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### **“Between Theory and Practice: The Clash of Authority Between the Imams and their Disciples”**

Authority in Shi'ism, is linked to the question of the perpetuation of divine guidance through the leadership of the imams. This required authoritative figures who could perform the functions of the imams and express their will to their followers when access to the imams became difficult. In fact, the question of authoritative guidance to the community has been a consistent *topos* in Shi'i discussions on the contribution of the disciples of the imams, the *rijal*. The constant surveillance of the imams that was reportedly exercised by the caliphal authorities<sup>1</sup> meant the imams had to abandon their political ambitions, especially in view of the numerous 'Alid revolts against the 'Abbasids, all of which had ended in failure.<sup>2</sup>

In all probability, it was the failure of the various 'Alid revolts to overthrow the 'Abbasid regime and the repressive measures adopted by the caliphs against any opposition to their regime that persuaded the imams to accentuate their role as the exponents of the *shari'a* rather than assuming the comprehensive, socio-political leadership that had been envisaged for the Prophet himself.

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<sup>1</sup> As examples of the 'Abbasid oppression exerted on the imams, Shi'i sources cite the cases of al-Mansur's (d. 775) threat to kill Ja'far al-Sadiq and Harun al-Rashid's (d. 809) imprisonment of al-Kazim (d. 799). See al-Mufid, *Kitab al-Irshad*, 411, 454.

<sup>2</sup> Examples are the revolts of Muhammad b. 'Abd Allah (Nafs al-Zakiyya) (d. 762), Husayn b. 'Ali (d. 786) and Abu Saraya (d. 815). For a discussion on various 'Alid revolts against the 'Abbasids, see Hugh Kennedy, *The Early 'Abbasid Caliphate*; C. Huart, "'Alids," *Shorter Encyclopedia of Islam*, 32-33.

Another important ramification of the depoliticization of the imams' authority in eighth century Shi'ism was the delegation of this authority to their disciples. The rise to prominence of certain individuals, who undertook various functions on behalf of the imams, should be construed as a pragmatic response to the Shi'i community's need for religious leadership and guidance on the one hand, and the inability of the imams to have continuous access to their followers on the other. The imams reportedly trained the *rijal* so that they could transmit their teachings in the legal, theological, and ethical realms to their distant followers. In addition, the imams are reported to have instructed their disciples on how to engage in various genres of debates with their interlocutors.<sup>3</sup> These disciples were dispersed in various areas of the Islamic world like Kufa, Qum, and Khurasan.

The delegation of the imams' authority to their close associates was an important landmark in Shi'i intellectual history insofar as it signified a transition from the centralized, universal, charismatic authority of the imams to a more structured and regionalized authority of the *rijal*. In the process of divesting their authority to their close disciples, the imams were diffusing their charisma into a nascent, symbiotic structure, one that was dominated by the *rijal*.

### **The Process of the Delegation of Authority**

Any claim to exercise authority on behalf of the imam had to be furnished with proper evidence of delegation from the imams. It was only through an explicit authorization from the imams that the *rijal* could substantiate their claims that the authenticated form of *'ilm* was being transmitted. Once their position as the representatives of the imams had been ratified, the *rijal*

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<sup>3</sup> For details of these see Liyakat Takim, *The Heirs of the Prophet: Charisma and Religious Authority in Shi'ite Islam* (Albany: SUNY, 2006), chapter four

could both contribute toward the edification and promulgation of Shi'i dogma and play significant and active roles in the judicial and financial affairs of the community.

The investiture of the imams' authority to their associates is evident in various statements in which the imams are reported to have recommended their distant followers to seek religious guidance from their trusted authorities. The Shi'is were specifically asked to refer to those who had been personally trained by the imams in the juridical and theological fields. 'Abd al-'Aziz b. Muhtadi (n.d.), an associate of the eighth imam, 'Ali al-Rida (d. 818), complained to the imam saying, "I cannot meet you at all times, from whom shall I seek guidance in religious matters?" Al-Rida is reported to have said, "Take it from Yunus b. 'Abd al-Rahman (d. 823)."<sup>4</sup> In the absence of the imams, *rijal* like Yunus b. 'Abd al-Rahman, who were trained by and enjoyed the confidence of the imams, were seen as the protectors of religion against innovation or adulteration.

It was through the process of delegation that the authority of the *rijal* became enshrined in the Shi'i community as they performed various tasks on behalf of the imams. Gradually, the diffusion of the imams' authority became a pervasive force that animated the discipleship network centered on the *rijal*. It is to be noted that the delegation of the imams' authority to the *rijal* continued even during the period of the later imams. However, since they were either incarcerated or placed under house arrest, the tenth and eleventh imams had significantly fewer disciples.<sup>5</sup> This had the effect of emasculating the functions of the *rijal*.

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<sup>4</sup> Kashshi, *Ikhtiyar*, 483.

<sup>5</sup> See the examples cited by Etan Kohlberg, "Imam and Community in the Pre-Ghayba Period," in *Authority and Political Culture*, ed. Sa'id Arjomand, 39-40. Ismail Poonawala, "The Imam's Authority During the Pre-Ghayba Period in Lynda Clarke ed., *The Shi'ite Heritage*, 118-19. Ibn Nadim also lists some of the disciples of the imams. See Muhammad

## The Transmission of the Imams' *'Ilm*

As disciples who had been instructed by the imams, the *rijal* were recognized as possessors of the authentic knowledge that could protect God's religion against innovation or adulteration. The divinely bestowed *'ilm* that was reportedly located in the imam could only be passed on within a specified line of transmission. Since they embodied the knowledge of the imams, it was only the *rijal* who could disseminate their teachings to other Shi'is. It is in this context that we can comprehend the instruction the seventh imam, Musa al-Kazim, gave to his followers. He is reported to have said, "Do not take knowledge pertaining to religion from other [persons] than our Shi'is."<sup>6</sup>

The view that the knowledge of the imams was transmitted to their disciples is epitomized in different ways. Muhammad b. Muslim (d. 767) is reported to have narrated thirty thousand traditions from al-Baqir and sixteen thousand traditions from al-Sadiq during his four-year sojourn in Medina. A study of Muhammad's profile indicates that he was acknowledged as one of the eminent jurists of his time. It was, in all probability, his close attachment to the imams and his erudition in legal matters that led 'Abd al-Rahman b. al-Hajjaj (n.d.) and Hammad b. 'Uthman (d. 805)<sup>7</sup> to state, "No one among the Shi'is was more learned (*afqah*) than Muhammad b. Muslim."<sup>20</sup>

Shi'i and Sunni sources maintain that the knowledge of the imams was transmitted to their close associates in different ways. In his *Sahih*, Muslim b. Hajjaj (d. 875) mentions that

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b. Ishaq b. Nadim, *Kitab al-Fihrist*, trans. Bayard Dodge (New York: Columbia University Press, 1970), 1:535-44.

<sup>6</sup> Kashshi, *Ikhtiyar*, 4.

<sup>7</sup> On 'Abd al-Rahman, see Ahmad b. 'Ali Najashi, *Kitab al-Rijal*, 165. On Hammad, see *ibid.*, 104.

Jabir had apparently boasted of having heard fifty to seventy thousand prophetic traditions from al-Baqir. Due to the esoteric nature of some of these traditions, he was told not to relate them to anyone.<sup>8</sup> Some texts were composed and presented by the *rijal* to the imams to authenticate. Once verified by an imam, a book forms an important mode for transmitting the teachings of the imams and constitutes an intrinsic component of the imams' *'ilm*, for in theory, an act or speech authenticated by an imam constitutes a *sunna*. Thus, the book of 'Ubayd Allah b. 'Ali al-Halabi (n.d.) was reportedly approved by al-Sadiq.<sup>9</sup> Another disciple, Muslim al-Nahwi (n.d.) issued legal edicts, an act that was also approved by al-Sadiq.<sup>10</sup>

The preceding discussion suggests that the delegation of the imams' authority, transmission of their knowledge, and the establishment of a network of disciples were salient traits that characterized the eighth century Shi'ism. The teachings of the imams could only exert historical influence if they were connected to a vibrant and active group that carried the imams' message. The delegation of the imams' authority in eighth century Shi'ism also indicates that the appearance of '*ulama*' serving as agents of the occult imam was not a ninth century phenomenon. Rather, it was the continuation of a process initiated in the times of the fifth and sixth Shi'ite imams. However, a discussion on the authority of the '*ulama*' during the *ghayba* (occultation) of the twelfth imam lies beyond the purview of the present study.

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<sup>8</sup> Muslim b. Hajjaj al-Qushayri, *Jami' al-Sahih* (Riyadh: Bayt al-Afkar, 1998), 1:21.

<sup>9</sup> Najashi, *Kitab al-Rijal*, 255

<sup>10</sup> Kashshi, *Ikhtiyar*, 253.

## **The *Rijal* as the Jurists of the Shi‘i community**

The discussion on the delegation of the imams’ authority to their disciples substantiates the view that the diffusion of authority was not an event that occurred immediately after the death of an imam. Rather, it was a process that occurred gradually while he was still alive. In all probability, the process of the increasing authority of the *rijal* was contingent on the disciples’ capacity to perform various functions on behalf of the imams.

I have argued that the process of diffusion of the authority of the imams was intertwined with the gradual concentration of power and knowledge in a distinct group of religious scholars. The universal and all-embracing authority of the imam that was located in Medina was complemented by the regional authority of the *rijal* in distant areas like Kufa, Qum, and Khurasan, even though the institutional structures that manifested the authority of the *rijal* took time to construct. Geographical and political considerations segmented Shi‘ism into regional communities, each with its own distinct scholar or group of scholars expressing the authority of the imam. Yet, as I shall discuss, it was precisely the segmentation of the imams’ authority that precipitated a challenge to the imams’ own authority.

Delegation of the imams’ authority was accompanied by an intellectual movement in eighth century Shi‘ism, one in which the disciples of the imams were to play a prominent role. It was the office of the *rijal* that ensured the survival of the imams’ teachings in the midst of the vicissitudes of the Sunni milieu. The office of the *rijal* also helped to establish an edifice upon which Shi‘i jurisprudence and theology could be defined and expressed. In the sectarian discourses that were conducted in Kufa and Baghdad, questions such as the necessity of an imam, the qualifications and process of designating an imam were freely discussed, and a distinctly Shi‘i legal system was elaborated and explicated. As I have shown elsewhere, the *rijal*

debated and were engaged in the discussion of subjects that were at the nexus of Sunni intellectual discourse, presenting, in the process, distinctive Shi'i pronouncements on the topics.<sup>11</sup> The imams are reported to have instructed their disciples on the questions that were posed in the course of the *rijal*'s discourses with their adversaries.

By acquiring and transmitting the legal traditions of the imams, the *rijal* participated with the imams in their role as the Shi'i jurists of the time. Although they were trained by and represented the imams, the *rijal* gradually became qualified jurists in their own rights. It is not uncommon for a disciple to be described as a *faqih* or to be credited with treatises in the legal field. In fact, there are many reports which indicate that *fiqh* works were composed by many disciples of the imams. Muhammad b. Muslim, for example, is reported to have authored a book titled, "Four hundred questions on the chapters concerning what is lawful and unlawful."<sup>12</sup> The Shi'i biographers Najashi (d. 1058) and Tusi (d. 1067) list the titles of some of these works, none of which are extant. In all probability, the incipience of Shi'i juridical tracts can be traced to the times of these jurists in the eighth century. Many of these treatises were available to Shi'i *hadith* compilers like Kulayni (d. 939) and al-Saduq (d. 991) in the tenth century. They undertook to systematically incorporate them in their own *hadith* works.

The accredited role of the *rijal* as the jurists of their time is also confirmed by the biographer Ibn al-Nadim (d. 995) in his *Kitab al-Fihrist*. He devotes a section in his book to the prominent Shi'i *rijal* and then states, "These are *fuqaha*' who relate *fiqh* from the imams."<sup>13</sup> Many of them were seen as experts in the *ahkam Allah* (God's legal ordinances). The juridical

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<sup>11</sup> See Liyakat Takim, *The Heirs*, chapters three and four.

<sup>12</sup> Najashi, *Kitab al-Rijal*, 226.

<sup>13</sup> Ibn al-Nadim, *Kitab al-Fihrist*, 1:536. For a list of early Shi'i *fiqh* works, see Husayn al-Sadr, *Ta'sis al-Shi'a* (Tehran: Mansurat al-A'lami,

and theological pronouncements of the *rijal* and their penchant towards Shi‘ism were recognized in the wider Muslim community. Figures like Aban b. Taghlib, Jabir b. Yazid al-Ju‘fi, Zurara b. A‘yan, Humran b. A‘yan, Muhammad b. ‘Ali al-Ahwal (n.d.) and Hisham b. al-Hakam (d. 807) are frequently cited in Sunni *hadith*, theological, and heresiographical works.<sup>14</sup>

Due to their erudition in and contribution to the legal field, the *rijal* became part of the juristic community. The laity, on the other hand, was expected to yield to the authority of the community constructed around the *rijal*. The knowledge that the *rijal* acquired enabled them to become mediating figures between the community and the imams.

### **The Epistemic Authority of the *Rijal***

The discussion on the roles of the *rijal* as the jurists and transmitters of the teachings of the imams indicates that the *rijal*'s authority was epistemic. This mode of authority refers to the leadership of those erudite figures or experts in a given field who serve as a referent point for others.<sup>15</sup> Epistemic authority is inherently relational since it involves at least two people, one of whom is a specialist in a field and can instruct the other. Since it is confined to a specialized field, epistemic authority tends to endow its bearer with extra charisma and authority, especially as only a few trained experts can participate in the field. The *rijal*'s epistemic authority was anchored in the training that they had received from the imams and in their functions as the jurists and theologians in the Shi‘i community. As I shall discuss, their

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n.d.), 298–99.

<sup>14</sup> For a discussion of these figures, see Liyakatali Takim, "The *Rijal* of the Shi‘i Imams as Depicted in Imami Biographical Literature," (Ph.D. diss., School of Oriental and African Studies, 1990).

<sup>15</sup> Michael Berger, *Rabbinic Authority* (New York: Oxford University

epistemic authority was also located in their hermeneutical skills and the interpretive enterprises in which they were engaged.

The epistemic authority of the *rijal* was further accentuated by the “delegation traditions” through which the imams referred their followers to those associates whom they had personally trained. Thus, it is correct to state that the office of the *rijal* was predicated on the two modes of authority that I have delineated, the delegation from the imams and the epistemic authority that was anchored in the scholastic activities of the *rijal*. Reports of the imams divesting their authority to the disciples had to be corroborated with evidence that the *rijal* had been trained by the imams to become competent leaders in the religious fields. Epistemic authority demanded obedience from the masses, because it reflected the teachings of the imams and a proper articulation of the law. Whereas epistemic authority provided the basis for transmitting the teachings of the imams and inferring rulings from their teachings, the delegation from the imams showed, for the Shi‘is, that the knowledge was rooted in its authentic source, the family of the Prophet. Delegation was as crucial as epistemic authority because it ratified the *rijal*’s position as the appointed deputies of the imams. As a matter of fact, the status of these *rijal* was to be measured, in part, by their comprehension of the imams’ teachings, their ability to transmit these teachings to the community with great veracity, and their loyalty to the imams. Thus, al-Sadiq is reported to have said, “[A]cknowledge the status (*manazila*) of the *rijal* among us based on the traditions they report from us.”<sup>16</sup> *‘Ilm* possessed by the *rijal* became important since it was the source of authority and the means for legitimizing any claim to authority, showing who had been deputed by the imams. Stated differently, what was transmitted was as crucial as who transmitted it because

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Press, 1998), 73-74.

the validity of knowledge was contingent on its source.<sup>17</sup> Only knowledge that came from the house of the Prophet was deemed to be valid.

### **The *Rijal* as the Shi'i Holy Men**

The Shi'i belief that the imams were holy figures is depicted in various ways in Shi'i hagiographic literature. They are portrayed, for example, as possessing miraculous powers. Some disciples actively promulgated the view that the imams possessed extraordinary abilities and could perform both power and epistemological miracles.

The stature of the disciples of the imams is depicted in different ways. Many disciples are reported to have been the recipients of the extraordinary abilities of the imams. The reputation of the *rijal* was enhanced in reports, which indicate that they were the beneficiaries of the miraculous powers of the imams. Al-Baqir reportedly split the ceiling to show Jabir the kingdom of the heavens and the earth (*malakut al-samawati wa'l-ard*) in the same way that God had shown Abraham (6:75).<sup>18</sup> Whereas Abraham was shown the kingdom of the heavens, Jabir al-Ju'fi visited the kingdom of the heavens and the earth.<sup>19</sup> Al-Baqir is also reported to have taken the same Jabir to places where prominent Qur'anic figures like Dhu'l-Qarnayn and Khidr had visited.<sup>20</sup>

A study of Shi'i *hadith* and biographical literature indicates that the *rijal* were more than passive beneficiaries of the extraordinary knowledge and miraculous abilities of the

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<sup>16</sup> Kashshi, *Ikhtiyar*, 3.

<sup>17</sup> Sachedina, *Just Ruler*, 32.

<sup>18</sup> Al-Mufid, *al-Ikhtisas*, 322-23.

<sup>19</sup> Al-Saffar, *Basa'ir*, 405.

<sup>20</sup> Ibid; al-Mufid, *al-Ikhtisas*, 323.

imams. If the imams could transmit knowledge pertaining to the legal ordinances to their close associates, what was preventing these *rijal* from having access to the esoteric '*ilm* of the imams? As a matter of fact, some disciples reportedly claimed to have acquired the extraordinary knowledge and abilities of the imams enabling them to perform feats that could be matched or surpassed only by the imams. In this manner, some *rijal* claimed to have appropriated imam-like attributes and, like the imams, projected themselves as extraordinary figures who could perform epistemological and power miracles.

According to Kashshi, due to the '*ilm* acquired from the imams, Maytham al-Tammar (n.d.) could predict future events,<sup>21</sup> a feat that was later matched by Muhammad b. Sinan (d. 835), a disciple of the tenth imam.<sup>22</sup> 'Ali b. Abu Talib had reportedly dictated the '*ilm al-balaya wa'l-manaya* (esoteric knowledge on future events) to Rushayd al-Hujri (n.d.).<sup>23</sup> In addition, he taught Salman al-Farisi (d. 644-647) the greatest name of God. This enabled him to partake in the imams' esoteric '*ilm*. Due to his supernatural knowledge, Salman could even foretell the unfolding of events in Kerbala in minute details.<sup>24</sup>

The claim to have attained supernatural status was not restricted to the extremist elements among the disciples of the imams. Like the imams, some *rijal* claimed that they could perform extraordinary feats. When he profiles Jabir al-Ju'fi, the Sunni biographer Ibn 'Adi (d. 975) mentions an element that is curiously absent in earlier biographical texts, Jabir's ability to perform miracles. In fact, Jabir is credited with a number of power miracles.

'Uthman b. Sha'bi (n.d.) reported from his grandfather that, like Mansur al-Hallaj (d. 922),

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<sup>21</sup> Kashshi, *Ikhtiyar*, 78-79.

<sup>22</sup> *Ibid.*, 581-82.

<sup>23</sup> Al-Saffar, *Basa'ir*, 264-66.

<sup>24</sup> Kashshi, *Ikhtiyar*, 20.

Jabir could produce fruits from his garden in an off-season.<sup>25</sup> Jabir could also allegedly emulate al-Baqir in miraculously transporting people to distant places to meet the imam.<sup>26</sup> In addition, Jabir was reportedly empowered to bring water from the Euphrates river to the people<sup>27</sup> and could perform many other types of miracles.<sup>28</sup>

### **The Struggle for Authority in Eight-Century Shi'ism**

The authority of the *rijal* sought legitimacy through association with the imam. This new order of authority co-existed with rather than replaced that of the imams. The juxtaposition of the two forms of authority inevitably impinged on the Shi'i community. The co-existence of the divergent modes of authority was bound to generate tension within the Shi'i community especially as this led to the emergence of the regional authority of the disciples of the imams. In their role as Shi'i jurists, prominent *rijal* like Zurara, Burayd b. Mu'awiya, and Muhammad b. Muslim symbolized the growing authority of the disciples, who in places like Kufa and Qum had assumed leadership of the Shi'i community. The increasing functions of the *rijal* also meant that the community came to rely on their transmission of the imams' teachings and pronouncements. Furthermore, since the disciples were seen as the spokesmen of the imams, the community also became increasingly dependent on their interpretation and understanding of these teachings. As I shall discuss below, the *rijal* gradually assumed an active, and sometimes interpretive, role in the unfolding of the Shi'i legal system.

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<sup>25</sup> Ibn Hajar al-Asqalani, *Tahdhib al-Tahdhib* (Beirut: Dar al-Kutub al-`Ilmiyya, 1994), 2:50.

<sup>26</sup> Kashshi, *Ikhtiyar*, 197.

<sup>27</sup> *Ibid.*, 198.

<sup>28</sup> See Wilferd Madelung, "Djabir al-Dju'fi," *Encyclopedia of Islam*, (supplement), 232-33.

A close study of Kashshi's work indicates that the affirmation of the regional authority of the *rijal* militated against the comprehensive authority of the imams. Initially, the *rijal* were regarded as veracious transmitters of the traditions that they had heard from the imams. At this point, the imams are reported to have uttered many remarks in favor of the *rijal*. Gradually, the *rijal* emerged as independent thinkers who often challenged statements of the imams, engendering much friction between the imams' authority and that of their disciples.

A few examples will suffice to illustrate the tensions that existed between the imams and a number of their disciples. Differences between the imams and their disciples had emerged from the time of al-Baqir as some of his associates challenged his legal and theological pronouncements. Zurara had differed with al-Baqir when he argued that there was no intermediate position between a believer and non-believer.<sup>29</sup>

Differences between the imams and their disciples extended to the theological realm. Hisham b. Salim al-Jawaliqi (n.d.) and al-Ahwal, who were both prominent Shi'i theologians, are accused in Shi'i and non-Shi'i sources of maintaining that God is hollow to the navel while the rest [of His body] is solid, a view that was rejected by al-Rida.<sup>30</sup> Shi'i accounts of al-Jawaliqi's anthropomorphism are confirmed by Sunni sources. In his *Maqalat al-Islamiyyin*, al-Ash'ari (d. 935) mentions some of the anthropomorphic views allegedly held by al-Jawaliqi. Apart from being accused of believing that God had the shape of a man, he is also reported to have said that God had, like His creatures, five senses, hands, eyes, legs, nose, mouth, and black hair. He was, moreover, a bright radiant light.<sup>31</sup> Like Hisham b. Hakam, another famous Shi'i

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<sup>29</sup> Hossein Modarressi, *Crisis and Consolidation in the Formative Period of Shi'ite Islam* (Princeton: Darwin, 1993), 54, n 7.

<sup>30</sup> Kulayni, *al-Kafi*, 1:136.

<sup>31</sup> Al-Ash'ari, *Maqalat*, 1:109, 1:283.

theologian, al-Jawaliqi is reported to have maintained that God's will was equivalent to his movement. Whenever He wills something, He moves and that which He wishes occurs.<sup>32</sup>

In propounding their disparate views, the *rijal* had, at times, encroached on the authority of the imams. In all probability, the divergent teachings of the *rijal* had gained considerable acceptance within certain Shi'i circles. In response, the imams occasionally found it essential to refute statements that were contrary to their teachings since they could not possibly condone any aberration from their theological and juridical positions. If left unchecked, it would not only create confusion within the Shi'i ranks but could possibly lead the *rijal* to challenge the imams' authority. Paradoxically, the very function that the *rijal* performed on behalf of the imams appears to have engendered differences between the imams and their associates. The confluence of the two forms of authority generated, at least in some quarters, a crisis in religious authority.

### **Tensions Between the *Rijal***

In the eighth century, Shi'i doctrines and jurisprudence were still in an embryonic form. The lack of a coherent, standardized doctrine, or a unified legal system is reflected not only in various statements uttered by the *rijal* that contradicted the imams' pronouncements but also from numerous other reports which state that the *rijal* differed among themselves on many theological issues, agreeing only on the central doctrine of the imamate. The conflicts between the imams and their disciples apparently extended to the *rijal* themselves. I will cite only a few of the many differences between the *rijal* that have been reported.

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<sup>32</sup> Ibid., 1:115. See also 'Abd al-Qadir al-Baghdadi, *al-Farq Bayn al-Firaq*, 3<sup>rd</sup> ed. (Beirut: Dar al-Afaq al-Jadida, 1978), 52.

According to Ibn al-Nadim, Muhammad b. Khalil al-Sikal (n.d.) differed with his teacher, Hisham b. Hakam, on most things apart from the question of the imamate.<sup>33</sup> Hisham b. al-Hakam is said to have written a book titled, “A refutation of [the views held by] Hisham b. Salim al-Jawaliqi.”<sup>34</sup> The two prominent Shi‘is disagreed on the issue of divine body and form. In fact, their dispute was serious enough for the Shi‘is to arrange a debate between them regarding God’s unity and attributes. After the debate, ‘Abd al-Rahman b. Hajjaj labeled Hisham b. al-Hakam an infidel and heretic.<sup>35</sup> So pronounced were these differences that a disciple of the imams, ‘Abd Allah b. Ja‘far b. Malik (n.d.), wrote a book on the differences between Hisham b. al-Hakam and Hisham b. Salim al-Jawaliqi.<sup>36</sup>

The differences among the *rijal* on legal and theological issues reflect the range of views that were maintained in early Shi‘ism. The differences between the disciples may have been caused by their own understandings and formulations of various theological and legal points which, as noted, were often at variance with the imams’ stated positions. The disparate and sometimes conflicting legal rules enunciated by the Shi‘i jurists corroborate the point previously made that the Shi‘i legal system was, at that time, in an embryonic stage. It is to the source of the diversity that I turn next.

### **The *Rijal* and Interpretive Reasoning**

The eighth and ninth centuries, the time of the *rijal*, witnessed the formative period of both the Sunni and Shi‘i legal systems. At a time when no agreement had been reached

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<sup>33</sup> Ibn Nadim, *Fihrist*, 1:439.

<sup>34</sup> Najashi, *Kitab Rijal*, 304-5.

<sup>35</sup> Kashshi, *Ikhtiyar*, 279.

regarding the definitive sources of law, arbitrary human reasoning, or *ra'y*, was predominant in certain parts of the Islamic world as a valid source for legal inferences. The developing Hanafi jurisprudence in Kufa was characterized by the extensive use of *ra'y*. For that reason, its adherents were labeled as *ashab al-ra'y* (the people of *ra'y*). Besides *ra'y*, *qiyas* (analogy) was also employed in the derivation of law in Kufa. Moreover, the frequent reference to custom (*'urf*) in the sources signifies an element of arbitrary reasoning in the legal system. *Ra'y*, *'urf*, and *qiyas* express juristic speculation rather than a disciplined legal practice based on textual sources or documented precedence.

It is important to comprehend the significance of Kufa as an important center of intellectual activity where many of the disciples resided. As a matter of fact, over eighty per cent of the more than three thousand individuals mentioned by Tusi in his list of those who related traditions from al-Sadiq bear the ascription "al-Kufi."<sup>37</sup> In Kufa, there was an uneasy juxtaposition of the reasoning of individual jurists, local consensus, and precedents reported from the Prophet. The *rijal* lived in this ambience of juristic diversity and disputation.

The friction between the *ra'y* of the school of Kufa and the local *sunna* of the Medinan school, which I have discussed elsewhere, is reflected in the relations between the *rijal* and the imams, where many of the tensions between the two schools are replicated. In the pluralistic environment of Kufa, where there was close interaction between diverse factions and ideas were freely exchanged, some disciples were seemingly vulnerable to cross cultural and doctrinal influences. It was here that *ra'y* posed a major threat to the Shi'is as their views could be swayed by the Kufi penchant towards independent reasoning in the

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<sup>36</sup> Najashi, *Kitab al-Rijal*, 152.

<sup>37</sup> R. Buckley, "Ja'far al-Sadiq as a Source of Shi'i Traditions," *Islamic Quarterly* 43, 1 (1999): 41.

derivation of juridical rulings. The freedom that the *rijal* enjoyed in Kufa encouraged some of them to interpret the teachings of the imams based on the hermeneutical principles embodied in *ra'y* and *qiyas*, eventually leading them to differ with the imams' teachings and to promote their own juristic authority.

The Shi'i legal system in Kufa was characterized by the transmission of traditions from the imams and the use of individual reasoning. *Ra'y*, as practiced by the *rijal* in Kufa, was not always based on an authoritative text or sound traditions from the imams. Rather, it was probably based on practical considerations. In addition to *ra'y*, the disciples also resorted to *qiyas* in their deductions of laws that were not explicitly stated in the Qur'an or traditions from the imams. Although *qiyas* and *ra'y* are often condemned in the same sentence, and sometimes used interchangeably, *qiyas* signifies a more defined type of *ra'y*.<sup>38</sup> *Qiyas* represents the technique by means of which a jurist can apply an underlying principle from a text to a new case that is not directly discussed in the revelatory sources. It is often used to discover the rationale behind a legal opinion so that the same ruling can be invoked when that rationale exists.<sup>39</sup>

Disciples like Zurara and Hisham b. al-Hakam symbolized the growing authority and increasing independence of the *rijal* in places like Kufa, where the disciples of the imams were responsible for shaping the religious lives and practices of the Shi'is. Apart from Zurara and Hisham, other disciples also resorted to *ra'y* and *qiyas* in their debates. Al-Ahwal, for example, used *qiyas* in his polemical discourses. His mode of argumentation was based on

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<sup>38</sup> On the linkage and condemnation of *qiyas* and *ra'y*, see Abu al-Fath Muhammad al-Karajiki, *Kanz al-Fawa'id*, 2 vols. (Beirut: Dar al-Adwa', 1985), 2:28.

<sup>39</sup> See Joseph Schacht, *Origins of Muhammadan Jurisprudence*, 109-10, for examples of the *qiyas* of individual Iraqis. On the different meanings and usage of the term *qiyas* in Shi'i traditions see Robert Gleave, "Imami Shi'i Refutations of *Qiyas*" in Weiss, *Studies in Islamic*, 268-69.

principles that were seemingly contrary to al-Sadiq's teachings, for the imam is reported to have told al-Ahwal after he had defeated his interlocutor in a debate, "You did not utter a word of truth because you resorted to *qiyas* which is against my religion."<sup>40</sup>

The *rijal* occupied wielded enormous authority in shaping the social and religious lives of the Shi'is, especially in areas where access to the imams was not possible. As their authority increased, the *rijal* became more than passive transmitters of traditions. Since they engaged in interpretive and, at times, legislative enterprises, *ra'y* and *qiyas* empowered the *rijal* with hermeneutical strategies to make a finite tradition yield a myriad of different interpretations on juridical rulings. The hermeneutical constructs that were intrinsic to *ra'y* meant that, like many other jurists of Kufa, the practices and legal opinions of the *rijal* were sometimes premised on the exercise of juristic reasoning in solving problems that were not explicitly discussed in the revelatory texts or in the traditions of the imams.

The hermeneutical tools inherent in *ra'y* and *qiyas* also enabled the *rijal* to depart significantly from the pronouncements of the imams. This resulted in a clash of authority between the imams and their disciples and signified the partial independence of the *rijal*. At a time when Shi'i law had yet to assume a normative or canonical character, *ra'y* generated a variety of legal and theological interpretations and conclusions independently of tradition. This is an important observation because, in the process of transmitting and interpreting the traditions of the imams, the *rijal* were simultaneously establishing paradigmatic precedents that came to form a part of canonical authority. Their actions, pronouncements, and understanding of the traditions of the imams, constituted important components in the

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<sup>40</sup> Kashshi, *Ikhtiyar*, 189. The rejection of *qiyas* was not restricted to twelver Shi'is. Even Muhammad b. 'Ali al-Shawkani, a famous eighteenth century Zaydi jurist rejected *qiyas*. See Bernard Haykel, "Reforming Islam by Dissolving the Madhahib: Shawkani and his Zaydi detractors in Yemen," in Weiss, *Studies*, 343-46.

developing Shi'i legal system. Like his Sunni counterpart, the authority of the Shi'i jurist was accentuated in the very traditions he was interpreting.

The *rijal*'s hermeneutical enterprises that were centered on *ra'y* created a diversified, rather than a uniform, legal system. In this process, the *rijal* were the mediating figures between the imams and the Shi'is. It was in the interpretive field that their authority was augmented. The rise to fame and the enhanced authority of some *rijal* may have posed a threat to the imams' own authority, a point that is possibly alluded to by al-Sadiq's statement, "Those who have claimed leadership (*mutara'isun*) like Zurara, Burayd, Muhammad b. Muslim and Isma'il b. Jabir al-Ju'fi will perish."<sup>41</sup>

*Ra'y* had proven to be extremely embarrassing for the Shi'is since the imams and their disciples were contradicting each other, sometimes in public. The imams reacted to the threat from *ra'y* by issuing interdictions against some of their disciples. This was done so as to create a strict and more structured method of *hadith* transmission and to discourage the disciples from resorting to *ra'y* and *qiyas*. It is *ra'y*, al-Sadiq says, that leads people to perdition.<sup>42</sup> Even if they reached the right conclusion based on *ra'y*, al-Sadiq states in another tradition, they will not be rewarded for it. If they erred, they will be punished.<sup>43</sup> The only safe path was to stick to the traditions of the imams. Traditions that prohibit the Shi'is from using *qiyas* and *ra'y* indicate the refractoriness that independent thinking was causing among the Shi'is. By its vehement attacks against *ra'y*, Shi'i literature acknowledges the important role of *ra'y* in eighth century Shi'ism, its challenge to the authority of the imam, and the need to nullify its potency.

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<sup>41</sup> Kashshi, *Ikhtiyar*, 169.

<sup>42</sup> Muhammad b. Khalid al-Barqi, *Kitab al-Mahasin* (Najaf: Matba'a al-Haydariyya, 1964), 158.

If left unchecked, *ra'y* would threaten the authority of the imams, because the *rijal* would no longer be bound to their pronouncements. A *topos* in Shi'i biographical literature is marked by the laudatory remarks concerning disciples who had memorized and preserved the *hadiths* of the imams. Thus, in one report al-Sadiq is reported to have said, "I have not found anyone who has accepted my words, is obedient, and followed the footsteps of the associates of my father except for two people, may God have mercy on them - 'Abd Allah b. Ya'fur and Humran b. A'yan. They are sincere believers among our Shi'is."<sup>44</sup> In contrast, those who resorted to *ra'y* and *qiyas* were unequivocally condemned for having deviated from the imams.

Since Abu Hanifa is generally considered to be the chief proponent of arbitrary reasoning, those Shi'is practicing *ra'y* and *qiyas* were depicted as the followers of Abu Hanifa rather than of Ja'far al-Sadiq. It was to discourage *ra'y* among his followers that al-Kazim reportedly cursed Abu Hanifa for employing *ra'y* against the *riwaya* of 'Ali b. Abu Talib.<sup>45</sup> "But for Abu Hanifa", al-Baqir is reported to have declared, "the people would have found the truth."<sup>46</sup> In contrast to the imams of the other Sunni schools of law, Abu Hanifa has come under severe condemnation in Shi'i literature. This is because his methodology directly impacted the authority of the imams and introduced an element of speculation into Islamic legal science. In addition, his emphasis on *ra'y* and *qiyas* exerted considerable influence among the Shi'is living in Kufa. Although not precipitated by it, independence from the *hadiths* of the imams was accelerated by the Abu Hanifa factor in Kufa. In all probability, it was because of this

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<sup>43</sup> Al-'Ayyashi, *Kitab al-Tafsir*, 17.

<sup>44</sup> Kashshi, *Ikhtiyar*, 180.

<sup>45</sup> Kulayni, *al-Kafi*, 1:73.

<sup>46</sup> *Ibid.*, 2:240.

reason that Shi'i criticisms of Abu Hanifa and aversion to his methodology continued to the tenth and eleventh centuries, when Shi'i authors compiled numerous tracts denigrating Abu Hanifa and criticizing his arbitrary methods of deducing juridical rulings.<sup>47</sup>

Diffusion of the imams' authority, the increasing authority of the *rijal* and the assiduous use of *ra'y* were conflated features that had major ramifications in the Shi'i concept of authority during the times of the imams. The foregoing discussion on the struggle for authority in eighth century Shi'ism indicates that the establishment of the office of *irjal* led to a diffusion of and evolution in the imams' comprehensive authority. The independent-minded *rijal* sought an extension of authority beyond sacred figures and texts. They extended authority to incorporate human reasoning and further located it in the interpretation of scripture and traditions of the imams. In addition, the *rijal* themselves emerged as authoritative figures, not only because they were trained and designated by the imams, but also due to their personal interpretations of the teachings of the imams. Thus, for many Shi'is, authority rested in the past (the Prophet), the present (the imam), in the texts (Qur'an and the *sunna* as exemplified in the developing *hadith* literature), and due to their interpretations, the scholarly elite (*rijal*).

Like the imams, in their capacity as the Prophet's heirs with access to his knowledge, the *rijal* preserved, transmitted, interpreted, and declared the law for the Shi'i community. In the process, they differed with the imams on many theological and legal points. The tensions between the imams and their disciples and the conflict among the *rijal* themselves suggest that the struggle for authority was not only between but also within the different groups that claimed to be heirs of the Prophet.

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<sup>47</sup> See for example, al-Saffar, *Basa'ir*, 147; al-Barqi, *Kitab al-Mahasin*, 165; al-Mufid, *al-Ikhtisas*, 206; Ahmad b. 'Ali al-Tabrisi, *al-Ihtijaj*

## Conclusion

Authority, as conceived in Shi'i texts, was located not only in a living model (the imam) but also in the investiture of his authority to his trained representatives. Some of these associates appropriated the juridical and spiritual authority of the imams, whereas others claimed to possess imam-like attributes. The authority of the disciples was further enhanced by their communal activities.

Delegated authority also empowered the *rijal* with hermeneutical and exegetical strategies. Their enterprise was expressed in expansive law and the legal traditions that they transmitted from the imams. The personal conclusions of the *rijal*, which were often premised on hermeneutical tools, were sometimes incorporated in the law they enunciated. Living in places like Kufa, where they were free from the direct supervision of the imams and often susceptible to a myriad of cross-cultural influences, the *rijal* sometimes employed these tools to depart significantly from the legal and theological pronouncements of the imams.

Although they did not replace the imams, the *rijal* gradually became important leaders in their own right. This institution fused religious and communal leadership, and reflected the amorphous nature of the Shi'i establishment, which included numerous leaders coexisting with each other. The focus in the office, however, was on the religious, rather than political, authority of the *rijal*.

Just like their Sunni contemporaries, the authority of the *rijal* as the jurists of their time was tacitly enhanced in their interpretations and juridical verdicts on legal points. Their authority devolved not only on transmitting the *hadith* of the imams, but also on interpreting them in light of current practice and needs. However, this should not be construed as the

complete independence of the *rijal* from the imams. Despite their differences and at times strained relations, most of the disciples continued to function as the deputed agents of the imams.