A Criticism of the Assumption That Ibn Abī Jumhūr Paved the Way for Traditionalism

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Abstract
Some believe that Ibn Abī Jumhūr Aḥsā'ī's tradition studies in the 9th century LH and his research procedure set the grounds for traditionalism in the ensuing centuries, and so they introduce him as part of the textualist and anti-intellectualist movement. Reviewing Aḥsā'ī's view to intellect as the most important criterion for the separation of textulism and intellectualism based on his theological, jurisprudential, and traditional worlds, this article tries to remove him from the list of textualists and criticize the stance that considers him as the leader of traditionalism. Along with the biography and works of Ibn Abī Jumhūr, the effects of Ḥilla theology-tradition school, philosophers' opinions, his trust in intellect in the beliefs and practical intellect domains, his attention to the relationship between intellect and Islamic law, and his consideration of intellect as one of the proofs for Islamic rules are the evidences that this article presents to prove the intellectualism of Ibn Abī Jumhūr and to distinguish him from traditionalists. The research method of this descriptive-analytical article is document analysis using various Islamic texts.

Keywords: Intellect, Text, Ibn Abī Jumhūr Aḥsā'ī, Al-Mujlī.

Introduction

Muḥammad b. ʿAlī b. Ibrāhīm b. Abī Jumhūr Aḥsā'ī (living in 1503 CE) was a Shīʿa jurisprudent, narration transmitter, and theologian with Sūfīst tendencies from Al-Taymiyya, a village in Aḥsā' in the east side of the Arabian Peninsula (Shakhṣ, 1995, vol. 1: 74-75). He was born in 2014. His father and grandfather were among the scholars of their own era (Baḥrānī, 1958: 399).

In Aḥsā', he studied under the guidance of his father and other scholars of that region, and then moved to Najaf in Iraq, where he was a pupil of Shaykh Sharaf al-Dīn Ḥasan b. ʿAbd al-Karīm Fattāl (Khānsārī, 1991, vol. 7: 32; Shūshtarī, 1987, vol. 1: 581) and to Karak Nūḥ – a village in Jabal ʿĀmil in Lebanon – where he was a student of ʿAlī b. Hilāl Jazā'irī (Shūshtarī, 1987, vol. 1: 78 & 581) and got permissions from them. In the introduction of his book *'Awālī al-li'ālī*, he introduces ʿAlī b. Abī Jumhūr (his father) and Sayyid Shams al-Dīn Muḥammad b. Kamāl al-Dīn Mūsā Mūsawī Ḥusaynī Aḥsā'ī as his other teachers. Moreover, we might understand from the introduction of the book *Durar al-li'ālī fī al-aḥādīth al-fiqhiyya* that he transmits traditions from three people other than his four teachers, too, including Shaykh Ḥirz al-Dīn Baḥrānī, Sayyid Shams al-Dīn Muḥammad b. Aḥmad Mūsawī Ḥusaynī, and Shaykh ʿAbdullāh b. Fatḥ al-Dīn b. ʿAbd al-Malik Fatḥān Wāʿiz Qumī Qāsānī (Ibn Abī Jumhūr Aḥsā'ī, 1985: Introduction).

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Muḥaddith Baḥrānī elaborately discusses all seven narration transmission paths of Ibn Abī Jumhūr Aḥsā'ī, and points out that Aḥsā'ī has been in Mashhad from 1473 CE onward (Baḥrānī, 1965: 176-183).

Some contemporary researchers have written that he spent the rest of his life in Khurāsān; however, the permission that gave to ʻAlī b. Qāsim b. ʻAdhdhāqa in 1501 CE in Ḥilla city shows that he has left Khurāsān to Iraq.

When residing in Mashhad, he had famous debates with Fāḍil Hirawī hosted by Sayyid Muḥsin Raḍawī (1525) (ibid: 166). It is suggested that the other party debating with him has been Aḥmad b. Yaḥyā b. Saʻd al-Dīn Taftāzānī – the judge of Herat – who was ordered to be killed by King Ismāʻīl I in 1510 CE.

There is not definitive information about Aḥsā'ī's death time. Some have relied upon *Muʻīn al-fikr* – which is Aḥsā'ī's explanation of Chapter 11 and is written in 1499 CE – to deem him as alive at that time (Dānish Pazhūh, 1967, vol. 3: 587). Some others have deemed him as alive in the year 1501 CE due to the permission he has given in that year (Schmidtke, 2011: 291).

Ibn Abī Jumhūr Aḥsā'ī has written a permission for Sayyid Sharaf al-Dīn Maḥmūd b. Sayyid ʻAlā' al-Dīn b. Sayyid Jalāl al-Dīn Ṭāliqānī Kāshānī. At the end of this permission, Shaykh Rabīʻa b. Jumʻa ʻIbrī ʻIbādī Jazā'irī has written a recommendation to the receiver of the permission whose date is the beginning of 1506 CE. This has led to a mistake in *Biḥār al-anwār* that mentions the title of this permission as "Ijāza al-Shaykh Muḥammad b. Abī Jumhūr li- Shaykh Rabīʻa b. Jumʻa raḥimahumullāh taʻālā"; this mistake has led some to believe that Ibn Abī Jumhūr has been alive in 1506 CE (Majlisī, 1991, vol. 108: 13-17). However, based on a manuscript in Āyatullāh Marʻashī Najafī Library, he has been alive in 1503 CE.

Aḥsā'ī has numerous jurisprudential, traditional, and theological works, the discussion of which is out of the scope of this article.

The history of traditionalism and its disagreement with legists' viewpoints

The jurisprudential movement known as traditionalism entered Najaf and other scientific hubs from the fourth decade of the 11th century LH. It came to have some proponents in Iran gradually from the middle of the 11th century LH, and many jurisprudents supported it in various cities. Isfahan Ḥawza that was the largest Shīʻa scientific center in those years and was mainly under legists' control tended to traditionalism at the end of 11th century LH after the demise of its notable figures such as Shaykh Bahā'ī, Mīr Dāmād, Mīr Findiriskī, Āqā Ḥusayn, and Āqā Jamāl Khānsārī. Some scholars who found a new tendency to traditions and narrations took steps to promote traditions, and people such as Darwīsh Muḥammad b. Ḥasan Naṭanzī (d. 1595 CE) (Āqā Buzurg Tihrānī, 1923, vol. 4: 83-84 & vol. 5: 210), Mullā ʻAbdullāh Shūshtarī (Āqā Buzurg Tihrānī, 1923, vol. 5: 343), and later notables such as Muḥammad Taqī Majlisī (d. 1660) paid great attention to traditionalism. In line with referring to the disagreements between traditionalists and legists and praising Amīn Astarābādī, Majlisī I (d. 1660) introduces his own method as moderate (Majlisī, 1993, vol. 1: 16). Likewise, Majlisī II introduces his method as something between those of traditionalists and legists (Majlisī, 2002: 557-558). At the peak time of traditionalism in Iran, the majority of the western side of Qazvin was populated by traditionalists who were the pupils and followers of Mullā Khalīl Qazwīnī (d. 1678). In the middle of the 11th century LH, the relationships between Shiraz and Bahrain and the mutual effects of these two tradition centers led to the emergence of a traditionalist movement in both regions whose main figures were Sayyid Mājid Baḥrānī (d. 1028 LH) and Shaykh ʻAlī b. Sulaymān Baḥrānī (Jābirī, 2007: 367).

However, there are two stances to the question that if this movement is a new school and method or is taken from the ancient Shī'a narration transmitters' tradition.

Traditionalists themselves believe that traditionalism is not their innovation; they believe that it dates back to the 4th century LH, the Minor Occultation period, or the companions of Imāms (a). Mullā Amīn Astarābādī (d. 1627 CE), has enumerated 'Alī b. Ibrāhīm Qumī (d. 919 CE), Muḥammad b. Ya'qūb Kulaynī (d. 941 CE), 'Alī b. al-Ḥusayn and Muḥammad b. 'Alī the children of Bābawayh (d. 941 and 991 CE), Ibn Qūlawayh (d. 980), and even Shaykh Ṭūsī (d. 1068 CE), and others as early traditionalists (Astarābādī, 2005: 40 & 135).

The opposite view – mainly hold by legists – has differentiated paying attention to the narrations and even binding oneself to the text of the narration when issuing judicial decrees from the traditionalism common from the 11th century LH onward (Jannātī, 1994: 335). In fact, the appearance of traditionalism school in the 11th century LH – that was founded by Mullā Muḥammad Amīn Astirābādī – was in a way the revival of the early Twelver Shī'a traditionalists' stance. The principles of the school that he established were not unprecedented in the Twelver Shī'a tradition, and the examination of the Twelver Shī'a traditionalists' jurisprudence can elucidate this point more (Anṣārī Qumī, 2002: 90).

Some believe that there is a difference between traditionalism as a jurisprudential school – which was founded by Astarābādī – and as one of the stages of jurisprudence; before Shaykh Ṭūsī, jurisprudents only mentioned the texts of the narrations, did not go out of the text, and did not address the secondary points out of the narrations. However, Shaykh objected to them in *Mabsūṭ*, started addressing the secondary points out of the narrations, and carried out correspondence with the general principles (Ṣadr, 1990: 80-81).

However, to answer the question on the difference between this traditionalist discipline and the old one, many scholars – especially traditionalists – have proposed the differences between traditionalist and legist principles. Examples include Sayyid Ni'matullāh Jazā'irī in *Manba' al-ḥayāt*, Fatḥ 'Alī Khān – the grandson of Karīm Khān Zand – in the book *Fawā'id al-Shīrāziyya* (Aqā Buzurg Tihrānī, 1923, vol. 16: p. 343, no. 1579), Sulaymān b. 'Abdullāh Baḥrānī in the book *Al-Bulgha* (Khānsārī, 1991, vol. 4: p. 250, no. 390) have expressed these differences. 'Abdullāh b. Ṣāliḥ Samāhījī Baḥrānī (d. 1723) in the book *Munya al-Mamārisīn* has mentioned 40 differences (Fayḍ Kāshānī, 1993, vol. 4: 384-397).

Of course, Shaykh Yūsuf Baḥrānī (d. 1772) has tried to show the differences between traditionalists and legist as insignificant and natural, and has considered the majority of them to be literal differences (Baḥrānī, 2002, vol. 3: 288; id., 1985, vol. 1: 167).

Some of the main indices of traditionalism are deeming the free investigation (Ijtihād) as unlawfulness, dividing the narrations and traditions into sound and unsound, limiting the source of evidences to the Qur'ān and sunna, believing in the authoritativeness of knowledge and the invalidity of speculation, considering the division of people into religious authority and imitator to be wrong, not believing in the authoritativeness of the appearance of the Qur'ān, considering all narrations of the Four Books as definitively issued by the Infallibles (a), not believing in the authoritativeness of the independent intellectual propositions, not fulfilling the principal exemption when narrations disagree, rejecting the text-driven deductions, rejecting the refinement of the basis of the ruling, etc.

The assumption that Ibn Abī Jumhūr set the grounds for traditionalism and the reasons for its appearance

Ibn Abī Jumhūr Aḥsā'ī, the 9th century LH narration transmitter and theologian, can be considered a figure that followed the Ḥilla theological and traditional school. Since Aḥsā'ī combined Islamic theology with Illuminated philosophy and knowledge, his opinions have been taken as the developed form of the ideas of Ibn Maytham Baḥrānī and Sayyid Ḥaydar

Āmulī (Shaybī, 1996: 341). However, a different viewpoint has put him among textualists and anti-intellectualists, and has deemed his works as a prelude for the traditionalism of the 11th and 12th centuries.

Shaykh Ḥurr 'Āmilī and Ṣāḥib Rawḍāt are among those who believe in this stance (Ḥurr 'Āmilī, 1983, vol. 2: 253; Khānsārī, 1991, vol. 7: 33). Some have asserted that traditionalism is derived from his works and the way he treats narrations (Fayḍ Kāshānī, 1993: 762), that he has had an important role in paving the way for the appearance and spread of the later traditionalism (Jannātī, 1994: 338), or that he has revived the earlier Twelver Shī'a traditionalism (Anṣārī Qumī, 2002: 76).

Some possible reasons can be suggested for the appearance of this assumption. It seems that following Sayyid Ḥaydar Āmulī (alive in 1392 CE), Ibn Abī Jumhūr imported numerous Sunnī narrations into Shī'a tradition collections through his book *'Awālī al-li'ālī*. His leniency in transmitting traditions with weak chains of transmission and even refraining from mentioning the chains of transmission combined with his high scientific status among Shī'a jurists set the grounds for or promoted a kind of textualism such that the origin of many narrations common in the later Twelver Shī'a books and associations is the book *'Awālī*; an example is the narration "Verily people have control over their properties" (Ibn Abī Jumhūr Aḥsā'ī, 1985, vol. 1: 222).

It is also said that he has written a treatise called "Al-'Amal bi-akhbār aṣḥāninā" in which he has shown his belief in absolute traditionalism (Āqā Buzurg Tihrānī, 1923, vol. 18: 299; Khānsārī, 1991, vol. 7: 30 & 33, no. 594). After mentioning Marfū'a zurāra in Akhbār 'ilājiyya section of the book *Al-Ḥadā'iq al-nāẓira*, Muḥaqqiq Baḥrānī notes that he has not found this narration in any source other than *'Awālī al-li'ālī*, and that the author of *'Awālī* is considered by scholars as an imprecise and inconsiderate person who constantly mixes the worthless and worthy and sound and unsound narrations (Baḥrānī, 1985, vol. 1: 99).

Likewise, although 'Allāma Majlisī stipulates that he has used some content from the books of Aḥsā'ī in his own *Biḥar al-anwār*, he accuses him of not differentiating the sound and unsound narrations (Majlisī, 1991, vol. 1: 31). Shaykh Anṣārī, too, has quoted and confirmed the assertion of Yūsuf Baḥrānī in his book *Farā'id al-uṣūl* (Anṣārī, 1992, vol. 2: 116, vol. 3: 389).

Shaykh Ḥurr 'Āmilī has not used *'Awālī* in writing *Wasā'il al-Shī'a*, which can be a sign of his lack of trust in this book. In the margin of the manuscript of *Khātima wasā'il*, the books that have not been trusted by him and so have not used by him are quoted from Shaykh Ḥurr, including the books *'Awālī , al-Mujlī*, and *Al-Aḥādīth al-fiqhiyya* by Ibn Abī Jumhūr (Ḥurr 'Āmilī, 1989: 159-160). All these words indicate the leniency of Aḥsā'ī in mentioning the chains of transmission, which should be taken as a common point between him and the traditionalists before and after him. It is obvious that such a viewpoint would lead to the opposition of some scholars and jurisprudents. Others have found faults with Ibn Abī Jumhūr and have criticized him from other viewpoints, but these are unrelated to this article and the traditionalism domain.

Nonetheless, there are some scholars who have defended Ibn Abī Jumhūr and his works, including Sayyid Ni'matullāh Jazā'irī – in his explication of *'Awālī* titled *Jawāhir al-'Awālī* – (Jazā'irī, n.d.: manuscript no. 2841), Muḥaddith Nūrī, and Āyatullāh Sayyid Shahāb al-Dīn Mar'ashī (Ibn Abī Jumhūr Aḥsā'ī, 1985, vol. 1: 11-12).

Criticism of this assumption based on Aḥsā'ī's methodological principles

In the coming lines, we investigate the question that if serious evidences can be found for the similarity of the viewpoint and performance of Ibn Abī Jumhūr with traditionalists. We first refer to some methodological discussions.

It can be figured out from the works of Aḥsā'ī that he has a deep attachment to the Shī'a Sūfīsm and mysticisms. His adoption of Sūfī's method and his use of their terms throughout his works – especially … - (Āqā Buzurg Tihrānī, 1923, vol. 20: 13; Ibn Abī Jumhūr Aḥsā'ī, 1985, vol. 7: 30) have caused some commentators to introduce him a "Sūfī." They write that his extremity in Sūfīsm eradicated his tendency to the right (Ibn Abī Jumhūr Aḥsā'ī, 1985, vol. 1: 31; Iṣfahānī, 1981, vol. 6: 14). However, he has been trying to combine the mystic and narrative thoughts, which is clearly a method very different from that of the traditionalists. It is also possible that most of the oppositions to Ibn Abī Jumhūr derive from opposition to Sūfīsm, and the hostility toward mysticism and Sūfīsm has led to reprimanding Ibn Abī Jumhūr. As we know, suchlike judgments have been made about others, too.

However, with regard to the relationship between Sūfīsm and traditionalism, we can say that the Sūfīst and mystic approaches are not congruent with traditionalism. Although his tendency to mysticism shows that his lack of serious attention to the chains of transmission – a trait congruent with the Sūfīst method – is shared by traditionalists, the adoption of such a method cannot be considered a robust reason to rule him as a traditionalist.

With regard to the chains of transmission, a glance at the introduction of *'Awālī al-li'ālī* disproves his absolute disregard of the chains of transmission. At the beginning of *'Awālī al-li'ālī,* he mentions all his paths, evidences, and permissions in an orderly and organized manner. With regard to the narrations, he stipulates that the deletion of the chains of transmission is because he completely believes in the truthfulness of the issuance of those narrations.

Although the majority of the narrations in 'Awālī are loose, Ibn Abī Jumhūr believes that a narration whose transmitter is not mentioned is supported if we know that the transmitter quotes narrations only from the trustworthy sources (Ibn Abī Jumhūr Aḥsā'ī, 1985, vol. 1: 32).

However, the accusations that Ibn Abī Jumhūr had a booklet on accepting all narrations and he confirmed traditionalism in it do not seem to be true. We have not received that book and no one has given a report on it. However, another book called *Kāshifa al-ḥāl 'an aḥwāl al-istidlāl* is attributed to him that is fortunately available; it discusses the requirements and method of free investigation, which is in total disagreement with traditionalism (Āqā Buzurg Tihrānī, 1923, vol. 15: 343; Iṣfahānī, 1981, vol. 5: 50). Some have asserted that these two books are the same and there has been a mistake in the title (Āqā Buzurg Tihrānī, 1923, vol. 17: 241). He wrote this book in response to the request of some Sayyids who asked him to write a book on how to argue for some religious decrees and derive them from the theological evidences and religious speculations as well as the essentials of argumentations (Ibn Abī Jumhūr Aḥsā'ī, 1995: 23).

In relation to the study of narrators and the classification of narrations, Ibn Abī Jumhūr says,

> Although we do not need the study of narrators in the case of widely transmitted narrations, but in solitary narrations we have to know the conditions of the transmitter, because the classification of the traditions into sound, authentic, acceptable, and weak (and putting into practice the first three types) by the jurisprudents is based on knowing the conditions of the transmitters (ibid: 70, 92, 116-118).

Although he is not so loyal to this method in *'Awālī al-li'ālī*, we know that the traditionalists believe that the study of narrators is not needed and mentioning the chains of transmission is for blessedness and auspiciousness, and the classification of narrations is taken from the general books (Astarābādī, 2005: 56, 184).

Ibn Abī Jumhūr believes that the solitary narration without contextual evidence is valid (Ibn Abī Jumhūr Aḥsā'ī, 1995: 117-118, 120). However, Astarābādī does not deem suchlike narrations valid (Astarābādī, 2005: 30).

Ibn Abī Jumhūr believes that in all rulings we have definitive knowledge of the legal decrees (Ibn Abī Jumhūr Aḥsā'ī, 1995: 117), while Astarābādī believes that in all rulings we have definitive knowledge of the legal decrees (Astarābādī, 2005: 47-48, 80, 90, 154).

With regard to consensus – as one of the main sources of disagreement between traditionalists and legists – Ibn Abī Jumhūr says that there is no doubt in the fulfillment and affirmation of consensus, and the majority of Islamic nation agree with the existence of consensus and its authoritativeness (Ibn Abī Jumhūr Aḥsā'ī, 1995: 107). However, Astarābādī deems consensus as the fabrication of the Sunnīs and strictly rejects it (Astarābādī, 2005: 90, 112, 134).

With regard to the doubts concerning the presence of prohibitions, Ibn Abī Jumhūr believes in the general exemption based on the intellectual ruling (Ibn Abī Jumhūr Aḥsā'ī, 1995: 109), while Astarābādī does believe in the general exemption (Astarābādī, 2005: 154).

Ibn Abī Jumhūr takes the appearance of the qur'ānic content as authoritative (Ibn Abī Jumhūr Aḥsā'ī, 1995: 105), but Astarābādī believes that it is not authoritative without the confirmation of the Infallibles (a) (Astarābādī, 2005: 47).

Ibn Abī Jumhūr deems the prophetic sunna to be authoritative (Ibn Abī Jumhūr Aḥsā'ī, 1995: 106), while Astarābādī does not believe it to be authoritative without the confirmation of the Infallibles (a) (Astarābādī, 2005: 47).

Ibn Abī Jumhūr believes in free investigation and following a religious authority (Ibn Abī Jumhūr Aḥsā'ī, 1995: 131, 136, 145), but Astarābādī deems them as illicit and says that only Infallibles (a) can be followed (ibid: 40, 127).

The main problem raised against Aḥsā'ī is his extensive use of Sunnī narration-based jurisprudence. He is accused of putting together the worthy and the worthless (i.e., using the Sunnī jurisprudential narrations) in the book *'Awālī al-li'ālī*.

The stance that can be taken about this doubt is the examination of the method and principles of Ibn Abī Jumhūr in his assembling of the Shī'a and Sunnī common narrations. His method and principles might have caused some jurisprudents to object to him. We might say that the assembly of the narrations from the general sources based on his method – i.e., trusting the Shī'a and Sunnī common traditions – is seemingly sound and void of any problem. The examination of the early traditional and jurisprudential works indicates the approval of the authoritativeness of the common jurisprudential traditions by some Muslim thinkers. Although the general viewpoint of various Islamic denominations and sects – due to their numerous differences and fights – about the jurisprudential works has been the rejection of each other, we can find works among the surviving ones that have paid attention to the commonalities of traditions. This might be called "the authoritativeness of the Shī'a and Sunnī common traditions" stance[1].

This principle is not exclusive to Aḥsā'ī and has existed among the Twelver Shī'a. A clear example of the bare statements about the authoritativeness of common traditions is the one made by Abul-Fatḥ Muḥammad b. 'Alī al-Karājakī (d. 1057) in the book *Kanz al-Fawā'id*. Explaining the position and validity of common traditions, he says, "When all scholars of narration have consensus on the narration of a statement, that statement becomes authoritative and valid for everyone with intellect." Of course, Karājakī does not suffice to this, refers to the conflict between the solitary narration and the agreed-upon narration (i.e., common tradition), prefers the agreed-upon narration, and says, "The solitary narration cannot remove the consensus and commonality obtained through these narrations, and the rare tradition cannot impede the consensus on the common narration."

Another example of this principles regards the statement by Ibn Baṭrīq (d. 1204) in *Al-'Umda* about argumentation against the opponents, "The agreement between the Shī'a and

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1. This stance is suggested by Sayyid Muḥammad Ḥasan Ḥakīm, who is writing his master's thesis on this issue.

Sunnī in the common traditions and the transmission of suchlike traditions completes their authoritativeness, alleviates the weakness of solitary narration and its limitation to the premises and paths of a group, and makes it shared. Therefore, it is obligatory to accept it, and it is definitively under consensus." In addition to the explication of the position and validity of the common traditions, Sayyid b. Ṭāwūs (d. 1266) gives a serious, widespread research background to this opinion. He believes that the constant method of the Shī'a authors and conservatives has been that when their narration about an issue has come to agree with the narrations of other Muslim scholars, they have taken it as an evident proof and superior indication for the confirmation of that issue, and have deemed it as part of the knowledge and necessities of Islam.

However, from another viewpoint, Ibn Abī Jumhūr's act (i.e., the narration of the Sunnī narrations to confirm the Shī'a decrees) has removed the doubt casted by some Sunnī scholars that suggest the solitariness of the Twelver Shī'a traditions. We know that as part of the denominational fights, they have sometimes accused the Twelver Shī'a to lack of previous traditional records and works (Najāshī, 1988: 3). At other times, they have compared the volume of evidenced prophetic narration among the Twelver Shī'a, have accused the Shī'a to have insufficient suchlike narrations and lack trust in the traditions of the noble Prophet (s), and have sometimes accused those narrations to be solitary and rare.

Various scientific endeavors have been formed in the Shī'a Ḥadīth history against the foregoing movements. If we set the discussion angle at a horizon beyond the jurisprudential discussions, we come to numerous Shī'a Ḥadīth sources that entail common traditions. Books such as *Khiṣāl, Thawāb al-a'māl,* and *Kamāl al-dīn* by Ṣadūq and the book *Musakkin al-fu'ād* by Shahīd Thānī are examples in this regard.

One of these responses comes from the scientific endeavors of Ibn Abī Jumhūr Aḥsā'ī in the book *'Awālī al-li'ālī*. In order to remove the doubt on the solitariness of the Twelver Shī'a narrations, Ibn Abī Jumhūr set to write a jurisprudential Ḥadīth collection in which the Shī'a and Sunnī common traditions are compiled. Expressing his motivation for writing this valuable work, he says, "Since opponents have dominated the Shī'a and – by casting doubts – have made them believe that the content similar to that of the Sunnī cannot be found in the Twelver Shī'a narrations, and that their relationship with the traditions of the noble Prophet (s) is cut, I set out to remove this lack of knowledge and provide a book in this regard" (Ibn Abī Jumhūr Aḥsā'ī, 1985, vol. 1: 15-16). With this explicit expression of the motivation to write this book by its author, there remains no room for the suggestion of other motivations. Of course, unfortunately his efforts were not seriously adopted by the Shī'a scholars and he was even reprimanded.

Trusting and using the science of the Principles of Islamic Jurisprudence is another methodological difference between Ibn Abī Jumhūr and traditionalists. He deems the Principles of Islamic Jurisprudence a science from which the Sharī'a law and the basics of jurisprudence are derived, and no secondary principle can be understood without it. He then introduces some books of the Principles of Islamic Jurisprudence such as *Mabādī al-uṣūl, tahdhīb al-uṣūl*, and *Muntahā al-uṣūl* by 'Allāma Ḥillī that seminarians should study (Ibn Abī Jumhūr Aḥsā'ī, 1995: 65, 85-86). This is against the viewpoint of Astarābādī who believed that the Principles of Islamic Jurisprudence had been taken from the Sunnī principles and is unnecessary (Astarābādī, 2005: 30, 180; Baḥrānī, 1965: 167; Muḥaddith Nūrī Shūshtarī, 1987, vol. 1: 581).

Of course, his use of the Principles of Islamic Jurisprudence and his trust in the practical principles should not be taken as reliance on the intellectual indications, as the latter does not indicate certainty and knowledge at the same level as the practical principles – either intellectual or legal – and can be used only to remove bewilderment. What is mentioned as intellectual indication as one of the religious rule proofs is one that brings about certainty. The

same is true for the discussion of concepts that originate from the discussion of terms (Rushdī, 2006: 115).

However, our intention of discussing this issue is that unlike many traditionalists before and after him who had a certain pessimism toward the Principles of Islamic Jurisprudence (Astarābādī, 2005: 129), Aḥsā'ī pays complete attention to the Principles of Islamic Jurisprudence. This reveals his adherence to the intellectual premises, which is against the traditionalists' approach.

Criticism of this assumption based on Aḥsā'ī's epistemological principles

Since the most important criterion and main difference between traditionalism and intellectualism is related to their viewpoint to the status of intellect in religious thought and knowledge, we try to review Aḥsā'ī interaction manner with and viewpoint to intellect and intellectual knowledge. It seems that using the criteria that we will propose, Aḥsā'ī can be freed from the accusation of being like the common traditionalists who do not believe in the status of intellect in religious knowledge.

In the realm of Islamic thought, the Ash'arīs and following them the Māturīdīs moved toward textualism, while the Mu'tazilaists greatly stepped away from it and inclined to intellect. Among the Shī'a, Zaydīs took the same paths as the Mu'tazilaists and accepted their intellectualism, while Islmā'īlīs were influenced by Gnosticism, Manichaeism, and (to some extent) Neoplatonism, and further moved away from religious thought. Nonetheless, the Twelver Shī'a chose the midway between text and intellect in the light of the guidance by its noble Imāms (a).

Of course, we might find the general inclination of different companions of Imāms – and later the Shī'a scholars – to narration or intellect at times clearly and at other times less clearly and through great efforts. Some Shī'a are called "theologian" while others are called "narration transmitter" or "jurisprudent." Examples of the first group include Hishām b. Ḥakam, Hishām b. Sālim, Ḥumrān b. A'yan, Muḥammad b. Ṭayyār, and Mu'min Ṭāq. To name some figures of the second group, we can refer to Muḥammad b. Muslim, Aḥmad b. Muḥammad b. Khālid Barqī, and Muḥammad b. Ḥasan Ṣaffār. The difference between these two groups is in their manner and volume of using intellect in religious knowledge; therefore, we can consider them as the representatives of intellectualism and textualism among the Shī'a (Subḥānī, 1996: 205-232).

The distinction between intellectualism and textualism is clearer among the Sunnīs than the Shī'as, i.e., the distance and gap between these two schools is less evident among the Shī'as. For example, there are a few disagreements between Shaykh Ṣadūq and Shaykh Mufīd, and no significant difference exists in their principles. Likewise, we might say that the status of intellect among the Twelver Shī'a scholars and their viewpoint to this status is the most important criterion for the classification of opposing groups. The two sides distinguished by this criterion are fairly clear: Traditionalists and legists. Although this classification has practical uses in the jurisprudence discussions and the inference of religious decrees, via a general viewpoint this classification can be seen in all religious and knowledge-oriented discussions. The legists deem a special status for the intellect in understanding religion and as a tool to issue decrees (Rushdī, 2006: 102-104).

This group has taken the intellect up to the station of a proof for religious primary and secondary principles, have taken the intellect and Islamic law to have a mutual relationship, and have deemed the intellect as the internal religious law and the religious law as the outer intellect (Narāqī, 1951, vol. 1: 117).

On the contrary, although the traditionalists confirm the status of intellect, they deem the narrations of the Infallibles (a) as sufficient, and believe that the innate intellect free from

corrupt thoughts is exclusive to the Infallibles (a) and is out of the reach of the ordinary people. Therefore, although they take the intellect as able to help one know the goodness and badness, they do not recognize it in attaining the divine reward and punishment, and reject the trust in the intellect due to the uncertainty of its rulings (Jābirī, 2007: 312).

Ibn Abī Jumhūr's epistemological approach to intellect can be traced in several domains.

Paying attention to intellectual indication and the Ḥilla School of theology

When classifying the Shī'a theological eras, the 8ᵗʰ century LH – which entails Aḥsā'ī's physical as well as intellectual and scientific lifetime – should be considered as heyday of the Ḥilla School. The founder of Ḥilla School in the 7ᵗʰ century LH was Sadīd al-Dīn Ḥimmaṣī, and notable figures such as Muḥaqqiq Ḥillī, 'Allāma Ḥillī, Khāja Naṣīr al-Dīn Ṭūsī, Ibn Maytham Baḥrānī, Fakhr al-Muḥaqqiqīn, Shahīd Awwal, etc. are members of this school.

Although Fāḍil Miqdād (d. 1423 CE) and Ibn Fahad Ḥillī (d. 1437 CE) are regarded as the last figures of this school, its scientific and intellectual legacy remained robustly for several centuries and become somewhat the common Shī'a theological source.

Aḥsā'ī owes to the same Ḥilla School that extensively mixed the traditional Mu'tazila theology with Aristotelian philosophy, illuminationist doctrine, and Pantheist teachings, and brought about a unique combination. Henry Corbin believes that Aḥsā'ī has a greater role in combining the previous schools and bringing about a new school compared to the intellectual works of his contemporary philosophers in the Isfahan era (which culminated the scientific character of Mullā Ṣadrā) (Naṣr, 1970: 49). He emphasizes comparing and assembling the principles of theology and philosophy in the introduction of *Al-Mujlī*, and in theology agrees mostly with the opinions of the Mu'tazilaists and expresses the same ideas via philosophical concepts (Shaybī, 1996: 331; Corbin, 1983: 209).

A look at the works and opinions of Ibn Abī Jumhūr shows the definitive influence of Ḥilla School theologians on him. Some of the signs of this influence are as follows.

The influence of philosophers, theosophists, and Sūfīs

Ibn Abī Jumhūr names many important philosophical and mystic figures that have influenced him intellectually.

He has been greatly influenced by Avicenna, and he has paid great attention to him as well his works and opinions. We know that Avicenna has proposed the closest intellectual thought to the Greek philosophical tradition, and is the leader of the Muslim Peripatetic philosophers. Aḥsā'ī accepted directly or indirectly the majority of Avicenna's opinion and school – which was accused of leading to blasphemy in the old Islamic theology. Examples include the rejection of the temporal creation of the universe (Ibn Abī Jumhūr Aḥsā'ī, 1911: 85) and the confirmation of the existence of abstract beings and intellects that move the heavenly bodies (ibid: 104).

He also praises Ibn Maytham Baḥrānī – the exegete of *Nahj al-balāgha* – and is affected by him (ibid: 179). He has mentioned and used Sayyid Ḥaydar Āmulī and his numerous works (ibid: 192). Like Āmulī, he believes that "Islamic law, mystical path, and philosophical truth are three synonymous words with the same meaning, and that meaning the true religion of Muḥammad [s]" (ibid: 313).

The effects of Ibn Maytham and Sayyid Ḥaydar Āmulī on the works of Ibn Abī Jumhūr is so much that some have come to believe that Ibn Abī Jumhūr is a more developed form of Ibn Maytham Baḥrānī and Sayyid Ḥaydar Āmulī (Shaybī, 1996: 340).

Moreover, Ibn Abī Jumhūr is influenced in philosophy by Shaykh Ishrāq and uses his words frequently (Ibn Abī Jumhūr Aḥsā'ī, 1911: 127, 137, 158, 566, 567, 568).

He has also mentioned Sūfīs and mystics such as Bāyazīd Basṭāmī, Ḥallāj, Sunbulī, Khāja ‘Abdullāh Anṣārī, Ghazalī, Ibn ‘Arabī, etc. and has relied on their words (ibid: 109). Moreover, he is extensively influenced by Shams al-Dīn Shahrūzī and narrates a lot from his *Al-Shajara al-Ilāhiyya* (Schmidtke, 2002: 43).

Authoring and compiling works in the intellectual sciences domain

Like other theologians and jurisprudents of the Ḥilla School, Ibn Abī Jumhūr has numerous works related to the intellectual and theological sciences, including Bidāya al-nahāya , Al-Durra al-mustakhraja min al-lamu‘a fī al-ḥikma, Zād al-musāfirīn, Kashf al-barāhīn fī sharḥ Zād al-musāfirīn, Al-Mujlī mir’āṭ al-munjī, Madkhal al-ṭālibīn fī uṣūl al-dīn, Masālik al-afhām fī ‘ilm al-kalām, Mu‘īn al-fikr fī sharḥ al-bāb al-ḥādī ‘ashar, Mu‘īn al-Mu‘īn fī uṣūl al-dīn, Miftāḥ al-fikr li-fatḥ al-bāb al- ḥādī ‘ashar, Munāẓira bayn al-Gharawī wa al-Harawī, Al-Tuḥfa al-kalāmiyya, Mukhtaṣar al-Tufḥa al-kalāmiyya, Al-Nūr al-munjī min al-ẓalām fī ḥāshiya Masālik al-afhām.

In the Principles of Islamic Jurisprudence, too, Aḥsā’ī has works such as Al-Ḥāshiya ‘Alā Tahdhīb ṭarīq al-wuṣūl ilā ‘ilm al-uṣūl lil-‘Allāma al-Ḥillī and Madkhal al-ṭālibīn fī uṣūl al-dīn, which shows his attention to authoring works in this regard.

Deep trust in the works of ‘Allāma al-Ḥillī

In his books, Aḥsā’ī frequently refers to the various works of ‘Allāma Ḥillī in theology, jurisprudence, principles of jurisprudence, and study of narrators (Ibn Abī Jumhūr Aḥsā’ī, 1995: 139). Moreover, when listing the scholars whose treatises are put into practice, he names ‘Allāma Ḥillī (ibid: 128). We know that most of the textualists (or the same traditionalists) living in the same era as Aḥsā’ī or later avoid trusting ‘Allāma Ḥillī and even do not refrain from attacking and accusing him. Moreover, Aḥsā’ī emphasizes the use of the study of narrators in inducing the religious decrees and distinguishing the sound and unsound narrations using this study, unlike traditionalists who criticize ‘Allāma Ḥillī due to this very reason. Aḥsā’ī trusts the classification of traditions into four groups – which is attributed to ‘Allāma Ḥillī – and uses it in his own books (ibid: 117).

The use of intellect in beliefs

We now that many traditionists, traditionalists, and others – prominently Shaykh Ṣadūq – oppose Kalām (theology) when it means intellectual and logical argumentation in the articles of faith, deem the responsibility of the clergy in religious issues to be narrating and explaining the qur’ānic verses and the traditions issued by the Prophet (s) and the Infallible Imāms (a), take disputes over the Essence and Attributes of God as wrong (a stance they derive from the words of Imāms (a)), and narrate traditions about the last case in which the Companions are warned to annihilation (Madelung, 1997: 278-284).

When discussing the entry "faith" in *Al-Fawā’id al-madaniyya*, Astarābādī reminds many mistakes made by the Mu‘tazilaists and their followers about "determining the First Necessary Existent" and states that these mistakes stem from lack of attention to the words of the Infallible Imāms (a). He takes reliance on the intellect in determining the First Obligation – i.e., knowing God – as equal to making mistakes in this path, and has deemed the only way to be adherence to the words of Ahl al-Bayt (a) (Astarābādī, 2005: 407).

However, Aḥsā’ī extensively uses the intellectual and theological principles for doctrinal discussions in his books, such as the following cases.

The obligation of knowledge

In the section on the Unity of Being in the same book and the discussion of positive and negative Attributes in Al-Mujlī, Aḥsā'ī uses the theologians' method by first presenting intellectual indications, although he prefers the philosophers' methods over the theologians' methods in many cases (Ibn Abī Jumhūr Aḥsā'ī, 1993: 33).

The principality of the existence of the Necessary Existent

Philosophers are proponents of either the principality of existence or the principality of essence. However, Aḥsā'ī in this discussion believes in the principality of the existence of the most high Necessary Existent and the principality of essence in the possible beings, which seems to be his own innovation (Ibn Abī Jumhūr Aḥsā'ī, 1911: 128).

Intellectual argument for the Unity of Being

Relying on intellectual discussions, Aḥsā'ī argues based on his innovative argument to prove the Unity of Being. This argument is totally intellectual, and Aḥsā'ī avoids arguing based on the innate disposition argument (Ibn Abī Jumhūr Aḥsā'ī, 2013: 95).

Imitation in the intellectual matters

With regard to imitation in the beliefs, the majority of Muslim thinkers believe that knowledge about the articles of faith cannot stem from imitation and the person himself should know them through the intellect; therefore, they do not deem it permissible to have faith in them through religious scriptures. On the contrary, the textualists and traditionalists believe that imitation is beneficial and sufficient to this end. Aḥsā'ī rejects imitation in the necessities of religion, but takes imitation to be sufficient in non-necessities for a person who does not have the ability to argument (Ibn Abī Jumhūr Aḥsā'ī, 1990: 135-136).

The possibility of understanding the essential goodness and badness of actions (the practical function of intellect) and the relationship between intellect and religion

We know that the first meaning of intellect is the same faculty that causes understanding the dos and don'ts and the goodness and badness of the phenomena. There are three famous theories about this function, proposed by theologians, philosophers, and the Ashʿarīs. Some philosophers take it as the generally accepted premises and intellectual matters. The famous … deem it as intellectual and essential, and the Ḥanbalī and Ashʿarī traditionists totally reject the practical function of intellect (Muẓaffar, 1985: 294; Rushdī, 2006: 271). Here, similar to majority of the People of Justice (i.e., the Shīʿa and the Muʿtazila) Aḥsā'ī believes in the necessity of the goodness of some acts such as trustiness and useful sincerity and the definitive badness of some actions such as oppression (Ibn Abī Jumhūr Aḥsā'ī, 1993: 41). Unlike Avicenna and some philosophers, he takes understanding goodness and badness as one of the necessities (Ibn Abī Jumhūr Aḥsā'ī, 1911: 209).

In addition, in his discussion for proving prophethood and guardianship, he refers to the principle of goodness and badness (ibid: 236).

Related to the discussion of goodness and badness is the secondary point that if we proved the intellectual goodness and badness, this intellectual understanding is congruent with the words and opinion of the Divine Legislator or not, which is called the concomitance of the

intellectual and religious decrees. The Ashʿarīs, some legists, and the majority of Shīʿa traditionalists reject this concomitance (Rushdī, 2006: 191-260).

We did not find any evident confirmation of concomitance in the words of Aḥsāʾī. However, some of his writings about the relationship between intellect and religion are noteworthy and can help with this discussion (Ibn Abī Jumhūr Aḥsāʾī, 1911: 259; Id., 2013: 919, 921).

Intellect as a proof for issuing decrees

We know that after the Text era and the beginning of the free investigation era, the majority of theologians, jurisprudents, and narration transmitters limited the proofs for issuing decrees to the Qurʾān, sunna, consensus, and intellect.

Some have said that the first person to propose the intellect as an independent proof for the confirmation of religious decrees is Ibn Idrīs Ḥillī (1202 CE) (Ḥillī, 1990: 4; Rushdī, 2006: 107). Muḥaqqiq Ḥillī has said that the sources of decrees are the Qurʾān, sunna, consensus, and intellectual proof (Ḥillī, 1986: 5). Likewise, Ibn Abī Jumhūr enumerates the same four proofs as the sources for religious decrees, and names the intellectual indications as the fourth proof (Ibn Abī Jumhūr Aḥsāʾī, 1995: 149) and sometimes mentions the necessary and discursive intellect next to other evidences (Ibn Abī Jumhūr Aḥsāʾī, 1990: 35). With the numerous differences that exist in the type and scope of reference to these proofs, the main point distinguishing the intellectual and narrative thoughts in referring to these four proofs is the viewpoint to the intellectual indication (Rushdī, 2006: 65-88).

Aḥsāʾī includes theology among the sciences that are needed to attain the religious decree through inference, and deems the intellectual decrees as the essence of religious decrees (Ibn Abī Jumhūr Aḥsāʾī, 1995: 65).

Moreover, Aḥsāʾī considers the intellectual indication as one of the proofs for issuing religious decrees and recognizes its position. When mentioning the proofs, he even does not say that the intellectual indication is valid only when other proofs are not present.

Conclusion

If we take the consideration of intellect as one of the proofs of religious decrees, the prioritization of intellect over narration at the time of their conflict, the permission of esoteric interpretation at the time of incongruence between the text and intellect, and the lack of authoritativeness of the solitary narration in beliefs as the common principles of the intellectualists, we could not find evident statements from Aḥsāʾī in this regard other than the first case about which he clearly deems intellect among the proofs of religious decrees. Therefore, we might not regard him among the outstanding Muslim intellectualist thinkers. However, considering other factors such as his affectedness by the narration transmitters and theologians of Ḥilla School as an intellectualist movement, his affectedness by philosophers and Ṣūfīs, his trust in applying intellect to beliefs, and his belief in the function of practical intellect and recognition of intellect as the internal religion and similar cases, it seems that Ibn Abī Jumhūr Aḥsāʾī is out of the textualists' camp, and we can regard him a narration transmitter with intellectualist approaches. Nonetheless, the assumption that Ibn Abī Jumhūr has been a traditionalist or that "he has paved the way for traditionalists or set the grounds for traditionalism" does not agree with the abovementioned points and is nothing but a hunch. Finally, based on the historical analysis principles, too, even if he is regarded as a traditionalist, making the role and effect of a person so significant in such a big phenomenon is not acceptable.

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