and all-embracing *wilayah* we, by divine grace, say that a just jurist's *wilayah* lies in two matters. First, every *wilayah* possessed by the Prophet and the Imams (who were the sovereigns and pillars of Islam) is bestowed upon the jurists as

well, except what is excluded by juridical proof such as *ijmā‘* (consensus) or *nass* (established text)... Secondly, every action concerning the people’s faith and worldly affairs is necessary and inescapable according to reason and habit or according to *Shar‘* (law)....

It is obvious and understood by every common or learned man, that when the messenger of God is on a trip, someone behind him is assigned as his substitute, successor, trustee, proof.... This person will accrue all the power that the Prophet enjoyed over his community. There is no doubt that most *nusus* (texts) concerning the *amsiyā* (heirs) of the infallible Imam imply the transfer of all power, not merely some of it. This becomes clear especially in connection with the traditions concerning the rank and place of jurists, who are the most excellent men after the Imams....<sup>7</sup>

When we look through the history of Shi‘i political thought, we find that from time to time there have been groups of Shi‘a who have taken a position diametrically opposed to that expressed above by Naraqī. One of the most extreme of these groups has been the *hujjatiyyah*, who argue that during the greater occultation of the Twelfth Imam, the Shi‘a cannot enforce Islamic law, carry out its punishments, or hold Friday prayers. Others, such as Shahid Mutahhari, argued that during the major occultation, many of the responsibilities of the Imam can be carried out by

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<sup>7</sup> Hajj Mulla Ahmad Naraqī, *‘Awa'id al-Ayyam* (Qom: Maktab-e Basirati, n.d.) 187-188, translated in *Wilayah and Marj'iyah Today* (Houston: Al-Fajr, 1995), 214.

the office of *wilāyah al-faqih*, but that some remain as the exclusive authority of the Imam. The dominant view among the Shi'ī 'ulama today, however, tends to favor the position that there are no specific areas of authority that are reserved by the Imam and cannot be carried out by the office of *wilāyah al-faqih*.

Despite precedence in Shi'ī theological writings, such as the above quote from Mulla Ahmad Naraqī, the doctrine of *wilāyah al-faqih* was not put into practice in the formation of a government until the Iranian Islamic Revolution in 1979. Since the Revolution, the office has become recognized in the Constitution of the Islamic Republic of Iran.

Clerical authority in Shi'ī Islam, however, takes various forms. At the core is the capacity for *ijtihad*, the ability to derive the rulings of religious law from its sources. The conditions traditionally given for one to have this ability are knowledge and piety. Not all who wear the Shi'ī clerical robes and turban have reached the level of *ijtihad*, however. In an Islamic government, the judges will be appointed by the *wali al-faqih*. Even in the absence of Islamic government, however, it has been common for Muslim communities to appeal to their local scholars to act as judges in various sorts of disputes. One who has reached the level of *ijtihad* is able to issue a legal ruling on the basis of the sources of Islamic law, called a *fatwa*. One who issues such rulings is called a *mufti* (although this term is not widely used among contemporary Shi'a).

As mentioned above, every Shi'ī who is not able to derive religious rulings on the basis of their sources must follow one who has this ability. The

*mujtabid* who is followed is called a *marji' taqlid* (source of following). Traditionally, the conditions given for being a *marji' taqlid* were that he should be the most learned of the pious scholars. In order to determine who has such qualifications, one should himself be a scholar or one should consult with those who have sufficient expertise. In recent years, however, it has been suggested that the condition of learning includes deep awareness of contemporary issues and views, as well as social and political problems. In the case of *wilāyah al-faqih*, the person who is to occupy this position should be a *mujtabid*, he should be pious and just, he should have administrative talent and courage, and he should have social and political insight.<sup>8</sup>

In addition to *ijtihad*, *maj'iyah*, *wilayah al-faqih*, and judgeship, the Shi'ī clergy plays many other roles, such as leading prayers, teaching, leading people in the performance of hajj, giving sermons, doing research on theological issues, etc. Each of these positions has its own specific requirements. In general, however, the appeal to the clergy to perform any such function is based on the requisites of knowledge and piety.

With regard to the recognition of authority, there is no compulsion. Each believer is advised to use his own reason to accept the authority of those best qualified for its exercise. No one can be compelled to accept any particular person as *marji'*. Even with respect to the office of *wilāyah al-faqih*, the current Leader himself, Ayatollah Khamenei (may Allah protect him), has ruled that no one can be compelled to accept his authority and if one

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<sup>8</sup> See Ayatollah Ali Meshkini, "Wilayat al-Faqih," in *Wilayah and Marj'aiyah Today*, 195-200.

erroneously rejects this authority on the basis of his own reasoning, he is not to be considered a sinner because of this. However, failure to recognize authority is no excuse for disobedience of the law or criminal activity.

### **Tradition and Sunnah**

In both Catholicism and Shi'i Islam, tradition may be seen as a source for religious teaching second only to scripture, and thus as authoritative. However, what is meant by tradition differs in these two faiths, although there are also several common points. Both Catholics and Muslims agree that divine guidance has been delivered by scripture and by the passing down of narrations from one generation to another. However, for Christians, scripture is also a record of what was passed down about the life of Jesus and his apostles, the epistles of Paul, and other written documents that were selected by the Church as authoritative, while for Muslims, scripture is the record of the revelation given to the Prophet. To Muslims, the New Testament looks more like a book of hadiths than the direct revelation (*wahy*) of God. Nevertheless, Christians and Muslims, along with Jews and Zoroastrians, are recognized by the Shi'a as "*abl al-kitab*", people of the book; and the books in question are taken as containing divine messages for their peoples. These books reach contemporary believers in any of these faiths by being handed down from one generation to another, that is, by tradition.

For Catholics, however, Church tradition is itself authoritative. Catholics believe that the history of the Church, the decisions made in its councils and the statements of doctrine enunciated by its popes are guided by the

Holy Spirit, and as such have divine authority. For the Shi'a, on the contrary, there is no analogous belief. Theological doctrines that were common at one time may be rejected later if good reason is found for so doing regardless of traditional acceptance. Because of this, for example, Shaykh Saduq's theology was largely superceded by that of Shaykh Mufid, and later the *akhbhari* school of thought was displaced by the *usuli* school. The fact that a given doctrine or practice becomes accepted by the majority of scholars at any given time carries no theoretical weight for other scholars. Each scholar must use the best of his own cognitive abilities to study the sources and reach his own conclusions. In this sense, the Shi'i approach to religion is a rationalist one.

*Sunnah*, which is often translated as "tradition", is indeed authoritative for Muslims, but not the *sunnah* of the clergy, of the seminaries, or of the Muslim community; rather, it is the *sunnah* of the Prophet (ﷺ) that is taken by Muslims as second in authority only to the Qur'an.

In Islamic jurisprudence, four sources of legal rulings are commonly mentioned:

1. the Qur'an
2. the Sunnah
3. reason (Shi'i) or analogy (Sunnī)
4. consensus.

The reliance on consensus in Sunni legal theory is in some respects similar to the Catholic reliance on tradition, although Catholics have focused more on doctrinal issues while Muslims have been more concerned with practical rulings. However, for the Shi'a, consensus is reduced to the Sunnah, since it is valid only when it unveils the view of the Prophet or the Imams. Hence, for all practical purposes, in present circumstances the sources of legal rulings among the Shi'a are limited to the first three mentioned above: the Qur'an, the Sunnah, and reason.

Sunni and Shi'i Muslims are in agreement that what is meant by the Sunnah is the example of the Prophet (s) in word and deed as recorded and passed down in the form of narrations, called hadiths. For the Shi'a, however, narrations of the words and deeds of the twelve Imams are also taken as authoritative. Sometimes this is justified on the grounds that knowledge of the Sunnah of the Prophet (s) was best preserved in his household, his *ahl al-bayt*. Nevertheless, the authority of the Imams is seen as derivative relative to the Sunnah of the Prophet (s), and the Imams themselves often justified the stance they took with reference to the Sunnah of the Prophet (s).