

39. On the Divergent Traditions (Al -Ahadithu 'l-Mukhtalifah)

Abu Ja'far says on the divergent traditions .ash-Shaykh al-Mufid, may Allah have mercy upon him, comments that Abu Ja'far, may Allah have mercy upon him, did not explain the method of ascertaining which tradition is to be followed as binding precedent in jurisprudence, and which is not. In fact, he gives only a brief account of this, notwithstanding the need for a detailed examination to discriminate between what must be followed and what not, and for scrutinizing every- one of them, to tell the true tradition from the spurious, and what he has established in his summary is insufficient.

We have discussed the divergence of the traditions and explained the difference between the sound and the spurious, the true and the false, and what is binding precedent and what is to be disregarded, and that which agrees in content, although the wording differs, and that which stems from prudent fear (at-taqiyyah) and that where the meaning is the same as that expressed. All this is set out in our books and compilations in such a way as to dispel any doubt for those who will consult them, and grace is of Allah, the Almighty. He who wants to comprehend this subject should consult our book entitled at-Tamhid, and that entitled Masabihu 'n- nur.

Also, the responses (given) to our followers throughout the world. In brief, not every tradition ascribed to the truthful Imams does, in fact, derive from them, since patent absurdities are ascribed to them (with others). Consequently, he who has not mastered this science cannot distinguish the true from the false.

Thus, different expressions have been related on their authority, of which the meanings are identical though they differ in expression. This difference is due to the fact that they deal with both the specific and the general (al-khass wa 'l-'amm), and the supererogatory and the obligatory; so, also, some deal with particular points on which the decision cannot be applied to other cases, and still others are worded metaphorically, out of prudent fear and cautious behavior. Each of these categories has its own inferences and its own proofs, and grace is of Allah, the Exalted.

However, these general considerations can be elaborated when we classify the divergent traditions

accurately, as we have discussed above, and determined the meaning of them in the manner we described. Thus, the false tradition, however many authorities are given for it, does not circulate as widely as the genuine which has been related on the authority of the Imams, peace be upon them.

And what has been related on their authority which is delivered out of expediency, is not related frequently on their authority like the one which is acted upon, since one of the two inevitably is given preference over the other, if the chain of the authority is scrutinized closely. Moreover, our companions have not agreed unanimously either upon what is delivered because of expediency or upon what has been adulterated (tadlis), or forged, or what has been put in their mouth falsely, or deceitfully ascribed to them.

Then, (as a general rule), when we find that one of the two traditions has been accepted as genuine and binding precedent, then it is that which is sound in both its exoteric and esoteric meanings, whereas the second one is not feasible, either because it has been said from prudence or it has been adulterated.

And, if we find a tradition related on the authority of ten of the followers of the Imams, peace be upon them, differs from another in both expression and meaning, and if it is impossible to reconcile the two, we should prefer the one related by ten to that related by two or three authorities; and we should consider that which is sustained only by a few as being delivered from prudence, or else that its transmitter has deluded himself.

And, if we find that a particular tradition has been put into practice repeatedly by chosen companions of the Imams, peace be upon them, continuously and in the lifetime of one Imam after another, then we should inevitably prefer it to a tradition which others sustain, and which differs from it, provided that it has not been strengthened by other chains or put into practice. And, if we find a tradition related on the authority of the learned divines of the group (i.e., the Shi'ah) and they have not testified to anything which differs from it, we consider the first to be sound; even if the latter has been related on others' authority, they are not comparable in number or distinction to the Imams, as are the first, since this (i.e., closeness to the Imams) is the sign of veracity and the distinction between true and false.

It is indeed unlikely that the Imams, peace be upon them, should deliver an opinion (responsum) dictated by prudence (at- taqiyah) in a certain case, and that this should be heard by the learned divines among their companions without their having any knowledge of its true interpretation, since, even if this escaped one, it would not escape all, as they were well-versed in delivering response, and the limits of what is lawful and what is prohibited, what is obligatory and what is supererogatory, and the general ordinances of religion.

Above all, whenever we find a tradition differing from the text of the Book (Qur'an) and it cannot be reconciled with it, we discard it as the Book and the consensus of the Imams' dictate, and so, if we find a tradition contradicts the rules of reason, we discard it, as reason declares it corrupt; yet we judge either that it is sound and has been delivered from prudence or false and has been ascribed to the Imams, so

we content ourselves with mentioning it, and admitting it in the light of the various kinds of expediency accepted as lawful by the shari‘ah and that which it proscribes, or those the current usage sanctions or denies.

This is part of the general rule which has been described in detail, and which (if applied) will show the truth in divergent traditions; yet the final judgment cannot be established before specifying the divergent traditions and applying the rules appropriate in each case, as we have explained. As for the tradition which Abu Ja‘far, may Allah have mercy upon him, relies on, and which has been mentioned in the book attributed to Sulaym¹, on the authority of Aban ibn Abi ‘Ayyash, the (general) meaning of it is sound, yet none the less, the book is unauthoritative and most of it cannot be accepted as binding precedent, since it has suffered corruption and adulteration; therefore the scrupulous should abandon all that it contains, and not rely on the greater part of it, or imitate its narrator, but enquire of the learned divines, to distinguish for him the sound from the spurious. And Allah is He Who guides to the truth.

^{1.} Sulaym ibn Qays al-Hilali al-‘Amiri al-Kufi: His kunyah was AbuSadiq. He was accused by al-Hajjaj for his Shi‘ite learnings, a charge which made him go into hiding. He was a companion of ‘Ali ibn Abi Talib and known as a man of piety. It is said that his face was illuminated by his piety. It is also said that he handed over the traditions entrusted to him by ‘Ali ibn Abi Talib to Aban ibn Abi ‘Ayyash as a mark of gratitude for granting him a refuge. See at-Tusi, op. cit., p.43; al-Kishshi, op. cit., p.68; al-Mamaqani, op. cit., vol.2, p.52, no.5157; Ibnu ‘n-Nadim, op. cit., p.219.

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